

# Exhibit I



Stephanie Hsiung <stephanie.hsiung@sierraclub.org>

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## 316b FOIA requests

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**Pamela Lawrence - NOAA Federal** <pamela.lawrence@noaa.gov>

Tue, Sep 29, 2015 at 3:42 PM

To: Eric Huber <eric.huber@sierraclub.org>

Cc: Harriet Nash <harriet.nash@noaa.gov>, Peaches Hodge-Tonic <peaches.hodge-tonic@noaa.gov>, Cathy Tortorici <cathy.tortorici@noaa.gov>, Stephanie Hsiung <stephanie.hsiung@sierraclub.org>, Rodney Vieira - NOAA Federal <rod.vieira@noaa.gov>, NMFS HQ PR FOIA Requests - NOAA Service Account <nmfs.hq.pr.foia@noaa.gov>, "Finley, Rebecca" <shawn.finley@sol.doi.gov>, Eileen Harke <eileen\_harke@fws.gov>

Mr. Huber,

Thank you for your email of September 22. This is in response to your email and to provide you with an update on the status of your FOIA request, and ask a question.

First, we wanted to let you know that NMFS is unable to complete its final response by October 30. We had earlier anticipated doing so, but the sheer number of documents identified in our search to your very broad request has made this impossible.

Here are the steps we are taking to complete our response to your request as soon as possible:

- We have hired three contractors to focus full-time on review of these documents. One contractor has started this week, the other two will begin in mid-October. With this additional help, we will complete review of all of the documents identified using the search term "jeopardy" by October 30. However, we will need until January 15 to complete review of the rest of the documents.
- As documents are finished in the review process, they will be forwarded to counsel for review and, if appropriate, forwarded to other agencies for consultation. We will release documents on an interim basis as we can.
- We now anticipate issuing our final release by January 31.

Please note that if there is a shutdown of government offices that we would need to revise this schedule.

Second, we have documents ready for interim release, but the manager of our document software is out of the office this week. She will arrange for them to be available next week. This will give us an opportunity to identify more documents that could be included in this interim release.

Third, you had identified that you did not want documents that were solely administrative in nature. We have interpreted that to include emails that did nothing but forward emails with responsive discussion, with or without attachments, with a forwarding message such as "FYI" or "here's the latest." Before we identify such documents as not responsive, we would check to make sure that there was no change to the title or size of any

attached document. We'd like to confirm that this is acceptable. Note that there are quite a few of these.

On Tue, Sep 22, 2015 at 1:52 PM, Eric Huber <eric.huber@sierraclub.org> wrote:

All - I am writing to each of you who were on our last conference call concerning Sierra Club's FOIA requests to FWS and NMFS on the 316b Rule consultations. Can someone please give me the status of the production and confirm that the Services are going to meet the production dates? In FWS' third partial release letter, dated June 22, 2015, FWS stated it expects to provide a final response to our FOIA by October 30, 2015. In NOAA' third partial release letter, dated September 10, 2015, NOAA stated it also expects to provide a final response by October 30, 2015, as discussed during our August 22, 2015 phone conversation. Thank you.

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