Stacey Nathanson - NOAA Federal

From:	Stacey Nathanson - NOAA Federal
Sent:	Thursday, August 9, 2018 10:39 AM
To:	Emma Htun - NOAA Affiliate; Samuel Dixon; Steven Goodman - NOAA Federal
Cc:	Mark Graff - NOAA Federal; Caroline Park; Adam Issenberg
Subject:	Fwd: Weekly FOIA and High Visibility Requests
Attachments:	Final FOIA for whitetip bycatch data (2).pdf

Please see the attached FOIA request on information from several fisheries regarding the catch of oceanic whitetip shark from EarthJustice on behalf of CBD. [redacted]

[redacted] *(b)(5)* [redacted] Thank you!

Stacey

Stacey Nathanson
Attorney-Advisor
NOAA Office of the General Counsel
Fisheries and Protected Resources Section
Phone: 301-628-1614
Email: Stacey.Nathanson@noaa.gov

Confidentiality Notice: This e-mail message is intended only for the named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately that you have received this message in error, and delete the message.

---------- Forwarded message ----------
From: **Mark Graff - NOAA Federal** <mark.graff@noaa.gov>
Date: Thu, Aug 9, 2018 at 10:11 AM
Subject: Re: Weekly FOIA and High Visibility Requests
To: Stacey Nathanson - NOAA Federal <stacey.nathanson@noaa.gov>

Of course!--here you go.

Mark H. Graff
FOIA Officer/Bureau Chief Privacy Officer (BCPO)

(b)(6)

National Oceanic and Atmospheric Administration
(301) 628-5658 (O)
(b)(6) (C)

Confidentiality Notice: This e-mail message is intended only for the named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately that you have received this message in error, and delete the message.

On Thu, Aug 9, 2018 at 10:07 AM, Stacey Nathanson - NOAA Federal <stacey.nathanson@noaa.gov> wrote:

Mark --

Can I get a copy of the whitetip shark bycatch FOIA that EarthJustice submitted? Thanks!

Stacey

Stacey Nathanson
Attorney-Advisor
NOAA Office of the General Counsel
Fisheries and Protected Resources Section
Phone: 301-628-1614
Email: Stacey.Nathanson@noaa.gov

Confidentiality Notice: This e-mail message is intended only for the named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately that you have received this message in error, and delete the message.

On Thu, Aug 9, 2018 at 9:54 AM, Mark Graff - NOAA Federal <mark.graff@noaa.gov> wrote:

Good Morning,

Attached is the weekly report.

Incoming:

One request was submitted by Earthjustice on behalf of the Center for Biological Diversity (CBD). The request is seeking records related to whitetip shark bycatch. (DOC-NOAA-2018-001884). Earthjustice also represents Oceana who has a pending FOIA lawsuit against NOAA regarding records on dusky shark bycatch. CBD has filed two FOIA lawsuits against NOAA within the last two years.

Litigation:

In the *ERF v. NMFS* litigation, NOAA is reviewing a final set of potentially responsive records and preparing to file another declaration on Monday. The additional search and declaration are pursuant to the terms of the settlement agreement reached between the parties following the Settlement Conference attended by DOC/GC in that case. The original request sought records related to the Stockdale Memo. As to attorneys fees, NMFS has already paid the settlement amount of $55,000, and is finishing the last remaining items under that negotiated dismissal. A copy of the original Complaint, along with the Stipulation of Settlement and Dismissal filed with the Court outlining the present search and production, is attached.

In the *SGM v. DOC* litigation, NOAA issued another interim release on August 3, pursuant to the monthly production agreement

between the parties. The original request sought records on weather modification and the reason for the confidentiality provision within the Operations and Workforce Analysis (OWA) project. A copy of the original Complaint, and the cover-letter from the most recent release, is attached.

Mark H. Graff
FOIA Officer/Bureau Chief Privacy Officer (BCPO)
National Oceanic and Atmospheric Administration
(301) 628-5658 (O)
[redacted] (C)

Confidentiality Notice: This e-mail message is intended only for the named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately that you have received this message in error, and delete the message.