

responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: January 20, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

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

1. Summary
2. Background
3. Scope of the Order
4. *Bona Fides* Analysis
5. Conclusion

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XD738

### 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 joint resource management plan (RMP), represented by five Hatchery and Genetic Management Plans (HGMPs), submitted by the Lower Elwha Klallam Tribe and the Washington Department of Fish and Wildlife to NMFS pursuant to the limitation on take prohibitions for actions conducted under Limit 6 of the 4(d) Rule for salmon and steelhead promulgated under the Endangered Species Act (ESA). The plans specify the propagation of five species of salmon and steelhead in the Elwha River of Washington state. This document serves to notify the public that NMFS, by delegated authority from the Secretary of Commerce, has determined pursuant to Limit 6 of the ESA 4(d) Rule for salmon and steelhead

that implementing and enforcing the RMP will not appreciably reduce the likelihood of survival and recovery of ESA-listed Puget Sound Chinook salmon and Puget Sound steelhead.

**DATES:** The final determination on the plans was made on January 9, 2015.

**ADDRESSES:** Written responses to the determination should be sent to Sustainable Fisheries Division, 1201 NE., Lloyd Boulevard, Suite 1100, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Tim Tynan at (360) 753-9579 or email: [tim.tynan@noaa.gov](mailto:tim.tynan@noaa.gov).

### SUPPLEMENTARY INFORMATION:

### ESA-Listed Species Covered in This Notice

Chinook salmon (*Oncorhynchus tshawytscha*): threatened, Puget Sound, naturally produced and artificially propagated.

Steelhead (*O. mykiss*): threatened, Puget Sound, naturally produced and artificially propagated.

### Background

The plans describe hatchery operations intended to protect five species of salmon and steelhead (two of them ESA-listed) during the removal of two dams on the Elwha River, and subsequent propagation intended to enhance the rebuilding of those salmonid species. Four of the plans are submitted by the Lower Elwha Klallam Tribe, and one by the Washington Department of Fish and Wildlife (WDFW); the plans were developed jointly by the Tribe and the WDFW. NMFS has determined that implementing and enforcing the RMP will not appreciably reduce the likelihood of survival and recovery of ESA-listed Puget Sound Chinook salmon or Puget Sound steelhead.

As required by § 223.203(b)(6) of the ESA 4(d) Rule, NMFS must determine pursuant to 50 CFR 223.209 and pursuant to the government-to-government processes therein whether the RMP for Elwha River basin hatcheries would appreciably reduce the likelihood of survival and recovery of the Puget Sound Chinook Salmon ESU or Puget Sound Steelhead DPS. NMFS must take comments on how the RMP addresses the criteria in § 223.203(b)(5) in making that determination.

### Discussion of the Biological Analysis Underlying the Determination

The proposed hatchery activities described in the RMP are intended to conserve salmon and steelhead populations in the Elwha River basin

during operations to remove two dams on the Elwha River, and for a period of time after the dams have been removed, as the salmonid habitat is restored. The RMP provides the framework through which the Lower Elwha Klallam Tribe and the State of Washington can jointly manage Elwha River salmon and steelhead hatchery, monitoring, and evaluation activities while meeting requirements specified under the ESA. The proposed action covers continued operation of the five hatchery programs over the initial phases of fish restoration in the Elwha River—the preservation and recolonization phases—with transitions between phases gauged by achievement of population viability parameters for listed Chinook salmon and steelhead. Using native Elwha River fish as broodstock, the programs would continue to be operated to minimize any impacts on genetic integrity of the natural salmon and steelhead populations while providing the intended benefits. The benefits include preserving and assisting in the recolonization of the indigenous populations of Elwha River salmon and steelhead in the wake of dam removal when natural productivity conditions will be poor. The hatchery programs would add marine-derived nutrients to the aquatic and terrestrial ecosystems above Glines Canyon Dam, which were inaccessible to salmon and steelhead from the early 1900s until completion of dam removal in 2014. The programs would increase total and natural-origin abundance and spatial structure of the Chinook salmon and steelhead populations as hatchery-origin fish of the same native lineage return to spawn naturally with fish produced naturally, and as new habitat becomes available. The hatchery programs would protect the Elwha River salmon and steelhead populations when turbidity and bedload movement levels are high and detrimental to natural-origin fish survival due to dam removal activities. The proposed plans are interrelated and interdependent through shared population preservation and recolonization objectives and effects, broodstock collection locations and actions, fish rearing and release sites, monitoring and evaluation actions, and funding sources.

The RMP includes provisions for annual reports that will assess compliance with performance standards established through the RMP. Reporting and inclusion of new information derived from RMP research, monitoring, and evaluation activities provides assurance that performance standards will be achieved in future seasons.

NMFS' evaluation is available on the Sustainable Fisheries Division Web site at <http://www.westcoast.fisheries.noaa.gov/>.

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

NMFS published notice of its proposed evaluation and pending determination on the RMP for public review and comment on August 5, 2014 (79 FR 45426). The proposed evaluation and pending determination and an associated draft environmental assessment were available for public review and comment for 30 days.

NMFS received no comments in response to the notice. However, NMFS did receive comments from one environmental group pertaining to the proposed evaluation and pending determination on the RMP in response to a prior, separate notice published to announce availability for public review of NMFS's draft Supplemental Environmental Assessment for the RMP (79 FR 35318, June 20, 2014). NMFS considered these comments in completing the final Evaluation and Recommended Determination document, but no substantive changes were required to the RMP. A detailed summary of the comments and NMFS' responses is also available on the Sustainable Fisheries Division Web site. Based on its evaluation and recommended determination and taking into account the public comments, NMFS issued its final determination on the Elwha River basin salmon and steelhead hatchery RMP.

### 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) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The Rule further provides that the prohibitions of paragraph (a) of the Rule do not apply to actions undertaken in compliance with a RMP developed jointly by the State of Washington and the Tribe and determined by NMFS to be in accordance with the salmon and steelhead 4(d) Rule (65 FR 42422, July 10, 2000).

Dated: January 23, 2015.

**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-XD696

### Pacific Fishery Management Council; Public Meetings and Hearings

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

**ACTION:** Notice of opportunities to submit public comments.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) has announced its annual preseason management process for the 2015 ocean salmon fisheries. This notice informs the public of opportunities to provide comments on the 2015 ocean salmon management measures.

**DATES:** Written comments on the salmon management alternatives adopted by the Pacific Council at its March 2015 meeting, and described in Preseason Report II, submitted electronically or in hard copy by 11:59 p.m. Pacific Time, April 2, 2015, will be considered in the Pacific Council's final recommendation for the 2015 management measures.

**ADDRESSES:** Documents will be available from Ms. Dorothy Lowman, Chair, Pacific Fishery Management Council, 7700 NE., Ambassador Place, Suite 101, Portland, OR 97220-1384, telephone: 503-820-2280 (voice) or 503-820-2299 (fax), and posted on the Pacific Council Web site at <http://www.pcouncil.org>. You may submit comments, identified by NOAA-NMFS-2015-0001, by any one of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2015-0001>, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.
- **Mail:** Ms. Dorothy Lowman, Chair, Pacific Fishery Management Council, 7700 NE. Ambassador Place, Suite 101, Portland, OR 97220-1384.
- **Fax:** 503-820-2299, Attn: Mr. Mike Burner.
- Comments can also be submitted via email at [PFMC.comments@noaa.gov](mailto:PFMC.comments@noaa.gov).

**Instructions:** Comments sent by any other method, to any other address or individual may not be considered by NMFS or the Pacific Council. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS and the Pacific Council will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Burner, telephone: 503-820-2280. For information on submitting comments via the Federal e-Rulemaking portal, contact Peggy Mundy, telephone: 206-526-4323.

**SUPPLEMENTARY INFORMATION:** The Pacific Council has published its annual notice of availability of reports; public meetings, and hearings for the 2015 ocean salmon fisheries (79 FR 78805, December 31, 2014). The Pacific Council will adopt alternatives for 2015 ocean salmon fisheries at its meeting, March 6-12, 2015, at the Hilton Hotel in Vancouver, WA. Details of this meeting are available on the Pacific Council's Web site ([www.pcouncil.org](http://www.pcouncil.org)) and will be published in the **Federal Register** in February 2015. On March 20, 2015, "Preseason Report II-Proposed Alternatives and Environmental Assessment Part 2 for 2015 Ocean Salmon Fishery Regulations" and public hearing schedule will be mailed to the public that have requested to receive these documents (see **ADDRESSES**) and posted on the Pacific Council Web site at <http://www.pcouncil.org>. The report will include a description of the salmon management alternatives and a summary of their biological and economic impacts.

Comments on the alternatives the Pacific Council adopts at its March 2015 meeting, and described in Preseason Report II, may be submitted in writing or electronically as described under **ADDRESSES**, or verbally or in writing at any of the public hearings held on March 30-31, 2015, or at the Pacific Council's meeting, April 10-16, 2015, at the DoubleTree by Hilton Sonoma in Rohnert Park, CA. Details of these meetings are available on the Pacific Council's Web site ([www.pcouncil.org](http://www.pcouncil.org)) and will be published in the **Federal**