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April 2, 2008

Judge Advocate General of the Navy (Code 34)
1322 Patterson Avenue, SE, Suite 3000
Washington Navy Yard
Washington, DC 20374-5066

Re: Freedom of Information Act Appeal

Enclosure: NAS Key West FOIA reply dated 25 Mar 08

The essence of my original "Freedom of Information Act" request of 26 Feb 08 is quoted below:

"Please provide me with a copy of the "Pre-Release Draft Environmental Assessment for Maintenance Dredging of Key West Channel and Truman Annex Harbor" (PRDEA) dated February 11, 2003. This is the document that preceded the April, 2003 "Environmental Assessment for Fleet Support and Infrastructure Improvements - Naval Air Station Key West" (EA). The PRDEA was used by reporting Agencies and is referred to in several of their letters within "Letters Received from Agencies" in the Appendix of the EA."

The enclosed reply stated: "...we were unable to locate responsive documents."

As stated in my original FOIA request, according to the EA itself, the requested document was sent to at least eleven reporting agencies, including...

U.S. Department of Interior, Fish and Wildlife Service,
Florida Fish and Wildlife Conservation Commission,
Florida Department of Transportation,
South Florida Water Management District,
Florida Department of Environmental Protection,
Florida Keys National Marine Sanctuary,
United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries

—in January, February, March or early April, 2003, and was the basis for the comments also included in the EA. It is simply not credible that there is no record of said document.

I request that you honor my appeal of this finding and redouble efforts to locate a copy of the requested document.

Sincerely,

John Hammerstrom
Cc: DoD Hotline
GAO Fraudnet
PEER