

From: [REDACTED] <[REDACTED]@gov.scot>
Sent: 13 February 2020 16:02
To: [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>
Cc: [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>
Subject: Re: FW: U.S. MMPA Import Provisions: IAICRS is NOW OPEN for LOFF Revisions

[Redacted – not in scope of request]

From: [REDACTED] <[REDACTED]@noaa.gov>
Sent: 13 February 2020 16:02
To: [REDACTED] <[REDACTED]@defra.gov.uk>
Cc: [REDACTED] - NOAA Federal <[REDACTED]@noaa.gov>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@defra.gov.uk>
Subject: Re: FW: U.S. MMPA Import Provisions: IAICRS is NOW OPEN for LOFF Revisions

[Redacted – not in scope of request]

On Thu, Feb 13, 2020 at 5:33 AM [REDACTED] <[REDACTED]@defra.gov.uk> wrote:

[Redacted – not in scope of request]

From: [REDACTED]
Sent: 13 February 2020 04:02
To: [REDACTED] <[REDACTED]@defra.gov.uk>; [REDACTED] <[REDACTED]@defra.gov.uk>
Subject: FW: U.S. MMPA Import Provisions: IAICRS is NOW OPEN for LOFF Revisions

[Redacted – not in scope of request]

From: <[REDACTED]@noaa.gov>
Sent: 12 February 2020 21:14
To: [REDACTED] <[REDACTED]@noaa.gov>
Cc: [REDACTED] - NOAA Federal <[REDACTED]@noaa.gov>
Subject: U.S. MMPA Import Provisions: IAICRS is NOW OPEN for LOFF Revisions

Dear trading partners,

We are writing to notify you that the U.S. National Marine Fisheries Service (NMFS) has reopened the International Affairs Information Capture and Reporting System (IAICRS) data portal. **Please carefully review your nation's information in your List of Foreign Fisheries (LOFF) to ensure that the information for each of your fisheries is complete and appropriately classified.** Please make your updates to your fisheries information through May 15, 2019.

The 2020 LOFF will be the foundation for your comparability finding applications. Therefore, we urge you to update your LOFF and your marine mammal information and provide any information that is lacking. This includes providing as much detail as possible about the fishery, its operational characteristics, and interactions with and bycatch of marine mammals, including applicable references. This detailed information will allow us to determine whether the MMPA import provisions applies to all of the fish and fish products you export to the United States or only to a particular fishery or fisheries, whether

you are only a processor of that fish or fish product, and, if you are a harvester of that fish or fish product, what fishery classification is appropriate.

Actions Needed by Nations

We are requesting that nations update their LOFF under the “Manage Fisheries” portion of the IAICRS and update their marine mammal population abundance information using the “Manage Marine Mammals” tab of the IAICRS. There are new features in both of these areas that should assist you in providing the information request. Specifically, we request that you:

- Review and revise your list of marine mammal populations/stocks in your waters;
- Update the marine mammal abundance estimates for these marine mammal populations/stocks;
- Update the bycatch limits for each marine mammal stock;
- Update the marine mammal bycatch estimates for each fishery on the LOFF including adding additional years of data (e.g., at least five years), the number of marine mammals killed, injured, and released alive in the fishery (Note: any fishery for which a nation indicated that an observer program exists should be accompanied by bycatch estimates);
- Provide information in any category where the data set is labelled “none provided” or unknown;
- Provide gear types for any gear listed as unknown/Gear not known/Not provided;
- Update and include information on distant water fisheries, which are operating under a licensing or access agreement (even if nations are uncertain whether this product is exported to the United States);
- Complete or update the list of intermediary fish or fish products you export to the United States for which you are only the processor, and the fish in that product is harvested elsewhere, including the source fisheries and nations for those products;
- Complete or update the list of fisheries that occur solely in fresh water outside any marine mammal habitat, and inland aquaculture operations, as “Rule Does Not Apply,” and provide the necessary documentary evidence; and
- If appropriate, use the revised deletion request system to request a fishery or intermediary product deletion.

Next Steps

After the completion of the 2020 LOFF updates, we will reopen the ICARIS data portal in fall 2020 for nations to apply for a comparability finding for their export and exempt fisheries listed on the final 2020 LOFF. The comparability application deadline is March 1, 2021. To continue exporting fish and fish products from these fisheries to the United States after January 1, 2022, all nations must have a comparability finding for all fisheries listed on the LOFF. Failure to receive a comparability finding for any fishery on the LOFF will result in import prohibitions for the fish and fish products from that fishery beginning in January 2022.

We look forward to your timely response and very much appreciate your assistance and cooperation. Please do not hesitate to reach out to us at [REDACTED]@noaa.gov if you have any questions or need assistance logging into the IAICRS.

Thank you,

The NOAA Fisheries MMPA Import Provisions Team

Enclosures (2):

Appendix I – United States Marine Mammal Protection Act Import Provisions (MMPA) Background

Appendix II – Federal Register Notice of Publication of Draft 2020 LOFF (pdf attached)

Appendix III – Updated IAICRS User Guide (pdf attached)

APPENDIX I

For more information on the United States Marine Mammal Protection Act Import Provisions (MMPA) and supporting documents:

<https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/noaa-fisheries-establishes-international-marine-mammal-bycatch-criteria-us-imports>

<https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries>

Background:

In August 2016, NMFS published a final rule (81 FR 54390) implementing the import provisions of the Marine Mammal Protection Act (MMPA). This rule established conditions for evaluating a harvesting nation's regulatory programs to address incidental and intentional mortality and serious injury of marine mammals in fisheries that export fish and fish products to the United States. The import provisions of the MMPA requires that harvesting nations have a regulatory program for reducing marine mammal bycatch in each export fishery that is comparable in effectiveness to measures taken by the United States in order to export fish and fish products to the United States. These regulations can be found at <https://www.gpo.gov/fdsys/pkg/FR-2016-08-15/pdf/2016-19158.pdf>.

The List of Foreign Fisheries (LOFF) classifies fisheries based on the frequency of marine mammal bycatch in commercial fisheries exporting fish and fish products to the United States as either "exempt" or "export" fisheries (see regulatory text in the rule for definitions of exempt and export fisheries). Under this rule, fish and fish products from fisheries identified by NMFS in the List of Foreign Fisheries can only be imported into the United States if the harvesting nation has applied for and received a comparability finding for the relevant fishery from NMFS. The conditions to receive a comparability finding for export and exempt fisheries are set out in the rule in section 216.24(h)(6)(iii).

Harvesting nations had until September 13, 2019 to submit a Progress Report to NMFS detailing their efforts to develop and implement regulatory programs for reducing incidental mortality and serious injury of marine mammals in their commercial "export" fisheries. NMFS used the information from the Progress Report to revise and publish this updated draft LOFF.

All harvesting nations must apply for a comparability finding for all fisheries included in the LOFF by March 1, 2021. To continue exporting fish and fish products from these fisheries to the United States after January 1, 2022, all nations must have a comparability finding for all

fisheries listed on the LOFF. The conditions to receive a comparability finding for export and exempt fisheries are set out in the rule in 50 CFR 216.24(h)(6)(iii). Both exempt and export fisheries must obtain a comparability finding. Failure to receive a comparability finding for any fishery on the LOFF will result in U.S. import prohibitions for the fish and fish products from that fishery beginning in January 2022.

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On behalf of [REDACTED]@noaa.gov
Office of International Affairs and Seafood Inspection
NOAA Fisheries
U.S. Department of Commerce
www.fisheries.noaa.gov

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From: [REDACTED]
Sent: 03 December 2020 07:34
To: [REDACTED]
Subject: U.S. MMPA Import Provisions: Notification of four webinars on the Application for Comparability Finding

Dear all,

Please find below links to the webinars which will provide information on completing the comparability finding application. If you are interested in joining, sessions 2 and 4 seem the best fit.

Best wishes

[REDACTED]

From: [REDACTED]@noaa.gov
Sent: 02 December 2020 22:25
To: [REDACTED]@noaa.gov
Cc: [REDACTED] - NOAA Federal
Subject: U.S. MMPA Import Provisions: Notification of four webinars on the Application for Comparability Finding

Dear trading partners,

On Monday, the U.S. National Marine Fisheries Service (NMFS) notified nations that the International Affairs Information Capture and Reporting System (IAICRS) data portal is now open for nations to complete their Comparability Finding applications. Nations will need to apply for Comparability Findings under the new "Application for Comparability Finding" page of the IAICRS. Fishery information and marine mammal population abundance information must be updated as part of your application.

We will be hosting four webinars in December and January for interested participants to introduce users to the Application for Comparability Finding page and answer any questions. We will have a short powerpoint presentation and then demonstrate the Application for Comparability Finding in the IAICRS. The presentation and demonstration will be the same for each webinar. Please use a laptop or computer to join the meeting. Click on the link to enter the meeting, and you should be able to access sound either through your device or by calling in by phone to the number listed. Please note all times are listed in Eastern Standard Time (EST). Video conferencing details are as follows:

Webinar 1: Application for Comparability Findings
Date: Wednesday, December 9, 2020
Time: 2000 EST (8pm EST)

[Redacted – live meeting link]

Webinar 2: Application for Comparability Findings (Spanish interpretation provided)
Date: Friday, December 11, 2020
Time: 0900 EST (9am EST)

[Redacted – live meeting link]

Webinar 3: Application for Comparability Findings

Date: Tuesday, January 19, 2021

Time: 2000 (8pm EST)

[Redacted – live meeting link]

Webinar 4: Application for Comparability Findings (Spanish interpretation provided)

Date: Thursday, January 21, 2021

Time: 0900 EST (9am EST)

[Redacted – live meeting link]

Please do not hesitate to reach out to us at [Redacted]@noaa.gov if you have any questions or need assistance logging into the IAICRS.

Thank you,

The NOAA Fisheries MMPA Import Provisions Team

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On behalf of [Redacted]@noaa.gov

Office of International Affairs and Seafood Inspection

NOAA Fisheries

U.S. Department of Commerce

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From: [REDACTED]@noaa.gov
Sent: 15 December 2020 14:25
To: [REDACTED]@daera-ni.gov.uk
CC: [REDACTED]@defra.gov.uk; [REDACTED]@gov.scot; [REDACTED]@gov.scot
Subject: U.S MMPA Import Provisions: January Webinars on the Application for Comparability Finding

[Redacted – not in scope of request]

On Mon, Dec 14, 2020 at 8:04 AM [REDACTED] <[REDACTED]@daera-ni.gov.uk> wrote:

[Redacted – not in scope of request]

[REDACTED] | Senior Scientific Officer | Marine Conservation and Reporting Team | DAERA - Marine and Fisheries Division

1st Floor | Klondyke Building | Gasworks Business Park | Belfast | BT7 2JA

Contact: ☐ [REDACTED]@daera-ni.gov.uk | ☐ tel: [REDACTED] | ☐ ext: [REDACTED] | ☐ mobile: [REDACTED]



From: [REDACTED] - NOAA Service Account [REDACTED]@noaa.gov
Sent: 11 December 2020 17:45
To: [REDACTED] <[REDACTED]@defra.gov.uk>
Cc: [REDACTED]@gov.scot; [REDACTED]@gov.scot; [REDACTED] <[REDACTED]@daera-ni.gov.uk>
Subject: CM: Re: Today's presentation

Dear [REDACTED],

Thank you for your participation in today's webinar. Please find attached a copy of the powerpoint presentation. Please let us know if you have any questions. We are also happy to work with you to schedule a technical consultation at your convenience.

Sincerely,

[REDACTED]

On Fri, Dec 11, 2020 at 11:00 AM [REDACTED] <[REDACTED]@defra.gov.uk> wrote:

Good morning,

Many thanks for today's useful presentation – we'd appreciate a copy of the slides if possible.

Have a great weekend,

[REDACTED]

Trade Policy Adviser | Marine and Fisheries

Department for Environment Food & Rural Affairs

Horizon House, Deanery Road, Bristol BS1 5TL

T: [REDACTED] | M: [REDACTED] | E: [REDACTED]@defra.gov.uk

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From: [REDACTED]@noaa.gov
Sent: 06 January 2021 18:13
To: [REDACTED]@noaa.gov
Subject: U.S MMPA Import Provisions: January Webinars on the Application for Comparability Finding

Dear trading partners,

Happy New Year!

The U.S. National Marine Fisheries Service (NMFS) has notified nations that the International Affairs Information Capture and Reporting System (IAICRS) data portal is now open for nations to complete their Comparability Finding applications. Nations will need to apply for Comparability Findings under the new "Application for Comparability Finding" page of the IAICRS. Fishery information and marine mammal population abundance information must be updated as part of your application.

In addition to the two webinars previously announced, we have added two more webinars in January and are providing one with Spanish interpretation and one with French interpretation. Interested participants will be introduced to the Application for Comparability Finding page and we will answer any audience questions. We will have a short powerpoint presentation and then demonstrate the Application for Comparability Finding in the IAICRS. The presentation and demonstration will be the same for each webinar.

Please use a laptop or computer to join the meeting. Click on the link to enter the meeting, and you should be able to access sound either through your device or by calling in by phone to the number listed. Please note all times are listed in Eastern Standard Time (EST). Video conferencing details are listed below.

Please do not hesitate to reach out to us at [REDACTED]@noaa.gov if you have any questions or need assistance logging into the IAICRS.

Thank you,

The NOAA Fisheries MMPA Import Provisions Team

Application for Comparability Findings

Date: Tuesday, January 19, 2021

Time: 2000 (8pm EST)

[Redacted – live meeting link]

Application for Comparability Findings (Spanish interpretation provided)

Date: Thursday, January 21, 2021

Time: 0900 EST (9am EST)

[Redacted – live meeting link]

Application for Comparability Findings

Date: Tuesday, January 26, 2021

Time: 0900 EST (9am EST)

[Redacted – live meeting link]

Application for Comparability Findings (French interpretation provided)

Date: Wednesday, January 27, 2021

Time: 0900 EST (9am EST)

[Redacted – live meeting link]

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On behalf of [REDACTED]@noaa.gov

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From: [REDACTED] <[REDACTED]@noaa.gov>
Sent: 21 January 2021 16:28
To: [REDACTED] <[REDACTED]@gov.scot>
Subject: Re: Presentation

Dear [REDACTED],

Thank you for attending the webinar today. Please find attached a copy of the presentation. Please let us know if you have any questions or would like to schedule a technical consultation.

Sincerely,
[REDACTED]

On Thu, Jan 21, 2021 at 10:56 AM <[REDACTED]@gov.scot> wrote:

Thank you for an interesting presentation today. I would be grateful if you could send me the slides.

Many thanks

[REDACTED] | Marine Planning and Policy | Marine Scotland

Scottish Government | Area 1B North | Victoria Quay | Edinburgh | EH6 6QQ

Tel: [REDACTED] | **Mob:** [REDACTED] | **Email:** [REDACTED]@gov.scot

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From: [Redacted] <[Redacted]@noaa.gov>
Sent: 26 January 2021 16:26
To: [Redacted] <[Redacted]@gov.scot>
Subject: Re: Webinar Presentation
Dear [Redacted],

Thank you for attending the webinar today. Please find attached a copy of the presentation. Please let us know if you have any questions or would like to schedule a technical consultation.

Sincerely,
[Redacted]

On Tue, Jan 26, 2021 at 10:03 AM <[Redacted]@gov.scot> wrote:

Good Morning,

I attended the webinar this morning and would very much appreciate it if you could forward a copy of the PowerPoints to me.

Thanks,

[Redacted]

[Redacted]

Marine Species Policy Officer
Marine Conservation | Marine Planning & Policy
[Redacted] | she/her

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