



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Pacific Islands Regional Office  
1845 Wasp Blvd., Bldg 176  
Honolulu, Hawaii 96818  
(808) 725-5000 • Fax: (808) 973-2941

November 3, 2023

Jim Sousa  
JM Fisheries LLC  
2335 Kettner Blvd #1A2  
San Diego, CA 92101  
[Jim.sousa@marpacifico.net](mailto:Jim.sousa@marpacifico.net)

Re: FOIA Request DOC-NOAA-2023-010343

Dear Mr. Sousa,

This letter is in response to your Freedom of Information Act (FOIA) request which was received by our office on September 15, 2022. You requested:

“Observer data (2022 – latest available): Catch and effort of main target tuna species by gear/set type Retained and discard by-catch species (volume of retained, volume of discarded/number retained and number discarded and fate when discarded) Interactions with ETP species (intentional/non-intentional, number and fate when discarded) Shark-finning incidents, if applicable (DFR, number, species) Information relating to FAD activities.”

This letter constitutes a final release of records. We are releasing 1 document (*totaling 4 pages, bates stamped 2023-010343-000001 to 2023-010343-000004*), responsive to your request. These records are being released in their entirety.

You have the right to file an administrative appeal if you are not satisfied with our response to your FOIA request. All appeals should include a statement of the reasons why you believe the FOIA response was not satisfactory. An appeal based on documents in this release must be received within 90 calendar days of the date of this response letter at the following address: Assistant General Counsel for Employment, Litigation, and Information U.S. Department of Commerce Office of General Counsel Room 5896 14th and Constitution Avenue, N.W. Washington, D.C. 20230 An appeal may also be sent by e-mail to [FOIAAppeals@doc.gov](mailto:FOIAAppeals@doc.gov). For your appeal to be complete, it must include the following items: • A copy of the original request, • Our response to your request, • A statement explaining why the withheld records should be made available, and why the denial of the records was in error. • “Freedom of Information Act Appeal” must appear on your appeal letter. It should also be written on your envelope, or e-mail subject line. FOIA appeals posted to the e-mail box or Office after normal business hours will be



deemed received on the next business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00p.m., Eastern Time, the next business day will be deemed timely. FOIA grants requesters the right to challenge an agency's final action in federal court. Before doing so, an adjudication of an administrative appeal is ordinarily required. The Office of Government Information Services (OGIS), an office created within the National Archives and Records Administration, offers free mediation services to FOIA requesters. They may be contacted in any of the following ways: Office of Government Information Services National Archives and Records Administration Room 2510 3 8601 Adelphi Road College Park, MD 20740-6001 Email: [ogis@nara.gov](mailto:ogis@nara.gov) Phone: 301-837-1996 Fax: 301-837-0348 Toll-free: 1-877-684-6448 If you have questions regarding this correspondence, please contact Kimberly Quero at [kimberly.quero@noaa.gov](mailto:kimberly.quero@noaa.gov) or the NOAA FOIA Public Liaison Tony Lavoie 843-834-3516.

Sincerely,

MANSKER.MICHELLE.L  
IN.1276289698

Digitally signed by  
MANSKER.MICHELLE.LIN.1276289698  
Date: 2023.11.03 10:11:10 -1000

Michelle Mansker  
Acting Deputy Regional  
Adminstrator