



**INSPECTOR GENERAL  
DEPARTMENT OF DEFENSE  
400 ARMY NAVY DRIVE  
ARLINGTON, VA 22202-4704**

Ref: 09-0180  
August 5, 2009

OCCL

Mr. John Hammerstrom  
P.O. Box 860  
Tavernier, FL 33070

Dear Mr. Hammerstrom:

This is in response to your April 2, 2009 Freedom of Information Act (FOIA) request for *"all documents or other information generated or gathered by DODIG and by agencies that reported to DODIG relating to Case #105900 – the inquiry regarding the Environmental Assessment for the Introduction of the F/A-18E/F Super Hornet to Naval Air Station Key West."* Your request was received on April 3, 2009.

As a result of our conversation this morning, you agreed to accept the enclosed the documents as responsive to your FOIA request. I am, however, withholding portions of these records under the provisions of Exemptions 6 and 7(C) of the Freedom of Information Act, specifically 5 U.S.C. § 552 (b)(6), which pertains to information, the release of which, would constitute a clearly unwarranted invasion of personal privacy and 5 U.S.C. § 552(b)(7)(C), which pertains to information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

As we discussed, if these documents do not satisfy your interests, you will submit another FOIA request for the balance of the documents produced by our Hotline Office, referencing this case number. All of these documents are contained on a CD, maintained in this case file. Please understand, however, that the balance represents a fairly large collection of records, some of which would have to be referred to their originators for review and release.

If you are not satisfied with this action, you may submit an administrative appeal to Mr. John R. Crane, Assistant Inspector General, Office of Communications and Congressional Liaison, Room 1021, 400 Army Navy Drive, Arlington, VA 22202-4704. Your appeal should be postmarked within 60 days of the date of this letter, should cite case number 09-0180, and should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Henshall". The signature is fluid and cursive, with a large initial "D" and "H".

Dave Henshall  
Senior Advisor, Information  
and Privacy

Enclosures:  
As stated

Case Number <b>105900</b>	Status <b>C</b>	Origin <b>G</b>	Date Received <b>12/05/2007</b>	Date Opened <b>12/11/2007</b>	Priority <b>RU</b>	High Visibility	Referral <b>A</b>
Activity <b>NAVY</b>	Sub Activity	Allegation <b>IMC</b>	Sub Allegation <b>FST</b>	Analyst [REDACTED]	Status Date	Initials	

Status Description

Organization <b>NAS KEY WEST</b>	Sub Organization	City	State/Country <b>FL /</b>
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Case Description

**FRAUDULENTLY ALTERED ENVIRONMENTAL ASSESSMENT REPORT BY THE DEPARTMENT OF THE NAVY ENVIRONMENTAL ASSESSMENT FOR FLEET SUPPORT & INFRASTRUCTURE IMPROVEMENTS, NAS KEY WEST, CONTAINED A SECTION (4.10) WHICH APPEARED TO HAVE BEEN ADDED AT THE END OF CHAPTER 4 AFTER ITS PUBLICATION AND WAS CONSPICUOUSLY UNRELATED TO THE REST OF THE DOCUMENT THIS DOCUMENT WAS CITED BY THE NAVY AS SATISFYING THE REQUIREMENTS OF THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) FOR INTRODUCTION OF NOISIER AIRCRAFT TO NAS KEY WEST**

X-Ref Source

Source <b>GAO</b>	Number <b>51428</b>
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Referred Date: <b>02/20/2008</b>	Progress Date: <b>02/23/2009</b>	Suspense: <b>03/20/2008</b>
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Subject

Complainants

Name: **HAMMERSTROM, JOHN** Interview: **Y** Confidential: **N**  
 Address:  
 City/State/Zip: **//**  
 Primary Email: **JOHNHAMMER@BELLSOUTH.NET**  
 Alternate Email:

Complainant Phones for **JOHN HAMMERSTROM**

Phone Type	Number	Extension	Designation
HOME	305 852 8722	N/A	COMMERCIAL

Name: [REDACTED] Interview: **N** Confidential: **N**  
 Address: [REDACTED]  
 City/State/Zip: [REDACTED]  
 Primary Email: [REDACTED]  
 Alternate Email:

Name: [REDACTED] Interview: **N** Confidential: **N**  
 Address: [REDACTED]  
 City/State/Zip: [REDACTED]  
 Primary Email: [REDACTED]  
 Alternate Email:

Name: [REDACTED] Interview: N  
 Address: [REDACTED]  
 City/State/Zip: [REDACTED]  
 Primary Email:  
 Alternate Email:

Confidential: N

**Case Supplements**

Type	Source	Document Date	Count	Investigator	Entered Date
Non-Referred	E-MAIL	11/18/2008	1	[REDACTED]	11/28/2008
Non-Referred	E-MAIL	09/30/2008	1	[REDACTED]	02/11/2009
Non-Referred	E-MAIL	02/16/2009	1	[REDACTED]	02/17/2009
Non-Referred	E-MAIL	08/15/2008	5	[REDACTED]	02/24/2009
Referred	E-MAIL				

**Case Notes**

Entry Date	Author	Note
04/03/2009	[REDACTED]	Submitted file to Hotline Director for review and he concurs w/recommendation to close the case.
04/03/2009	[REDACTED]	Recommend we close w/o further action. Asst SECNAV for Installations Environmental Policy determined the Navy complied w/NEPA by completing an EA which incorporated references, analyzed impacts to the human environment, including noise & flight paths which included that F/A-18. Review by NAVINSGEN found no evidence that the EA had been altered.
02/24/2009	[REDACTED]	In our recent MOA to NAVINSGEN dtd 01 Dec. 08, we recommended a redirect to the Naval Facilities Engineering Command to obtain consultation with what we felt would be proper SME concurrence for conclusive resolution for case closure. The correspondence forwarded to the complainant from various Navy agencies suggest that all levels of approval have been obtained to satisfy regulations (EIS).
02/24/2009	[REDACTED]	Case due date extension to allow final HCR submission from NAVINSGEN. NAVINSGEN believes further review by the IG is improper and beyond its statutory jurisdiction (awaiting supporting docs for confirmation). NAVINSGEN will review the legal conclusion and the language proposed for a PAO statement, and forward to assist in closing this case.
02/23/2009	[REDACTED]	Mr. Hammerstrom called for case status, was informed closing pending receipt of final disposition from Navy. He asked what if anything could be done, I responded by saying I will send email to Navy HL POC for an update with copy to [REDACTED]. Hammerstrom indicated he has talked with both [REDACTED] and Trahan and both said they would follow up with having Navy contacted for an update. I explained that case notes are not explicit enough

02/18/2009	[REDACTED]	to confirm that Navy has by contacted again. Response ltr from NAVINSGEN received this date as result of DOD IG MOR of 1 Dec 08. NAVIG ltr ref; distro#776 serves as final HCR for this case file. Discussions w/ [REDACTED] (NAVINSGEN) brings clarity and resolution to case. Land use issue is moot until DOD hierachy decides to initiate request for new report to address current/future issues. No evidence of report alteration.
02/18/2009 01/30/2009	[REDACTED]	OIG 776 Complainant Hammerstrom called regarding a status, advised action was still opened; said he needed something saying action remains open due to a developing issue; provided new email address and asked if something could be sent to him on the matter; suspense on the action appears to have lapsed; sent alert to Hotline POC via TESS
01/21/2009	[REDACTED]	Memo dated 1 DEC 08 to Dept of Navy IG requesting additional information needed prior to closing the case. Case in open status pending receipt of additional information.
01/05/2009 11/28/2008	[REDACTED]	status check bycomplainant Hammerstrom this date 18 Nov 08 email from Mr. Hammerstrom processed as a non-ref. See 7 Nov 08 response from Dept of Navy OGC to Mr. Hammerstrom advising of final denial of his FOIA appeal and his right to seek judicial review IAW Title 5, USC, 552. Draft MOR reviewed & returned to MWR for final edits/preparation for Len's signature.
11/26/2008	[REDACTED]	STATUS CHECK BY COMPLAINANT HAMMERSTROM.

<b>Case Closure</b>			
ROI Rcvd Date:	09/24/2008	ROI DEF:	N
MOR Date:	12/01/2008	Closed Date:	04/02/2009
Result:	NS	Remedy:	NRR
Days to close:	Case Location:	Record Center:	
Reviewer	Review Date	Audit:	Follow up: N
1 [REDACTED]	10/29/2008	Follow up Date Close:	
2 [REDACTED]	02/18/2009	Savings:	
3 [REDACTED]	04/01/2009	Investigating Activity:	
		Investigator:	
TL Approval	TL Approval Date	Response Required: Y	
[REDACTED]	11/21/2008		

<b>Case Audit History</b>							
Review 1	Rev_DT 1	Review 2	Rev_DT 2	Review 3	Rev_DT 3	TL Approval	Approval DT
No Case Audit Logs Available.							

Remarks

**Complete case file review accomplished. Recommend case closure w/ concurrence w/ NAVINSGEN response. No evidence of report alteration.**