

*b. Paper Submissions*

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*Meeting minutes:* Copies of the Council's meeting minutes will be available within ninety (90) days of the meeting.

Dated: November 8, 2023.

**Tricia Van Orden,**

*Designated Federal Officer, President's Export Council.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-051]

#### **Certain Hardwood Plywood Products From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Duty Investigation; Notice of Amended Determination Pursuant to Court Decision; and Notice of Revocation of Antidumping Duty Order, in Part**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** On October 10, 2023, the U.S. Court of International Trade (CIT) issued its final judgment in *Linyi Chengen Import and Export Co., Ltd., et al., v. United States*, Consol. Court no. 18-00002, sustaining the U.S. Department of Commerce (Commerce)'s fifth remand results of redetermination pertaining to the less-than-fair-value (LTFV) antidumping duty investigation of certain hardwood plywood products (hardwood plywood) from the People's Republic of China (China). Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final LTFV determination. Consequently, the final antidumping duty margin calculated for mandatory

respondent Linyi Chengen Import and Export Co., Ltd. (Chengen) is now zero percent and the rate assigned to the companies who received separate rates and are party to this litigation (Separate Rate Plaintiffs) is the rate assigned to Chengen, zero percent. In addition, because the final margin assigned to Chengen and the two companies that requested voluntary respondent treatment and submitted all of the threshold information necessary to be eligible for voluntary respondent treatment, Zhejiang Dehua TB Import & Export Co. (Dehua TB) and Xuzhou Jiangyang Wood Industries, Co., Ltd. (Jiangyang), is zero, Chengen, Dehua TB, and Jiangyang, in the exporter-producer combinations assigned in the investigation, are excluded from the *Order*.

**DATES:** Applicable October 20, 2023.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2953.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On December 8, 2016, Commerce initiated an LTFV investigation on plywood from China,<sup>1</sup> and we issued our *Final Determination* in this investigation in November 2017.<sup>2</sup> In the *Final Determination*, Commerce calculated the normal value (NV) for mandatory respondent Chengen by applying the "intermediate input" methodology and valuing Chengen's consumption of wood veneers,<sup>3</sup> rather than by valuing Chengen's consumption of wood logs.<sup>4</sup> Commerce further

<sup>1</sup> See *Certain Hardwood Plywood Products from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 81 FR 91125 (December 16, 2016).

<sup>2</sup> See *Certain Hardwood Plywood Products from the People's Republic of China: Final Determination of Sales at Less Than Fair Value, and Final Affirmative Determination of Critical Circumstances, in Part*, 82 FR 53460 (November 16, 2017) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

<sup>3</sup> Commerce's general practice in non-market economy proceedings, consistent with section 773(c)(1)(B) of the Tariff Act of 1930, as amended (the Act), is to calculate NV using the factors of production (FOP) that a respondent consumes to produce a unit of the subject merchandise. There are circumstances, however, in which Commerce will modify its standard FOP methodology, choosing instead to apply a surrogate value to an intermediate input instead of the individual FOPs used to produce that intermediate input. See *Final Determination* IDM at Comment 2.

<sup>4</sup> See *Final Determination* IDM; see also *Certain Hardwood Plywood Products from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) (*Order*).

assigned to the companies eligible for a separate rate, in combination with their suppliers, an estimated weighted-average dumping margin based on Chengen's estimated weighted-average dumping margin.<sup>5</sup>

In *Linyi Chengen Imp. & Exp. Co. v. United States*, 391 F. Supp. 3d 1283 (CIT 2019) (*Remand Order I*), the CIT requested further explanation regarding our *Final Determination*. On remand, Commerce provided further explanation and continued to apply the intermediate input methodology, as in the underlying *Final Determination*, and made no change to the estimated weighted-average dumping margin calculated for Chengen and assigned to the Separate Rate Plaintiffs.<sup>6</sup>

In its *Remand Order II*, the CIT found Commerce's explanation contrary to law and instructed it to accept certain information previously not permitted on the record.<sup>7</sup> On remand and under respectful protest, Commerce accepted this new factual information from Chengen, reconsidered the application of the intermediate input methodology to Chengen, and calculated an estimated weighted-average dumping margin based on the valuation of Chengen's log FOPs, which resulted in an estimated weighted-average dumping margin for Chengen of zero percent.<sup>8</sup> Because Chengen received a zero percent rate, Commerce explained that it intended to exclude hardwood plywood produced by Linyi Dongfangjuxin Wood Co., Ltd. (Dongfangjuxin) and exported by Chengen from the *Order*.<sup>9</sup> In addition, Commerce revised the estimated weighted-average dumping margin for the China-wide entity to be equal to the highest dumping margin alleged in the Petition, 114.72 percent,<sup>10</sup> and revised the estimated weighted-average dumping margin assigned to the Separate Rate Plaintiffs by averaging Chengen's zero percent rate with the

<sup>5</sup> See *Final Determination*, 82 FR at 53462.

<sup>6</sup> See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18-00002, Slip Op. 19-67 (CIT June 3, 2019), dated August 23, 2019. For a list of these companies, see Appendix to this notice; see also *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, 487 F. Supp. 3d 1349 (CIT 2020) (*Remand Order III*).

<sup>7</sup> See *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, 433 F. Supp. 3d 1278, 1286 (CIT 2020) (*Remand Order II*), at 1.

<sup>8</sup> See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18-00002, Slip Op. 20-22 (CIT February 20, 2020), dated June 18, 2020 (*Redetermination II*).

<sup>9</sup> See *Redetermination II* at 53.

<sup>10</sup> *Id.* at 15 and Issue 3; see also Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated November 18, 2016 (Petition).

rate assigned to the China-wide entity, 57.36 percent.<sup>11</sup>

In its *Remand Order III*,<sup>12</sup> the CIT sustained Commerce’s revised estimated weighted-average dumping margin for Chengen but requested further explanation of its calculation of the rate applied to the Separate Rate Plaintiffs.<sup>13</sup> In *Redetermination III*,<sup>14</sup> Commerce provided additional explanation concerning its conclusions in *Redetermination II* and made no changes to its calculation of the estimated dumping margin for the Separate Rate Plaintiffs.

In its *Remand Order IV*,<sup>15</sup> the Court held that Commerce’s selection of the all-others separate rate was not reasonable and was not supported by substantial evidence and remanded the assignment of the separate rate to Commerce.<sup>16</sup> In *Redetermination IV*, Commerce reviewed the record and provided further explanation why it continued to reasonably apply the simple average of the AFA rate and the zero percent rate calculated for Chengen.<sup>17</sup>

In its *Remand Order V*,<sup>18</sup> the Court held that Commerce’s selection of the 57.36 percent rate assigned to the Separate Rate Plaintiffs was unreasonable as applied and not supported by substantial evidence.<sup>19</sup> The Court instructed Commerce to reconsider the all-others separate rate consistent with its opinion, including whether other evidence on the record supports a lower rate after the applicable rates are averaged.<sup>20</sup> In *Redetermination V*, Commerce, determined, under protest, to apply Chengen’s zero percent rate to the Separate Rate Plaintiffs.<sup>21</sup> Commerce also determined to exclude from the *Order* the exporter/producer combinations assigned to Jiangyang and Dehua TB, the only two companies that provided all information required to be eligible for consideration as voluntary respondents.<sup>22</sup>

**Timken Notice**

In its decision in *Timken*,<sup>23</sup> as clarified by *Diamond Sawblades*,<sup>24</sup> the U.S. Court of Appeals for the Federal

Circuit held that, pursuant to sections 516A(c) and (e) of the Act, Commerce must publish a notice of court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s October 10, 2023, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

**Amended Final Determination**

Because there is now a final court judgment, Commerce is amending the *Order* with respect Chengen, Dehua TB, Jiangyang, the China-wide entity, and the Separate Rate Plaintiffs. The revised weighted-average dumping margins for Chengen, Dehua TB, Jiangyang, the China-wide entity, and the Separate Rate Plaintiffs for the period April 1, 2016, through September 30, 2016, are as follows:

Exporter	Producer	Estimated dumping margin (percent)	Cash deposit rate (percent)
Linyi Chengen Import and Export Co., Ltd .....	Linyi Dongfangjuxin Wood Co., Ltd .....	0.00	N/A
Xuzhou Jiangyang Wood Industries Co., Ltd .....	Xuzhou Jiangyang Wood Industries Co., Ltd .....	0.00	N/A
Zhejiang Dehua TB Import & Export Co., Ltd .....	Dehua TB New Decoration Material Co., Ltd .....	0.00	N/A
Zhejiang Dehua TB Import & Export Co., Ltd .....	Zhangjiagang Jiuli Wood Co., Ltd .....	0.00	N/A
Separate Rate Plaintiffs <sup>25</sup> .....	.....	0.00	0.00
China-Wide Entity <sup>26</sup> .....	.....	114.72	114.72

**Partial Exclusion From Antidumping Duty Order**

Pursuant to section 735(a)(4) of the Act, Commerce “shall disregard any weighted average dumping margin that is *de minimis* as defined in section 733(b)(3) of the Act.”<sup>27</sup> Furthermore, section 735(c)(2) of the Act states that “the investigation shall be terminated upon publication of that negative

determination” and Commerce shall “terminate the suspension of liquidation” and “release any bond or other security, and refund any cash deposit.”<sup>28</sup> As a result of this amended final determination, in which Commerce has calculated an estimated weighted-average dumping margin of 0.00 percent for Chengen, and assigned Chengen’s zero percent rate and eligibility for exclusion under section

735(c)(2) of the Act to Dehua TB and Jiangyang, in combination with their suppliers as noted above, Commerce is hereby excluding subject merchandise produced by Dongfangjuxin and exported by Chengen, produced and exported by Jiangyang, and produced by Dehua TB New Decoration Co., Ltd., or Zhangjiagang Jiuli Wood Co., Ltd., and exported by Dehua TB. Accordingly, Commerce will direct U.S. Customs and

<sup>11</sup> *Id.* at 16 and 52. The separate rate is the simple average of the rates determined for Chengen and the China-wide entity. The methodology for calculating this rate is also discussed in the *Preliminary Determination* in the LTFV investigation. See *Certain Hardwood Plywood Products from the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part*, 82 FR 28629 (June 23, 2017) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum at 21.

<sup>12</sup> See *Remand Order III*.

<sup>13</sup> *Id.*, 487 F. Supp. 3d at 1358.

<sup>14</sup> See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18–00002, Slip Op. 20–183 (CIT December 21, 2020), dated March 22, 2021 (*Redetermination III*),

available at <https://access.trade.gov/resources/remands/20-183.pdf>.

<sup>15</sup> See *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Consol. Ct. No. 18–00002, Slip. Op. 21–127 (CIT September 24, 2021) (*Remand Order IV*).

<sup>16</sup> *Id.* at 18.

<sup>17</sup> See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18–00002, Slip Op. 22–150 (CIT December 21, 2022) (*Redetermination IV*) at 9–12.

<sup>18</sup> See *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Consol. Ct. No. 18–00002, Slip Op. 22–150 (CIT December 21, 2022) (*Remand Order V*).

<sup>19</sup> See *Remand Order V* at 27.

<sup>20</sup> *Id.* at 27–28.

<sup>21</sup> See *Redetermination IV*.

<sup>22</sup> *Id.*

<sup>23</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>24</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>25</sup> See Appendix for the exporter/producer combinations whose rates we are revising.

<sup>26</sup> The China-wide entity includes mandatory respondent, Shandong Dongfang Bayley Wood Co., Ltd.

<sup>27</sup> Section 733(b)(3) of the Act defines a *de minimis* dumping margin as “less than 2 percent ad valorem or the equivalent specific rate for the subject merchandise.”

<sup>28</sup> See sections 735(c)(2)(A) and (B) of the Act.

Border Protection (CBP) to release any bonds or other security and refund cash deposits pertaining to any suspended entries attributable to the exporter-producer combinations assigned to Chengen, Dehua TB, and Jiangyang referenced above. This exclusion does not apply to any other companies or exporter-producer combinations.

**Liquidation of Suspended Entries**

Pursuant to *Timken*, the suspension of liquidation must continue during the pendency of the appeals process. Thus, we will instruct CBP to continue to suspend liquidation of all unliquidated entries under the applicable exporter-producer combinations for Chengen, Dehua TB, Jiangyang, and Separate Rate Plaintiffs<sup>29</sup> at a cash deposit rate of 0.00 percent which are entered, or

withdrawn from warehouse, for consumption after October 20, 2023, which is ten days after the CIT’s final decision, in accordance with section 516A of the Act.<sup>30</sup> If the CIT’s ruling is not appealed, or if appealed and upheld, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate entries from the exporter-producer combinations assigned to Chengen, Dehua TB, Jiangyang without regard to antidumping duties. In addition, Commerce will instruct CBP to terminate suspension and to liquidate entries from the exporter-producer combinations assigned to the Separate Rate Plaintiffs without regard to antidumping duties for all completed reviews of this *Order*, except where those Separate Rate Plaintiffs were

subsequently assigned an above-*de minimis* margin or lost their separate rate. As a result of the exclusion, Commerce will not initiate any new administrative reviews of entries from the exporter-producer combinations assigned to Chengen, Dehua TB, or Jiangyang, pursuant to the *Order*.

**Notification to Interested Parties**

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: November 6, 2023.

**Abdelali Elouaradia,**  
*Deputy Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**List of Separate Rate Plaintiffs**

Exporter name	Manufacturer name
Linyi Chengen Import and Export Co., Ltd	Linyi Dongfangjuxin Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Feixian Jianxin Board Factory.
Anhui Hoda Wood Co., Ltd	Linyi Xicheng Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Linyi Longxin Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Fengxian Jihe Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Xuzhou Chunyiyang Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Linyi Lanshan District Xiangfeng Decorative Board Factory.
Anhui Hoda Wood Co., Ltd	Linyi Lanshan District Fubai Wood Board Factory.
Anhui Hoda Wood Co., Ltd	Shandong Jubang Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Feixian Shangye Town Mingda Multi-Layered Board Factory.
Anhui Hoda Wood Co., Ltd	Xuzhou Dayuan Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Anhui Hoda Wood Co., Ltd	Linyi Renlin Wood Co., Ltd.
Celtic Co., Ltd	Linyi Celtic Wood Co., Ltd.
Celtic Co., Ltd	Pinyi Fuhua Wood Co., Ltd.
Cosco Star International Co., Ltd	Linyi Huasheng Yongbin Wood Corp.
Cosco Star International Co., Ltd	Suining Pengxiang Wood Co., Ltd.
Cosco Star International Co., Ltd	Pizhou Jiangshan Wood Co., Ltd.
Cosco Star International Co., Ltd	Shandong Union Wood Co. Ltd.
Cosco Star International Co., Ltd	Linyi Sanfortune Wood Co. Ltd.
Cosco Star International Co., Ltd	Shandong Anxin Timber Co., Ltd.
Cosco Star International Co., Ltd	Linyi Evergreen Wood Co., Ltd.
Cosco Star International Co., Ltd	Shandong Huaxin Jiasheng Wood Co., Ltd.
Cosco Star International Co., Ltd	Xuzhou Shenghe Wood Co., Ltd.
Cosco Star International Co., Ltd	Pingyi Jinniu Wood Co., Ltd.
Cosco Star International Co., Ltd	Linyi Celtic Wood Co., Ltd.
Cosco Star International Co., Ltd	Linyi Laiyi Timber Industry Co., Ltd.
Cosco Star International Co., Ltd	Feixian Hongqiang Wood Co., Ltd.
Cosco Star International Co., Ltd	Feixian Xingying Wood Co., Ltd.
Cosco Star International Co., Ltd	Linyi City Lanshan District Fubo Wood Factory.
Cosco Star International Co., Ltd	Fengxian Fangyuan Wood Co., Ltd.
Golder International Trade Co., Ltd	Linyi Qianfeng Panel Factory Co., Ltd.
Huainan Mengping Import and Export Co., Ltd	Linyi Jinkun Wood Co., Ltd.
Jiangsu Top Point International Co., Ltd	Feixian Huafeng Wood Co., Ltd.
Jiangsu Top Point International Co., Ltd	Feixian Fuyang Plywood Factory.
Jiangsu Top Point International Co., Ltd	Fengxian Hengyuan Wood Industry Co., Ltd.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Feixian Junyang Wood Industry Co., Ltd.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Feixian Junbang Wood Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Linyi City Lanshan District Mingda Wood Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Feixian Hongyun Wood Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Linyi City Lanshan District Xiangfeng Wood Decoration Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Shandong Jubang Wood Co., Ltd.

<sup>29</sup>This only applies to Separate Rate Plaintiffs who were not assigned an above *de minimis* antidumping duty margin, or who lost their separate rate status, after the LTFV investigation.

<sup>30</sup> See, e.g., *Drill Pipe from the People’s Republic of China: Notice of Court Decision Not in Harmony with International Trade Commission’s Injury*

*Determination, Revocation of Antidumping and Countervailing Duty Orders Pursuant to Court Decision, and Discontinuation of Countervailing Duty Administrative Review*, 79 FR 78037, 78038 (December 29, 2014); and *High Pressure Steel Cylinders From the People’s Republic of China: Notice of Court Decision Not in Harmony With*

*Final Determination in Less Than Fair Value Investigation, Notice of Amended Final Determination Pursuant to Court Decision, Notice of Revocation of Antidumping Duty Order in Part, and Discontinuation of Fifth Antidumping Duty Administrative Review*, 82 FR 46758, 46760 (October 6, 2017).

Exporter name	Manufacturer name
Jiaxing Gsun Imp. & Exp. Co., Ltd	Feixian Yixin Wood Processing Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Pizhou Wantai Wood Industry Co., Ltd.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Feixian Fengxiang Wood Processing Factory.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Shandong Compete Wood Co., Ltd.
Jiaxing Gsun Imp. & Exp. Co., Ltd	Linyi Kunyu Plywood Factory.
Jiaxing Hengtong Wood Co., Ltd	Jiaxing Hengtong Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Xinyi Chaohua Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Linyi Huasheng Yongbin Wood Corp.
Lianyungang Yuantai International Trade Co., Ltd	Linyi City Lanshan District Fubo Wood Factory.
Lianyungang Yuantai International Trade Co., Ltd	Fei County Hongsheng Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Xuzhou Hongwei Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Pizhou Jinguoyuan Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Feixian Wanda Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Linyi City Lanshan District Fuerda Wood Factory.
Lianyungang Yuantai International Trade Co., Ltd	Shandong Jubang Wood Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Feixian Hongyun Wood Factory.
Lianyungang Yuantai International Trade Co., Ltd	Linyi City Lanshan District Xiangfeng Wood Decoration Factory.
Lianyungang Yuantai International Trade Co., Ltd	Linyi Renlin Wood Industry Co., Ltd.
Lianyungang Yuantai International Trade Co., Ltd	Linyi City Lanshan District Mingda Wood Factory.
Linyi City Dongfang Fukai Wood Industry Co., Ltd	Linyi City Dongfang Fukai Wood Industry Co., Ltd.
Linyi City Dongfang Jinxin Economic and Trade Co., Ltd	Linyi City Dongfang Jinxin Economic and Trade Co., Ltd.
Linyi City Shenrui International Trade Co., Ltd	Linyi City Dongfang Fuchao Wood Co., Ltd.
Linyi Dahua Wood Co., Ltd	Linyi Dahua Wood Co., Ltd.
Linyi Evergreen Wood Co., Ltd	Linyi Evergreen Wood Co., Ltd.
Linyi Glary Plywood Co., Ltd	Linyi Glary Plywood Co., Ltd.
Linyi Hengsheng Wood Industry Co., Ltd	Linyi Hengsheng Wood Industry Co., Ltd.
Linyi Huasheng Yongbin Wood Co., Ltd	Linyi Huasheng Yongbin Wood Co., Ltd.
Linyi Jiahe Wood Industry Co., Ltd	Linyi Jiahe Wood Industry Co., Ltd.
Linyi Linhai Wood Co., Ltd	Linyi Linhai Wood Co., Ltd.
Linyi Mingzhu Wood Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Linyi Sanfortune Wood Co., Ltd	Linyi Sanfortune Wood Co., Ltd.
Pingyi Jinniu Wood Co., Ltd	Pingyi Jinniu Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Linyi Fubo Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Linyi Tuopu Zhixin Wooden Industry Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Linyi Haisen Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Linyi Jubang Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Xuzhou Changcheng Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Xuzhou Jinguoyuan Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Xuzhou Xuexin Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Anhui Fuyang Qinglin Wood Products Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Anhui Huijin Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Anhui Lingfeng Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Suzhou Dongsheng Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Pizhou Zhongxin Wood Co., Ltd.
Qingdao Good Faith Import and Export Co., Ltd	Xuzhou Spring Art Yang Wood Industry Co., Ltd.
Qingdao Top P&Q International Corp	Yutai Zezhong Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Feixian Tanyi Youchengjiafu Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Linyi Qianfeng Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Xuzhou Chunyiyang Wood Products Co. Ltd.
Qingdao Top P&Q International Corp	Linyi Longxin Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Linyi Lanshan Wanmei Wood Factory.
Qingdao Top P&Q International Corp	Di Birch Wood Industry Co., Ltd.
Qingdao Top P&Q International Corp	Shandong Junxing Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Anhui Qinglin Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Linyi Fuerda Wood Products Co., Ltd.
Qingdao Top P&Q International Corp	Fengxian Shuangxingyuan Wood Co., Ltd.
Shandong Qishan International Trading Co., Ltd	Linyi Tuopu Zhixin Wooden Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Jinghua Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Lianbang Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Huada Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Jinkun Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Yuqiao Board Factory.
Shanghai Futuwood Trading Co., Ltd	Linyi Laite Board Factory.
Shanghai Futuwood Trading Co., Ltd	Linyi Tuopu Zhixin Wooden Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Feixian Huafeng Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Xuzhou Shuangxingyuan Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Youcheng Jiafu Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Shandong Qingyuan Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Lanshan Jinhao Board Factory.
Shanghai Futuwood Trading Co., Ltd	Linyi Lanshan Fubai Wood Industry Board Factory.
Shanghai Futuwood Trading Co., Ltd	Siyang Dazhong Wood Product Factory.
Shanghai Futuwood Trading Co., Ltd	Binzhou Yongsheng Artificial Board Industrial Trade Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Shandong Jinqiu Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Senpeng Wood Industry Co., Ltd.

Exporter name	Manufacturer name
Shanghai Futuwood Trading Co., Ltd	Xuzhou Heng'an Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Dangshan Weidi Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Fengxian Jihe Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Yutai Zezhong Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Huasheng Yongbin Wood Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Linyi Kaifeng Wood Board Factory.
Shanghai Futuwood Trading Co., Ltd	Linyi Mingda Wood Industry Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Yangxin County Xintong Decorative Materials Co., Ltd.
Shanghai Futuwood Trading Co., Ltd	Pingyi County Zhongli Wood Products Factory.
Shanghai Futuwood Trading Co., Ltd	Pingyi County Yuxin Board Factory.
Shanghai Futuwood Trading Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Suining Pengxiang Wood Co., Ltd	Suining Pengxiang Wood Co., Ltd.
Sumec International Technology Co., Ltd	Shandong Junxing Wood Industry Co., Ltd.
Sumec International Technology Co., Ltd	Linyi Xicheng Wood Industry Co., Ltd.
Sumec International Technology Co., Ltd	Linyi City Lanshan District Linyu Board Factory.
Suqian Hopeway International Trade Co., Ltd	Xuzhou Henglin Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Qufu Shengda Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Pizhou Xuexin Wood Products Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Pizhou Jiangshan Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Shandong Union Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Linyi City Lanshan District Fubo Wood Factory.
Suqian Hopeway International Trade Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Suzhou Dongsheng Wood Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Linyi Jiahe Wood Industry Co., Ltd.
Suqian Hopeway International Trade Co., Ltd	Linyi Dahua Wood Co., Ltd.
Suzhou Dongsheng Wood Co., Ltd	Suzhou Dongsheng Wood Co., Ltd.
Suzhou Fengshuwan Import and Exports Trade Co., Ltd	Xuzhou Henglin Wood Co., Ltd.
Suzhou Fengshuwan Import and Exports Trade Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Suzhou Fengshuwan Import and Exports Trade Co., Ltd	Linyi Jiahe Wood Industry Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Tiancai Timber Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Lingyi Huasheng Yongbin Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Xicheng Wood Products Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Longxin Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Oriental Fuchao Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Qianfeng Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Feixian Wanda Wood Factory.
Suzhou Oriental Dragon Import and Export Co., Ltd	Shandong Union Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Shandong Jinjiu Wood Corporation.
Suzhou Oriental Dragon Import and Export Co., Ltd	Yinhe Machinery Chemical Limited Company Of Shandong Province.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi City Yongsen Wood Corp.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xuzhou Changcheng Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Pizhou Fushen Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Pizhou Yuanxing Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xuzhou Yuantai Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xuzhou Hongfu Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Feng County Shuangxingyuan Wood.
Suzhou Oriental Dragon Import and Export Co., Ltd	Anhui Fuyang Qinglin Wood Products Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Dahua Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Juxian Dechang Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Feixian Jinhao Wood Board Plant.
Suzhou Oriental Dragon Import and Export Co., Ltd	Siyang Dahua Plywood Plant.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Lanshan District Fubo Woods Factory.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xuzhou Deheng Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Kaifeng Wood Board Factory.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Zhenyuan Wood Products Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xuzhou Weilin Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Tianlu Wood Board Factory.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Baoshan Board Factory.
Suzhou Oriental Dragon Import and Export Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Xinyi Chaohua Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Pizhou Jinguoyuan Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Feng County Jihe Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Dangshan County Weidi Wood Co., Ltd.
Suzhou Oriental Dragon Import and Export Co., Ltd	Zhucheng Runheng Industrial and Trading Co., Ltd.
Xuzhou Andefu Wood Co., Ltd	Fengxian Fangyuan Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou Longyuan Wood Industry Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Changcheng Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Feixian Jinde Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Suzhou Dongsheng Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Fengxian Fangyuan Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou City Hengde Wood Products Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Pizhou Jiangshan Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Huasheng Yongbin Wood Corp.
Xuzhou DNT Commercial Co., Ltd	Pizhou Jinguoyuan Wood Co., Ltd.

Exporter name	Manufacturer name
Xuzhou DNT Commercial Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Renlin Wood Industry Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Binzhou Yongsheng Artificial Board Industrial & Training Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou Zhongcai Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Anhui Xinyuanda Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Shandong Lianbang Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Xinrui Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Shandong Huashi Lvyuan Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou Fuyu Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Dazhong Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Shandong Junxing Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi City Lanshan District Linyu Plywood Factory.
Xuzhou DNT Commercial Co., Ltd	Linyi City Dongfang Fuchao Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Dahua Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Linyi Qianfeng Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou Zhongtong Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Shandong Oufan Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Shandong Jubang Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou Changcheng Wood Products Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Feixian Jinhao Wood Board Plant.
Xuzhou DNT Commercial Co., Ltd	Feixian Huafeng Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Dhanshan County Weidi Wood Co., Ltd.
Xuzhou DNT Commercial Co., Ltd	Xuzhou DNT Commercial Co., Ltd.
Xuzhou Eastern Huatai International Trading Co., Ltd	Linyi Longxin Wood Co., Ltd.
Xuzhou Eastern Huatai International Trading Co., Ltd	Linyi Xicheng Wood Co., Ltd.
Xuzhou Eastern Huatai International Trading Co., Ltd	Xuzhou Hongfu Wood Co., Ltd.
Xuzhou Eastern Huatai International Trading Co., Ltd	Xu Zhou Chang Cheng Wood Co, Ltd.
Xuzhou Jiangyang Wood Industries Co., Ltd	Xuzhou Jiangyang Wood Industries Co., Ltd.
Xuzhou Longyuan Wood Industry Co., Ltd	Xuzhou Longyuan Wood Industry Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Longyuan Wood Industry Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Changcheng Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Feixian Jinde Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Suzhou Dongsheng Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Fengxian Fangyuan Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou City Hengde Wood Products Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Pizhou Jiangshan Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Huasheng Yongbin Wood Corp.
Xuzhou Pinlin International Trade Co., Ltd	Pizhou Jinguoyuan Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Renlin Wood Industry Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Binzhou Yongsheng Artificial Board Industrial & Training Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Zhongcai Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Anhui Xinyuanda Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Shandong Lianbang Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Xinrui Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Shandong Huashi Lvyuan Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Fuyu Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Dazhong Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Shandong Junxing Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi City Lanshan District Linyu Plywood Factory.
Xuzhou Pinlin International Trade Co., Ltd	Linyi City Dongfang Fuchao Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Dahua Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Linyi Qianfeng Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Zhongtong Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Shandong Oufan Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Shandong Jubang Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Changcheng Wood Products Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Feixian Jinhao Wood Board Plant.
Xuzhou Pinlin International Trade Co., Ltd	Feixian Huafeng Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Dhanshan County Weidi Wood Co., Ltd.
Xuzhou Pinlin International Trade Co., Ltd	Xuzhou Hongmei Wood Development Co., Ltd.
Xuzhou Shengping Imp and Exp Co., Ltd	Xuzhou Longyuan Wood Industry Co., Ltd.
Xuzhou Shuner Import & Export Trade Co. Ltd	Pizhou Fushen Wood Co. Ltd.
Xuzhou Timber International Trade Co., Ltd	Xuzhou Jiangheng Wood Products Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Xuzhou Jiangyang Wood Industries Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Xuzhou Changcheng Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Fengxian Shuangxingyuan Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Linyi Mingzhu Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Linyi City Lanshan District Daqian Wood Board Factory.
Xuzhou Timber International Trade Co., Ltd	Feixian Hongsheng Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Xuzhou Hongwei Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Pizhou Jinguoyuan Wood Co., Ltd.
Xuzhou Timber International Trade Co., Ltd	Linyi Qianfeng Wood Factory.
Xuzhou Timber International Trade Co., Ltd	Linyi Renlin Wood Industry Co., Ltd.

Exporter name	Manufacturer name
Xuzhou Timber International Trade Co., Ltd .....	Xuzhou Senyuan Wood Products Co., Ltd.
Xuzhou Timber International Trade Co., Ltd .....	Jiangsu Lishun Industrial and Trading Co., Ltd.
Xuzhou Timber International Trade Co., Ltd .....	Pizhou Xuexin Wood Industry Co., Ltd.
Xuzhou Timber International Trade Co., Ltd .....	Feixian Hongjing Board Factory.
Xuzhou Timber International Trade Co., Ltd .....	Xuzhou Jiaqiang Wood Industry Co., Ltd.
Xuzhou Timber International Trade Co., Ltd .....	Shandong Shelter Forest Products Co., Ltd.
Xuzhou Timber International Trade Co., Ltd .....	Jiangsu Binsong Wood Co., Ltd.
Zhejiang Dehua Tb Import & Export Co., Ltd .....	Dehua Tb New Decoration Material Co., Ltd.
Zhejiang Dehua Tb Import & Export Co., Ltd .....	Zhangjiagang Jiuli Wood Co., Ltd.
Shandong Dongfang Bayley Wood Co., Ltd .....	Shandong Dongfang Bayley Wood Co., Ltd.
Suining Pengxiang Wood Co., Ltd .....	Suining Pengxiang Wood Co., Ltd.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XD491]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Maintenance and Rehabilitation of the Bellingham Shipping Terminal

**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 Port of Bellingham to incidentally harass marine mammals during construction activities associated with the Maintenance and Rehabilitation of the Bellingham Shipping Terminal project in Bellingham, WA. There are no changes from the proposed authorization in this final authorization.

**DATES:** This authorization is effective for 1-year from the date of issuance.

**ADDRESSES:** 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/action/incidental-take-authorization-port-bellinghams-bellingham-shipping-terminal-bellingham>. In case of problems accessing these documents, please call the contact listed below.

**FOR FURTHER INFORMATION CONTACT:** Craig Cockrell, Office of Protected Resources, NMFS, (301) 427-8401.

**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 proposed or, if the taking is limited to harassment, a notice of a proposed IHA is 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 May 5, 2023, NMFS received a request from the Port of Bellingham for an IHA to take marine mammals incidental to pile driving and removal. Following NMFS’ review of the application, the Port of Bellingham submitted a two revised versions on June 16, 2023 and August 28, 2023. The application was deemed adequate and complete on September 6, 2023. There

are no changes from the proposed IHA to the final IHA.

### Description of Activity

The Bellingham Shipping Terminal rehabilitation project includes the removal of 36 existing 24-inch (in) diameter (61 centimeter (cm)) steel piles, 15 existing 14-in to 16-in (36 cm to 41 cm) timber fender piles, and 2 existing 18-in to 20-in (46 cm to 51 cm) timber piles. Fifty-six 24-in steel piles will be installed to support the main deck of the shipping terminal and in addition 14, 24-in steel piles will be installed behind the existing bulkhead. The existing fender piles will be replaced by 13 16-in steel H-piles. Two 18-in to 20-in timber piles will be installed on the south portion of the terminal. Vibratory and impact hammers will be used for the installation and removal of all piles (Table 1). Removal of piles will be conducted using a straight pull method or vibratory hammers. After new piles are set with a vibratory hammer, installed piles will be proofed with an impact hammer to verify the structural capacity of the pile embedment. The work will be completed at the existing Bellingham Shipping Terminal in Bellingham, Washington. Work on the terminal will be completed within 1-year over 87 non-consecutive days. Sounds produced by these activities may result in take, by Level A and Level B harassment, of marine mammals located in Bellingham, Washington.

A detailed description of the planned construction project is provided in the **Federal Register** notice for the proposed IHA (88 FR 65953, September 26, 2023). 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.

### Comments and Responses

A notice of NMFS’ proposal to issue an IHA to the Port of Bellingham was published in the **Federal Register** on