Determining if a Species is Threatened or Endangered

Section 4(a)(1) of the ESA requires that we determine whether a species is endangered or threatened based on one or more of the following factors: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. Section 4(b) also requires that our determination be made on the basis of the best scientific and commercial data available after taking into account those efforts, if any, being made by any State or foreign nation, to protect such species.

Public Solicitation of New Information

To ensure that the 5–year review is complete and based on the best available scientific and commercial information, we are soliciting new information from the public, governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of Southern Resident killer whales. The 5–year review considers the best scientific and commercial data and all new information that has become available since the listing determination or most recent status review. Categories of requested information include: (1) species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions including, but not limited to, amount, distribution, and suitability; (3) conservation measures that have been implemented that benefit the species; (4) status and trends of threats; and (5) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

Any new information will be considered during the 5–year review and will also be useful in evaluating the ongoing recovery program for Southern Resident killer whales. For example, information on conservation measures will assist in tracking implementation of recovery actions. Habitat information received during the 5–year review process will also be useful in any future consideration of amending the designated critical habitat for Southern Resident killer whales. At the time critical habitat was designated (71 FR 69054; November 26, 2006), we concluded there was insufficient data to identify specific areas in offshore waters in which essential habitat features are found and stated we would consider any new information on coastal and offshore habitats that becomes available.

If you wish to provide information for this 5–year review, you may submit your information and materials to Lynne Barre (see ADDRESSES section). Our practice is to make submissions of information, including names and home addresses of respondents, available for public review on the Northwest Regional Web page and in our office during regular business hours. Respondents may request that we withhold a respondent’s identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your submission. We will not, however, consider anonymous submissions. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Information and materials received will be available for public inspection, by appointment, during normal business hours (see ADDRESSES section).

Authority: 16 U.S.C. 1531 et seq.


Angela Somma,
Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[Federal Register 2010: Volume 75, No. 65, Pages 17378–17379]

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–831]

Stainless Steel Sheet and Strip in Coils from Taiwan: Notice of Extension of Time Limits for Preliminary Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: April 6, 2010.


SUPPLEMENTARY INFORMATION:

Background

On July 1, 2009, the Department of Commerce (the Department) published a notice in the Federal Register of opportunity to request administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Taiwan. See Antidumping or Countervailing Duty Order, Finding, or Suspected Investigation; Opportunity To Request Administrative Review, 74 FR 31406 (July 1, 2009). On July 28, 2009, Chia Far Industrial Factory Co., Ltd. (Chia Far) requested an administrative review of its entries during the period of review (POR) of July 1, 2008, through June 30, 2009. On July 31, 2009, the petitioners1 requested a review with respect to Chia Far and 22 additional companies.


As explained in the memorandum from the Deputy Assistant Secretary for Import Administration, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from

1 The petitioners in this proceeding are Allegheny Ludlum Corporation, AK Steel Corporation, North American Stainless, United Auto Workers Local 3303, United Steelworkers of America, AFL-CIO/C.L.C., and Zanesville Armco Independent Organization.
February 5, through February 12, 2010. Thus, all deadlines in this segment of the proceeding have been extended by seven days. Therefore, the preliminary results are currently due no later than April 9, 2010. See Memorandum to the Record from Ronald Lorentzen, DAS for Import Administration, regarding “Tolling of Administrative Deadlines As a Result of the Government Closure During the Recent Snowstorm,” dated February 12, 2010.

Extension of Time Limit for Preliminary Results

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), the Department shall make a preliminary determination in an administrative review of an antidumping order within 245 days after the last day of the anniversary month of the date of publication of the order. Section 751(a)(3)(A) of the Act further provides, however, that the Department may extend the 245-day period to 365 days if it determines it is not practicable to complete the review within the foregoing time period. We determine that it is not practicable to complete this administrative review within the time limits mandated by section 751(a)(3)(A) of the Act because we require additional time to analyze and verify the data submitted by Chia Far, the sole respondent selected for individual examination. In accordance with section 751(a)(3)(A) of the Act, we have fully extended the deadline for completing the preliminary results until August 7, 2010. Because August 7, 2010, falls on a weekend, the actual due date is now August 9, 2010. The deadline for the final results of the review continues to be 120 days after the publication of the preliminary results.

This notice is published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: March 31, 2010.

John M. Andersen,
Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

BILLING CODE 3510–OS–S

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

RIN 0648–XG18

Identification of Nations Whose Fishing Vessels Are Engaged in Illegal, Unreported, or Unregulated Fishing and/or Bycatch of Protected Living Marine Resources

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Reopening of request for information period.

SUMMARY: NMFS is reopening the request for information in order to provide additional opportunities for interested parties to provide information regarding nations whose vessels are engaged in illegal, unreported, or unreported (IUU) fishing or bycatch of protected living marine resources (PLMRs). Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act). On March 5, 2010, NMFS published a request for information, with submissions requested by April 5, 2010. NMFS is now reopening the request for information until April 23, 2010.

DATES: Information should be received on or before April 23, 2010.

ADDRESSES: Information should be submitted to NMFS Office of International Affairs, Attn.: MSRA Information, 1315 East-West Highway, Silver Spring, MD 20910. E-mail address: IUU.PLMR.INFO@noaa.gov or fax (301) 713–9106.

FOR FURTHER INFORMATION CONTACT: NMFS Office of International Affairs, e-mail address: IUU.PLMR.INFO@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) amended the Moratorium Protection Act (16 U.S.C. 1826d–k) to require actions be taken by the United States to strengthen international fishery management organizations and address IUU fishing and bycatch of PLMRs. Specifically, the Moratorium Protection Act requires the Secretary of Commerce (Secretary) to identify in a biennial report to Congress those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding 2 years, in IUU fishing. In this context, IUU fishing is defined (16 U.S.C. 1826): 50 CFR 300.200–201) as:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements;

(2) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and

(3) Fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

Additionally, the Secretary must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged during the preceding calendar year, in fishing activities either (1) in waters beyond any national jurisdiction that result in bycatch of a PLMR, or (2) beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States. In this context, PLMRs are defined as non-target fish, sea turtles, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tuna’s Convention Act, or any international fishery management agreement. A list of species considered as PLMRs for this purpose is available online at: http://www.nmfs.noaa.gov/msa2007/docs/list_of_protected_lmr_act_022610.pdf.

The first biennial report was submitted to Congress in January 2009 and is available online at http://www.nmfs.noaa.gov/msa2007/docs/msra_bienial_report_011309.pdf. The report identified six nations for IUU fishing.

The Moratorium Protection Act also requires the Secretary to establish procedures to certify whether each nation identified in the biennial report is taking appropriate corrective action to