

Issued this 16th day of July 2013.

**David W. Mills,**

*Assistant Secretary of Commerce for Export Enforcement.*

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**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-449-804; A-455-803; A-560-811; A-570-860; A-822-804; A-823-809; A-841-804]

### Steel Concrete Reinforcing Bars From Belarus, Indonesia, Latvia, Moldova, Poland, the People's Republic of China, and Ukraine: Continuation of Antidumping Duty Orders

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

**SUMMARY:** As a result of the determinations by the Department of Commerce ("Department") that revocation of the antidumping duty orders<sup>1</sup> on steel concrete reinforcing bars from Belarus, Indonesia, Latvia, Moldova, Poland, the People's Republic of China ("PRC"), and Ukraine would likely lead to continuation or recurrence of dumping, and by the International Trade Commission ("ITC") that revocation of the antidumping duty orders would likely lead to continuation or recurrence of material injury to an industry in the United States, the Department is publishing this notice of the continuation of the antidumping duty orders.

**DATES:** *Effective Date:* July 22, 2013.

**FOR FURTHER INFORMATION CONTACT:** Nancy Decker, AD/CVD Operations, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-0916.

#### SUPPLEMENTARY INFORMATION:

#### Background

On July 2, 2012, the Department and the ITC initiated the second sunset reviews of the antidumping duty orders on steel concrete reinforcing bars from Belarus, Indonesia, Latvia, Moldova, Poland, the PRC, and Ukraine, pursuant

<sup>1</sup> See *Antidumping Duty Orders: Steel Concrete Reinforcing Bars From Belarus, Indonesia, Latvia, Moldova, People's Republic of China, Poland, Republic of Korea and Ukraine*, 66 FR 46777 (September 7, 2001). On August 9, 2007, the Department revoked the antidumping duty order on steel concrete reinforcing bars from the Republic of Korea. See *Steel Concrete Reinforcing Bars from South Korea: Revocation of Antidumping Duty Order*, 72 FR 44830 (August 9, 2007).

to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>2</sup> In these sunset reviews, the Department determined that revocation of the antidumping duty orders on steel concrete reinforcing bars from Belarus, Indonesia, Latvia, Moldova, Poland, the PRC, and Ukraine would be likely to lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margin likely to prevail should the orders be revoked.<sup>3</sup>

On July 9, 2013, pursuant to section 752(a) of the Act, the ITC published its determination that revocation of the antidumping duty orders on steel concrete reinforcing bars from Belarus, Indonesia, Latvia, Moldova, Poland, the PRC, and Ukraine would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>4</sup>

#### Scope of the Orders

The product covered by the orders is all steel concrete reinforcing bars sold in straight lengths, currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") under item numbers 7214.20.00, 7228.30.8050, 7222.11.0050, 7222.30.0000, 7228.60.6000, 7228.20.1000, or any other tariff item number. Specifically excluded are plain rounds (*i.e.*, non-deformed or smooth bars) and rebar that has been further processed through bending or coating.

Although the HTSUS item numbers are provided for convenience and customs purposes, the written description of the scope of the orders remains dispositive.

#### Continuation of the Orders

As a result of the determinations by the Department and the ITC that revocation of these orders would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on steel concrete reinforcing bars from Belarus, Indonesia, Latvia, Moldova, Poland, the PRC, and Ukraine.

U.S. Customs and Border Protection will continue to collect antidumping

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 77 FR 39218, 39219 (July 2, 2012).

<sup>3</sup> See *Steel Concrete Reinforcing Bars From Belarus, Indonesia, Latvia, Moldova, Poland, People's Republic of China and Ukraine: Final Results of the Expedited Second Sunset Reviews of the Antidumping Duty Orders*; 77 FR 70140 (November 23, 2012).

<sup>4</sup> See *Steel Concrete Reinforcing Bar From Belarus, China, Indonesia, Latvia, Moldova, Poland, and Ukraine*, 78 FR 41079 (July 9, 2013).

duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of these orders not later than 30 days prior to the fifth anniversary of the effective date of continuations.

These five-year sunset reviews and notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: July 15, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC768

### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice of final determination and discussion of underlying biological analysis.

**SUMMARY:** NMFS has evaluated the Tribal Resource Management Plans (Plans) submitted by the Confederated Tribes of the Umatilla Indian Reservation, the Shoshone-Bannock Tribes, and the Nez Perce Tribe to NMFS pursuant to the limitation on take prohibitions for actions conducted under the Tribal Rule of section 4(d) for salmon and steelhead promulgated under the Endangered Species Act (ESA). The Plans specify fishery management activities in the Oregon and Washington portions of the Snake River basin. This document serves to notify the public that NMFS, by delegated authority from the Secretary of Commerce, has determined pursuant to the ESA Tribal 4(d) Rule for salmon and steelhead that implementing and enforcing the Plans will not appreciably reduce the likelihood of survival and recovery of ESA-listed salmon and steelhead.

**DATES:** The final determination on the Plan was made on July 2, 2013.

**ADDRESSES:** National Marine Fisheries Service, Salmon Management Division, 1201 NE. Lloyd Boulevard, Suite 1100, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Enrique Patiño at (206) 526-4655, or email: [Enrique.Patino@noaa.gov](mailto:Enrique.Patino@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

Chinook salmon (*Oncorhynchus tshawytscha*): threatened, naturally produced and artificially propagated Snake River spring/summer.

Steelhead (*O. mykiss*): threatened, naturally produced and artificially propagated Snake River Basin.

**Background**

The Nez Perce Tribe (NPT), the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), and the Shoshone-Bannock Tribes (SBT) each submitted a Tribal Resource Management Plan for harvest of Snake River spring/summer Chinook salmon in the Imnaha and Grande Ronde subbasins for review under the Tribal 4(d) rule. Activities described in the Plans include tribal fisheries for hatchery-origin and natural-origin Chinook salmon using population-specific abundance-based harvest rate schedules, which incorporate conditions for the conservation and restoration of salmon stocks. The management objective is for the NPT, the CTUIR, and the SBT to conduct fisheries in a manner that does not appreciably reduce the likelihood of survival and recovery of listed Chinook salmon. The proposed Plans provide the framework through which Tribal salmon fisheries can be implemented while meeting requirements specified under the ESA.

Under section 4(d) of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. NMFS has issued a final ESA 4(d) Rule for Tribal Plans adopting regulations necessary and advisable to harmonize statutory conservation requirements with tribal rights and the Federal trust responsibility to tribes (50 CFR 223.209).

This 4(d) Rule for Tribal Plans applies the prohibitions enumerated in section 9(a)(1) of the ESA. NMFS did not find it necessary and advisable to apply the take prohibitions described in section 9(a)(1)(B) and 9(a)(1)(C) to fishery harvest activities if the fisheries are managed in accordance with a Tribal Plan whose implementation has been determined by the Secretary to not

appreciably reduce the likelihood of survival and recovery of the listed salmonids.

As specified in the Tribal 4(d) Rule, before the Secretary makes a decision on a Tribal Plan, the public must have an opportunity to review and comment on the pending determination. NMFS made the proposed evaluation and pending determinations available for public review, and the final evaluation and determinations reflect consideration of comments received.

**Discussion of the Biological Analysis Underlying the Determination**

The management objective is for the tribes to conduct fisheries in a manner that does not appreciably reduce the likelihood of survival and recovery of listed Chinook salmon and steelhead. The Plans include provisions for monitoring and evaluation to assess fishing-related impacts on Snake River spring/summer Chinook salmon. The Plans utilize a harvest rate with five tiers based on predicted adult abundance of each of the affected populations. The majority of the harvest is anticipated to come from hatchery-origin stocks. The Plans also describe a process to guide coordination of fishery design and implementation between the agencies implementing fisheries in the action area. The Plans include provisions for monitoring and evaluation to assess fishing-related impacts on Snake River spring/summer Chinook salmon. Performance indicators include dam, weir, and redd counts, harvest estimates, and escapement with respect to escapement goals.

The tribes intend to engage in ceremonial and subsistence harvest of both hatchery and natural-origin spring/summer Chinook salmon. Annually, the tribes would issue season regulations detailing the timing and season regulations for tributary fisheries consistent with these long-term Plans. Under the Plans, the tribes would manage all Chinook salmon fisheries to achieve escapement objectives using population-specific, abundance-based harvest rate schedules to limit ESA take according to year-specific adult escapement abundances. As a result, weaker populations will sustain less harvest and, as the number of predicted adults increase, the number of fish escaping to the spawning grounds will also increase.

To achieve their conservation objectives, the Plans employ a number of key strategies as part of their harvest conservation measures, including: (1) Fishery-related redistribution of the conservation burden historically borne

by fisheries; (2) use of threshold points to restrict the take of ESA-listed fish; and (3) application of a sliding scale approach to determine appropriate ESA take limits on critically low runs as well as on healthier runs at levels that may not slow recovery.

The Plans include provisions for annual reports that will assess compliance with performance standards established through the Plans. The monitoring and evaluation described in the Plans will focus on two primary performance indicators: adult and juvenile abundance, and the overall assessment of abundance and productivity measures for each population. Reporting and inclusion of new information derived from research, monitoring, and evaluation activities provides assurance that performance standards will be achieved in future seasons.

**Summary of Comments Received in Response to the Proposed Evaluation and Pending Determination**

NMFS published notice of its proposed evaluation and pending determination on two of the Plans for public review and comment on August 11, 2011 (76 FR 49735). The proposed evaluation and pending determination and an associated draft environmental assessment were available for public review and comment for 30 days. NMFS received comments from the Oregon Department of Fish and Wildlife, the CTUIR, and the NPT. Subsequently, NMFS received an updated TRMP from the NPT, addressing management of NPT fisheries in the Grande Ronde and Imnaha Rivers. NMFS published notice of its proposed evaluation and pending determination on the NPT Plan for public review and comment on January 23, 2013 (78 FR 4835), also for 30 days. No comments were received.

A detailed summary of the comments and NMFS' responses is also available on the Salmon Management Division Web site. Based on its evaluation and recommended determinations and taking into account the public comments, NMFS issued its final determination on the three tribal fishery Plans.

**Authority**

Under section 4 of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of the species listed as threatened. The ESA Tribal 4(d) Rule (50 CFR 223.209) states that the ESA section 9 take prohibitions will not apply to Tribal Plans that will not appreciably reduce the likelihood of

survival and recovery for the listed species.

Dated: July 17, 2013.

**Angela Somma,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC731**

#### Caribbean Fishery Management Council; Scoping Meetings

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

**ACTION:** Notice of scoping meetings.

**SUMMARY:** The Caribbean Fishery Management Council will hold scoping meetings to obtain input from fishers, the general public, and the local agencies representatives on the development of island-specific fishery management plans for Puerto Rico, St. Thomas/St. John, USVI and St. Croix, USVI. A fishery management plan will be developed for each of these areas.

The document entitled "Development of a Comprehensive Fishery Management Plan for the Exclusive Economic Zone of St. Thomas/St. John, USVI," will consider the following alternative actions:

*Action 1:* Establish the fishery management units (FMUs) for the comprehensive St. Thomas/St. John fishery management plan (FMP).

*Action 2:* Revise the species composition of the comprehensive St. Thomas/St. John FMP.

*Action 3:* Establish management reference points for any new species added to the comprehensive St. Thomas/St. John FMP.

*Action 4:* Modify or establish additional management measures.

The document entitled "Development of a Comprehensive Fishery Management Plan for the Exclusive Economic Zone of St. Croix, USVI," will consider the following alternative actions:

*Action 1:* Establish the fishery management units (FMUs) for the comprehensive St. Croix, USVI fishery management plan (FMP).

*Action 2:* Revise the species composition of the comprehensive St. Croix FMP.

*Action 3:* Establish management reference points for any new species added to the comprehensive St. Croix, USVI FMP.

*Action 4:* Modify or establish additional management measures.

The document entitled "Development of a Comprehensive Fishery Management Plan for the Exclusive Economic Zone of Puerto Rico," will consider the following alternative actions:

*Action 1:* Establish the fishery management units (FMUs) for the comprehensive Puerto Rico fishery management plan (FMP).

*Action 2:* Revise the species composition of the comprehensive Puerto Rico FMP.

*Action 3:* Establish management reference points for any new species added to the comprehensive Puerto Rico FMP.

*Action 4:* Modify or establish additional management measures.

The comprehensive plans will incorporate and modify, as needed, federal fishery management measures included in each of the existing species based management plans (Spiny Lobster, Reef Fish, Coral and Queen Conch). The goal is to create management plans tailored to the specific fishery management needs of each area. If approved, these new management plans being developed for each area; St. Thomas/St. John, USVI; St. Croix, USVI, and Puerto Rico, will replace the current species-based plans presently governing commercial and recreational harvest in the U.S. Caribbean federal waters.

*Dates and Addresses:* Due to the tropical storm Chantel the scoping meetings in these locations could not be held. The rescheduled scoping meetings will be held on the following dates and locations:

*In Puerto Rico:*

August 5, 2013—7 p.m.—10 p.m.—Mayaguez Resort & Casino, Route 104, Km 0.3, Mayagüez 00680, Puerto Rico.

August 6, 2013—7 p.m.—10 p.m.—at the Holiday Inn Ponce & Tropical Casino, 3315 Ponce By Pass, Ponce, Puerto Rico.

*In the U.S. Virgin Islands:*

August 6, 2013—7 p.m.—10 p.m.—Windward Passage Hotel, Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

**FOR FURTHER INFORMATION CONTACT:** Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918-1903, telephone: (787) 766-5926.

**SUPPLEMENTARY INFORMATION:** The Caribbean Fishery Management Council will hold scoping meetings to receive

public input on the management options mentioned above. The complete document is available at:

[www.caribbeanfmc.com](http://www.caribbeanfmc.com) or you may contact Ms. Livia Montalvo at [livia\\_montalvo\\_cfmc@yahoo.com](mailto:livia_montalvo_cfmc@yahoo.com), or the Council office at (787) 766-5926 to obtain copies.

Written comments can be sent to the Council not later than July 31, 2013, by regular mail to the address below, or via email to [graciela\\_cfmc@yahoo.com](mailto:graciela_cfmc@yahoo.com).

#### Special Accommodations

These meetings are physically accessible to people with disabilities. For more information or request for sign language interpretation and other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918-1903, telephone: (787) 766-5926, at least 5 days prior to the meeting date.

Dated: June 17, 2013.

**Tracey L. Thompson,**

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC770**

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) will convene a conference call of its Groundfish Essential Fish Habitat Review Committee (EFHRC). A listening station will be available at the Pacific Council offices for interested members of the public, and there may be opportunities to attend the meeting remotely.

**DATES:** The conference call will be held Friday, August 16, 2013, from 10 a.m. to 12 noon.

**ADDRESSES:** The meeting will be held via conference call, with a public listening station available at the Pacific Council offices, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.