

the United States under HTSUS subheadings 7606.11.3030, 7606.12.3015, 7606.12.3025, 7606.12.3035, 7606.12.3091, 7606.91.3055, 7606.91.6055, 7606.92.3025, 7606.92.6055, 7607.11.9090. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of the Investigation
- V. Scope Comments
- VI. Applications of Facts Available and Use of Adverse Inference
- VII. Discussion of the Methodology
- VIII. Currency Conversion
- IX. Recommendation

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA514]

#### Pacific Island Fisheries; Marine Conservation Plan for Pacific Insular Areas Other Than American Samoa, Guam, and the Northern Mariana Islands; Western Pacific Sustainable Fisheries Fund

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

**ACTION:** Notice of agency decision.

**SUMMARY:** NMFS announces approval of a Marine Conservation Plan (MCP) for Pacific Insular Areas other than American Samoa, Guam, and the Northern Mariana Islands.

**DATES:** This agency decision is applicable from August 4, 2020, through August 3, 2023.

**ADDRESSES:** You may obtain a copy of the MCP, identified by NOAA-NMFS-2020-0132, from the Federal e-Rulemaking Portal, <http://www.regulations.gov/> #!docketDetail;D=NOAA-NMFS=2020=0132, or from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, 808-522-8220, <http://www.wpcouncil.org>.

**FOR FURTHER INFORMATION CONTACT:** David O'Brien, Sustainable Fisheries, NMFS Pacific Islands Regional Office, 808-725-5038.

**SUPPLEMENTARY INFORMATION:** Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary), and in consultation with the Council, to negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA). A PIAFA would allow foreign fishing within the U.S. Exclusive Economic Zone (EEZ) adjacent to a Pacific Insular Area other than American Samoa, Guam, or the Northern Mariana Islands, that is, in the EEZ around the Pacific Remote Island Areas (PRIA). The PRIA are Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Palmyra Atoll, and Wake Island. Before entering into a PIAFA for the PRIA, the Council must develop and submit to the Secretary a 3-year MCP that details the uses for funds collected by the Secretary under the PIAFA. NMFS is the designee of the Secretary for MCP review and approval.

The Magnuson-Stevens Act requires payments received under a PIAFA, and any funds or contributions received in support of conservation and management objectives for the MCP, to be deposited into the Western Pacific Sustainable Fisheries Fund (Fund) for use by the Council. Additionally, in the case of violations by foreign fishing vessels in the EEZ around the PRIA, amounts received by the Secretary attributable to fines and penalties imposed under the Magnuson-Stevens Act, including sums collected from the forfeiture and disposition or sale of property seized subject to its authority, are deposited into the Fund for use by the Council, after direct costs of the enforcement action are subtracted. Section 204(e)(7)(C) of the Magnuson-Stevens Act also authorizes the Council to use the Fund to meet conservation and management objectives in the State of Hawaii, if funds remain available.

An MCP must be consistent with the Council's fishery ecosystem plans (FEPs), must identify conservation and management objectives (including criteria for determining when such objectives have been met), and must prioritize planned marine conservation projects. Although no foreign fishing in the PRIA is being considered at this time, the Council reviewed and approved the draft MCP at its September 2020 meeting. On September 18, 2020, the Council's Executive Director submitted the MCP to NMFS for review and approval.

The MCP contains the following five conservation and management objectives that are consistent with the

FEP for the PRIA and the FEP for Pelagic Fisheries of the Western Pacific:

1. Support quality research and monitoring to obtain the most complete scientific information available to assess and manage fisheries within an ecosystem approach;

2. Conduct education and outreach to foster good stewardship principles and broad and direct public participation in the Council's decision making process;

3. Promote regional cooperation to manage domestic and international fisheries;

4. Encourage development of technologies and methods to achieve the most effective level of monitoring, control and surveillance (MCS) and to ensure safety at sea; and

5. Western Pacific community demonstration projects and Western Pacific Community Development Program.

In addition, the MCP contains seven conservation and management objectives that are consistent with the FEP for the Hawaiian Archipelago:

1. Support quality research and monitoring to obtain the most complete scientific information available to assess and manage fisheries within an ecosystem approach;

2. Promote an ecosystem approach to fisheries management including reducing bycatch in fisheries and minimizing impacts on marine habitat and impacts on protected species and addressing climate change adaptation and mitigation;

3. Conduct education and outreach to foster good stewardship principles and broad and direct public participation in the Council's decision making process;
4. Recognize the importance of island cultures and traditional fishing practices in managing fishery resources and foster opportunities for participation;

5. Promote responsible domestic fisheries development to provide long term economic growth and stability by reducing foreign imports and increasing local seafood production;

6. Promote regional cooperation and capacity building to manage domestic and international fisheries; and

7. Encourage development of technologies and methods to achieve the most effective level of monitoring, control and surveillance and to ensure safety at sea.

Please refer to the MCP for projects and activities designed to meet each objective, the evaluative criteria, and priority rankings.

This notice announces that NMFS has reviewed the MCP and determined that it satisfies the requirements of the Magnuson-Stevens Act. Accordingly, we have approved the MCP for the 3-year

period from August 4, 2020, through August 3, 2023. This MCP supersedes the one approved previously for August 4, 2017, through August 3, 2020 (82 FR 37575, August 11, 2017).

Dated: October 9, 2020.

**Jennifer M. Wallace,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2020-22786 Filed 10-14-20; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA552]

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

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

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) associated with the Bureau of Reclamation (Reclamation) and the California Department of Fish and Wildlife (CDFW)'s Trinity River Hatchery and Genetic Management Plan (HGMP) for Southern Oregon Northern California Coast coho salmon hatchery production is now available to the public. The Trinity River Hatchery is located in Trinity County, California.

**ADDRESSES:** The Final Environmental Assessment, Finding of No Significant Impact, and supporting documents are available by visiting the NMFS website ([www.fisheries.noaa.gov/west-coast/laws-and-policies/west-coast-regional-national-environmental-policy-act-documents](http://www.fisheries.noaa.gov/west-coast/laws-and-policies/west-coast-regional-national-environmental-policy-act-documents)) or by contacting Seth Naman at [Seth.Naman@noaa.gov](mailto:Seth.Naman@noaa.gov)

**FOR FURTHER INFORMATION CONTACT:** Seth Naman at: (707) 825-5180, or via email: [Seth.Naman@noaa.gov](mailto:Seth.Naman@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### ESA-Listed Species Covered in This Notice

Southern Oregon/Northern California Coast (SONCC) Coho Salmon (*Oncorhynchus kisutch*).

#### Background

Reclamation and CDFW submitted the Trinity River Coho Salmon HGMP to NMFS for determination on whether the HGMP meets Limit 5 criteria of the 4(d) Rule. Reclamation and CDFW's HGMP for Trinity River coho salmon provides

the framework through which Reclamation and CDFW can manage hatchery operations, monitoring, and evaluation activities, while meeting requirements specified under the ESA. The hatchery program will propagate coho salmon derived from the Upper Trinity River population in the Trinity River, incorporating natural-origin coho salmon into the hatchery broodstock to help reduce the genetic divergence between hatchery-origin coho salmon and their natural counterparts. Measures will be applied in the hatchery program to reduce the risk of incidental adverse genetic, ecological, and demographic effects on natural-origin steelhead and salmon populations.

NMFS published notification of the HGMP and draft EA's availability for public review and comment on November 7, 2018 for 30-days (83 FR 55697). NMFS received two comment letters. All comments were considered, and where appropriate, changes were made to the final EA.

#### Authority

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. Limit 5 of the updated 4(d) rule (50 CFR 223.203(b)(5)) further provides that the prohibitions of paragraph (a) of the updated 4(d) rule (50 CFR 223.203(a)) do not apply to activities associated with artificial propagation programs provided that an HGMP has been approved by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005).

Dated: October 8, 2020.

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### National Intelligence University Board of Visitors; Notice of Federal Advisory Committee Meeting

**AGENCY:** Under Secretary of Defense for Intelligence and Security, Department of Defense (DoD).

**ACTION:** Notice of Federal Advisory Committee meeting.

**SUMMARY:** The DoD is publishing this notice to announce that the following Federal Advisory Committee meeting of the National Intelligence University Board of Visitors will take place.

**DATES:** Closed to the public Wednesday, October 21, 2020 from 9:00 a.m. to 4:00 p.m.

**ADDRESSES:** Defense Intelligence Agency 7400 Pentagon ATTN: NIU Washington, DC 20301-7400.

**FOR FURTHER INFORMATION CONTACT:** Dr. Terrence Markin, Designated Federal Officer, (301) 243-2118 (Voice), [Terrence.Markin@dodis.mil](mailto:Terrence.Markin@dodis.mil) (Email). Mailing address is National Intelligence University, 7400 Pentagon, Washington, DC 20301-7400. Website: <http://niu.edu/wp/about-niu/leadership-2/board-of-visitors/>. The most up-to-date changes to the meeting agenda can be found on the website.

**SUPPLEMENTARY INFORMATION:** Due to circumstances beyond the control of the Department of Defense and the Designated Federal Officer, the National Intelligence University Board of Visitors was unable to provide public notification required by 41 CFR 102-3.150(a) concerning the meeting of October 21, 2020. Accordingly, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102-3.150(b), waives the 15-calendar day notification requirement.

This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C., App.), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b), and 41 CFR 102-3.140 and 102-3.150.

**Purpose of the Meeting:** The Board will discuss critical issues and advise Director, DIA, on controlled unclassified or classified information as defined in 5 U.S.C. 552b(c)(1) and therefore will be closed to the public.

**Agenda:** Welcome & Call to Order, President's Report, NIU Transition to ODNI. Resources—Personnel, Budget, Facilities, Break, NIU Transition to ODNI. Resources—IT, Library, Break for Lunch, NIU Transition to ODNI. Governance—Impact of Change in