

Export Product coverage from fresh apples and fresh sweet cherries to fresh apples (dropping fresh sweet cherries).

Northwest Fruit Exporter's proposed amendment of its Certificate would result in the following Membership list:

1. Allan Bros., Naches, WA
2. AltaFresh L.L.C. dba Chelan Fresh Marketing, Chelan, WA
3. Apple House Warehouse & Storage, Inc., Brewster, WA
4. Apple King, L.L.C., Yakima, WA
5. Auvil Fruit Co., Inc. dba Gee Whiz II, LLC, Orondo, WA
6. Baker Produce, Inc., Kennewick, WA
7. Blue Bird, Inc., Peshastin, WA
8. Blue Star Growers, Inc., Cashmere, WA
9. Borton & Sons, Inc., Yakima, WA
10. Brewster Heights Packing & Orchards, LP, Brewster, WA
11. Chelan Fruit Cooperative, Chelan, WA
12. Chiawana, Inc. dba Columbia Reach Pack, Yakima, WA
13. CMI Orchards LLC, Wenatchee, WA
14. Columbia Fruit Packers, Inc., Wenatchee, WA
15. Columbia Valley Fruit, L.L.C., Yakima, WA
16. Congdon Packing Co. L.L.C., Yakima, WA
17. Cowiche Growers, Inc., Cowiche, WA
18. CPC International Apple Company, Tieton, WA
19. Crane & Crane, Inc., Brewster, WA
20. Custom Apple Packers, Inc., Quincy, and Wenatchee, WA
21. Diamond Fruit Growers, Inc., Odell, OR
22. Domex Superfresh Growers LLC, Yakima, WA
23. Douglas Fruit Company, Inc., Pasco, WA
24. Dovex Export Company, Wenatchee, WA
25. Duckwall Fruit, Odell, OR
26. E. Brown & Sons, Inc., Milton-Freewater, OR
27. Evans Fruit Co., Inc., Yakima, WA
28. E.W. Brandt & Sons, Inc., Parker, WA (for fresh apples only)
29. FirstFruits Farms, LLC, Prescott, WA
30. Frosty Packing Co., LLC, Yakima, WA
31. G&G Orchards, Inc., Yakima, WA
32. Gilbert Orchards, Inc., Yakima, WA
33. Hansen Fruit & Cold Storage Co., Inc., Yakima, WA
34. Henggeler Packing Co., Inc., Fruitland, ID
35. Highland Fruit Growers, Inc., Yakima, WA
36. HoneyBear Growers LLC, Brewster, WA
37. Honey Bear Tree Fruit Co LLC, Wenatchee, WA
38. Hood River Cherry Company, Hood River, OR
39. JackAss Mt. Ranch, Pasco, WA
40. Jenks Bros Cold Storage & Packing, Royal City, WA
41. Kershaw Fruit & Cold Storage, Co., Yakima, WA
42. L & M Companies, Union Gap, WA
43. Legacy Fruit Packers LLC, Wapato, WA
44. Manson Growers Cooperative, Manson, WA
45. Matson Fruit Company, Selah, WA
46. McDougall & Sons, Inc., Wenatchee, WA
47. Monson Fruit Co., Selah, WA
48. Morgan's of Washington dba Double Diamond Fruit, Quincy, WA
49. Northern Fruit Company, Inc., Wenatchee, WA
50. Olympic Fruit Co., Moxee, WA
51. Oneonta Trading Corp., Wenatchee, WA
52. Orchard View Farms, Inc., The Dalles, OR
53. Pacific Coast Cherry Packers, LLC, Yakima, WA
54. Piepel Premium Fruit Packing LLC, East Wenatchee, WA
55. Pine Canyon Growers LLC, Orondo, WA
56. Polehn Farms, Inc., The Dalles, OR
57. Price Cold Storage & Packing Co., Inc., Yakima, WA
58. Quincy Fresh Fruit Co., Quincy, WA
59. Rainier Fruit Company, Selah, WA
60. River Valley Fruit, LLC, Grandview, WA
61. Roche Fruit, Ltd., Yakima, WA
62. Sage Fruit Company, L.L.C., Yakima, WA
63. Smith & Nelson, Inc., Tonasket, WA
64. Stadelman Fruit, L.L.C., Milton-Freewater, OR, Hood River, OR, and Zillah, WA
65. Stemilt Growers, LLC, Wenatchee, WA
66. Symms Fruit Ranch, Inc., Caldwell, ID
67. The Dalles Fruit Company, LLC, Dallesport, WA
68. Underwood Fruit & Warehouse Co., Bingen, WA
69. Valicoff Fruit Company Inc., Wapato, WA
70. Washington Cherry Growers, Peshastin, WA
71. Washington Fruit & Produce Co., Yakima, WA
72. Western Sweet Cherry Group, LLC, Yakima, WA
73. Whitby Farms, Inc. dba: Farm Boy Fruit Snacks LLC, Mesa, WA
74. WP Packing LLC, Wapato, WA
75. Yakima Fruit & Cold Storage Co., Yakima, WA
76. Zirkle Fruit Company, Selah, WA

Dated: July 9, 2021.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 2021-14939 Filed 7-13-21; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Intent To Conduct Restoration Planning

AGENCY: Office of Response and Restoration (OR&R), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce (DOC).

ACTION: Notice of intent to conduct restoration planning activities.

SUMMARY: Notice is hereby given of intent to proceed with restoration planning actions to address injuries to natural resources resulting from the discharge of oil from the Kirby Inland Marine LP tank barge 30015T (the "Incident"). The purpose of this restoration planning effort is to evaluate and select restoration actions to compensate the public for the natural resource injuries resulting from the Incident.

FOR FURTHER INFORMATION CONTACT: For further information contact one or more of the following Trustee representatives: Laurie Sullivan (NOAA) at (707) 570-1762, Laurie.Sullivan@noaa.gov; Johanna Gregory Belssner (TPWD) at (512) 389-8703, Johanna.Gregory@tpwd.texas.gov.

SUPPLEMENTARY INFORMATION:

Background

On May 10, 2019, tank barge 30015T, owned by Kirby Inland Marine, LP ("Kirby"), collided with the tanker ship Genesis River near Bayport, Texas. The collision penetrated the hull of Kirby's barge 30015T, and an estimated 14,278 barrels (about 600,000 gallons) of oil in the form of reformate, a gasoline blending stock, was lost from the barge. Reformate discharged from the Kirby barge flowed into the Houston Ship Channel and Galveston Bay, spreading westward and southward and washing ashore on the western coastline of the bay roughly between Red Bluff and Eagle Point, Texas. The discharge affected natural resources in the general area. All of the foregoing is referred to as the "Incident."

Pursuant to section 1006 of the Oil Pollution Act ("OPA"), 33 U.S.C. 2701,

et seq., federal and state trustees for natural resources are authorized to (1) assess natural resource injuries resulting from a discharge of oil or the substantial threat of a discharge and response activities and (2) develop and implement a plan for restoration of such injured resources. The federal trustees are designated pursuant to the National Contingency Plan, 40 CFR Section 300.600 and Executive Order 12777. State trustees for Texas are designated by the Governor of Texas pursuant to the National Contingency Plan, 40 CFR Section 300.605. The natural resources trustees (“Trustees”) under OPA for this Incident are the United States Department of Commerce, acting through the National Oceanic and Atmospheric Administration (“NOAA”); the Texas General Land Office (“TGLO”); the Texas Commission on Environmental Quality (“TCEQ”); and the Texas Parks and Wildlife Department (“TPWD”). Kirby is the Responsible Party (“RP”) for the Incident. The Trustees are coordinating with representatives of the RP on Natural Resource Damage Assessment (“NRDA”) activities.

The Trustees began the Preassessment Phase of the NRDA, in accordance with 15 CFR 990.40, to determine if they had jurisdiction to pursue restoration under OPA, and, if so, whether it was appropriate to do so. During the Preassessment Phase, the Trustees collected and analyzed the following: (1) Data reasonably expected to be necessary to make a determination of jurisdiction or a determination to conduct restoration planning, (2) ephemeral data (*i.e.*, environmental data collected in the immediate aftermath of the spill), and (3) other assessment data.

The NRDA Regulations under OPA, 15 CFR part 990 (“NRDA regulations”), provide that the Trustees are to prepare a Notice of Intent to Conduct Restoration Planning (“notice”) if they (1) determine certain conditions have been met, and if they decide to (2) quantify the injuries to natural resources and (3) develop a restoration plan.

This notice is to announce, pursuant to 15 CFR 990.44, that the Trustees, having collected and analyzed data, intend to proceed with restoration planning actions to address injuries to natural resources resulting from the Incident. The purpose of this restoration planning effort is to evaluate and select restoration actions to compensate the public for the natural resource injuries resulting from the Incident.

Determination of Jurisdiction

The Trustees have made the following findings pursuant to 15 CFR 990.41:

a. The rupture of the oil storage tanks on Kirby’s barge 30015T on May 10, 2019, resulted in a discharge of oil into and upon navigable waters of the United States, including the Houston Ship Channel and Galveston Bay, as well as adjoining shorelines. Such occurrence constitutes an “Incident” within the meaning of 15 CFR 930.30.

b. The Incident was not permitted pursuant to federal, state, or local law; was not from a public vessel; and was not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. 1651 *et seq.*

c. Natural resources under the trusteeship of the Trustees have been injured as a result of the Incident. Chemical components of the reformat discharged from Kirby barge 30015T are known to be harmful to marine and coastal organisms and habitat that were exposed to the oil. Accordingly, the discharged oil has had an adverse effect on the natural resources in Galveston Bay and its adjoining shorelines and impaired the services, which those resources provide.

Documents in the Administrative Record contain more information regarding the specific studies, observations, analyses, etc., by which the Trustees reached this determination.

As a result of the foregoing determinations, the Trustees have jurisdiction to pursue restoration under the OPA.

Determination To Conduct Restoration Planning

The Trustees have determined, pursuant to 15 CFR 990.42(a), that: a. Observations and data collected pursuant to 15 CFR 990.43 (including dead fish and invertebrates exposed to reformat; information regarding shoreline beaches, and subtidal habitats and other habitats affected by oil or response activities) demonstrate that injuries to natural resources have resulted from the Incident. Immediately following the Incident, the Trustees, in cooperation with the RP, identified several categories of impacted and potentially impacted resources, including marine mammals, fish, invertebrates, oysters, shoreline and subtidal habitats, and the water column, as well as effects to human use/recreation resulting from impacts on these natural resources. The Trustees then began conducting activities to evaluate injuries and potential injuries within these categories. More information on these resource categories is available in the Administrative Record, including information gathered during the Preassessment Phase.

b. Spill response actions did not address all injuries resulting from the Incident to the extent that restoration would not be necessary. Although response actions were initiated soon after the spill, the nature and location of the discharge prevented recovery of all of the oil and precluded prevention of injuries to some natural resources. It is anticipated that injured natural resources will eventually return to baseline levels (the condition they would have been in had it not been for the Incident), but interim losses have occurred or have likely occurred and will continue until a return to baseline is achieved.

Feasible compensatory restoration actions exist to address injuries resulting from the Incident. To conduct restoration planning, the Trustees have reviewed a number of restoration options in Galveston Bay and its adjoining shoreline that could potentially be implemented to compensate for interim losses resulting from the Incident. In addition, assessment procedures such as Habitat Equivalency Analysis are available to scale the appropriate amount of compensatory restoration required to offset ecological service losses resulting from this Incident. The Trustees will work cooperatively with local governmental agencies and non-governmental organizations to identify a suite of potential restoration projects commensurate with the injuries sustained due to the spill. The public may also send restoration project ideas to the Trustees (**FOR FURTHER INFORMATION** section for contacts). It is the goal of the Trustees to select restoration with a strong nexus to the spill.

During the Restoration Planning Phase, the Trustees evaluate potential projects, determine the scale of restoration actions needed to make the environment and the public whole, and release a draft Damage Assessment and Restoration Plan for public review and comment.

Based upon information in the Administrative Record and the foregoing determinations, the Trustees intend to proceed with the Restoration Planning Phase for this Incident.

Opportunity To Comment

Pursuant to 15 CFR 990.14(d), the Trustees seek public involvement in restoration planning for this Incident through the solicitation of restoration ideas and public review of the Administrative Record. The Trustees also intend to seek public comment on a draft Damage Assessment and

Restoration Plan after it has been prepared.

Administrative Record

The Trustees have opened an Administrative Record in compliance with 15 CFR 990.45. The Administrative Record will include documents considered by the Trustees during the Preassessment, and Restoration Planning Phases of the NRDA performed in connection with the Incident. The Administrative Record will be augmented with additional information over the course of the NRDA process.

The Administrative Record may be viewed at the following website: <https://www.diver.orr.noaa.gov/web/guest/diver-admin-record/12302>.

Scott Lundgren,

Director, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB208]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Army Corps of Engineers Debris Dock Replacement Project, Sausalito, California

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

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the U.S. Army Corps of Engineers (ACOE) to incidentally harass, by Level A and Level B harassment only, marine mammals during construction activities associated with the Debris Dock Replacement Project in Sausalito, California.

DATES: This authorization is effective from September 1, 2021 through August 31, 2022.

FOR FURTHER INFORMATION CONTACT: Dwayne Meadows, Ph.D., Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization may be provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other “means of effecting the least practicable adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stocks for taking for certain subsistence uses (referred to in shorthand as “mitigation”); and requirements pertaining to the mitigation, monitoring and reporting of the takings are set forth.

The definitions of all applicable MMPA statutory terms cited above are included in the relevant sections below.

Summary of Request

On March 17, 2021, NMFS received an application from ACOE requesting an IHA to take small numbers of seven species of marine mammals incidental to pile driving associated with the Debris Dock Replacement Project. The application was deemed adequate and complete on May 20, 2021. The ACOE’s request is for take of a small number of these species by Level A or Level B harassment. Neither the ACOE nor NMFS expects serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

Description of the Specified Activity

Overview

The purpose of the project is to replace the existing decaying dock and other onshore infrastructure used to move marine debris collected from San Francisco Bay onto land for disposal. The existing dock will be removed and replaced. The work will involve impact hammering 31 24-inch diameter concrete deck support piles and 17 14-inch diameter timber fender piles for the replacement dock and removal of the decayed dock by cutting or otherwise removing 31 18-inch diameter concrete deck support piles and 17 14-inch diameter timber fender piles. The ACOE recently informed us that three of the 24-inch diameter concrete piles may be replaced with 18-inch diameter concrete piles, but we analyzed the more conservative case of all 24-inch diameter concrete piles. This construction work will take no more than 26 days of in-water pile work. A detailed description of the planned project is provided in the **Federal Register** notice for the proposed IHA (86 FR 28768; May 28, 2021). Since that time, no changes have been made to the planned activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specific activity.

The pile driving/removal can result in take of marine mammals from sound in the water which results in behavioral harassment or auditory injury.

In summary, the project period includes 10 days of pile removal and 16 days of pile installation activities for which incidental take authorization is requested.

TABLE 1—SUMMARY OF PILE DRIVING AND REMOVAL ACTIVITIES

Method	Pile type	Number of piles	Minutes/strikes per pile	Piles per day	Duration (days)
Cutting	18-inch concrete	31	5 min	10	7
Cutting	14-inch timber	17	5 min	10	3
Impact Driving	24-inch concrete	31	1,000 strikes	10	10