February 15, 2018

TASK MEMORANDUM FOR: Lead FOIA Coordinator

FROM: NOAA FOIA Office

SUBJECT: Amended response to
FOIA Request No. DOC-NOAA-2016-001479

I am forwarding a copy of the attached FOIA request for your attention. Please follow this procedure:

1. Note the Time Period and Due Date:

The search period date for this FOIA is **January 1, 2009 to July 21, 2016** or the start date of actual document search. In order to complete this request within the regulatory time-frame, please respond to the requester by **September 22, 2016.**

2. Attach Completed FOIA Search Log(s) (See "Correspondence Other" in FO for template)

Search every location that could reasonably contain responsive documents.

3. Assemble Potentially Responsive Records:

Note that potentially responsive records may include emails with attachments, final documents, draft documents, maps, shapefiles, raw data, handwritten notes, informal records, and electronic records.

4. Produce Two Document Sets:

Once assembled, produce two document-sets in electronic format. Mark each identical page from each document-set with a uniquely identifiable number. Maintain one set as an original set. The original documents must have no redactions. Maintain the original document set in an accessible repository for six years.

Use the second document-set to apply FOIA exemptions. **Annotate the FOIA exemptions next to, or over, each redaction.**

As you organize the potentially responsive documents, please identify documents or portions of documents that originated with another office, agency, or bureau. Please refer the documents, or request a consultation, as required by FOIA regulations.

5. Summarize the FOIA Review:

Please check **ALL** appropriate boxes.

[ ] Interim Response number **[NUMBER]** made on **[DATE]**

[X] Amended Final Response incorporating FEMA Input

[ ] The NMFS FOIA office closed this request due to non-payment of fees, or requester's failure to respond to correspondence or,
_____.

[X] Responsive records in our possession can be *released in their entirety*.

[ ] Responsive records in our possession contain segregable exempted material and should be *partially withheld*. The applicable exemption is noted over all drawn redactions.

[ ] Responsive records in our possession contain exempted material and should be *withheld in full.* The applicable exemption is noted over all drawn redactions and/or listed in the response letter and index.

[ ] Responsive records in our possession belonging to another, office, bureau, or federal agency for disclosure determination(s) have been sent to that component for *referral or consultation.*

[ ] Responsive records in our possession are *openly available to the public*.

[ ] A reasonable search was conducted and *no responsive records* were located.

[ ] A foreseeable harm review and analysis was not applicable.

[ ] A foreseeable harm review and analysis was completed for documents containing entirely or partially withheld content. Reviewers determined that disclosure of withheld content would result in harm to an interest protected by the statutory exemption(s), or that disclosure is prohibited by law.

Check **all** exemptions that apply to this foreseeable harm review:

[ ] (b)(2) Agency Personnel Rules/Practices
[ ] (b)(3) Federal Law Prohibits Disclosure
[ ] (b)(4) Business Trade and Financial Information
[ ] (b)(5) Attorney Work Product/Attorney-Client Privilege/Deliberative Process
[ ] (b)(6) Personal Privacy Protection
[ ] (b)(7) Law Enforcement Purposes

6. Verify the following items if a Final Response is being made:

[ ] Admin Cost tab has been completed (or request is being closed as Failure to Pay Fee or Failure to Clarify Scope).

[ ] NMFS FOIA Liaison (or assistant) has been set as first reviewer in the Review tab.

[ ] The responsive records have been uploaded to FOIAonline (FO) and properly coded for release type (UR, RR, etc.).

[ ] Exemptions used have also been noted in FO next to each record (click the pencil icon).

[X] A FORDEM or Bulk Upload memo is being used in place of the responsive records and has been uploaded to both the Records tab and Other Correspondence.

[ ] Search Logs have been properly filled out, signed, and uploaded to Other Correspondence (if search was conducted).

[ ] The Final Action Letter (FAL) contains an accurate count of the records being released and describes all exemption(s) being applied to the records.

[ ] Draft FAL is uploaded to Other Correspondence.

7. Obtain Signatures to Verify Review:

MALABANAN.ANA LIZA.S.1365888147 Digitally signed by MALABANAN.ANA LIZA.S.1365888147 Date: 2018.02.15 13:44:57 -08'00'

Lead Coordinator | Date

HORNOF.GERALD.F.1365857225 Digitally signed by HORNOF.GERALD.F.1365857225 Date: 2018.02.22 14:03:59 -08'00'

RO/LO Senior Official | Date

BEALE.LAURIE.KATHRYN.1365860234 Digitally signed by BEALE.LAURIE.KATHRYN.1365860234 Date: 2018.02.22 13:14:00 -08'00'

*General Counsel | Date

[ ] GC was consulted on this response, but did not review documents. GC has no legal objection assuming the information contained in this form is accurate.

[ ] GC was consulted and reviewed certain documents containing possible redactions and withholdings. GC has no legal objection to the agency's response for those specific documents.

*** NOTE:** *GC review is necessary for any FOIA release that is in litigation or is related to a request in litigation. However, GC signature is not necessary for full releases that do not involve litigation or the threat of litigation.*