

**DEPARTMENT OF COMMERCE****International Trade Administration****[Application No. 99-7A002]****Export Trade Certificate of Review**

**ACTION:** Notice of Issuance of an amended Export Trade Certificate of Review to California Almond Export Association, LLC ("CAEA") (Application #99-7A002).

**SUMMARY:** The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to California Almond Export Association, LLC on May 1, 2014.

**FOR FURTHER INFORMATION CONTACT:**

Joseph E. Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) ("the Act") authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (2013).

The Office of Trade and Economic Analysis ("OTEA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

**Description of Amended Certificate**

*CAEA's Export Trade Certificate of Review has been amended to:*

1. Delete the following company as a Member of CAEA's Certificate: Treehouse California Almonds, LLC, Los Angeles, CA

*CAEA's Export Trade Certificate of Review complete amended membership is listed below:*

Almonds California Pride, Inc.,  
Caruthers, CA  
Baldwin-Minkler Farms, Orland, CA  
Blue Diamond Growers, Sacramento, CA  
Campos Brothers, Caruthers, CA  
Chico Nut Company, Chico, CA  
Del Rio Nut Company, Inc., Livingston, CA  
Fair Trade Corner, Inc., Chico, CA  
Fisher Nut Company, Modesto, CA

Hilltop Ranch, Inc., Ballico, CA  
Hughson Nut, Inc., Hughson, CA  
Mariani Nut Company, Winters, CA  
Minturn Nut Company, Inc., LeGrand, CA  
Nutco, LLC d.b.a. Spycher Brothers, Turlock, CA  
Paramount Farms, Inc., Los Angeles, CA  
P-R Farms, Inc., Clovis, CA  
Roche Brothers International Family Nut Co., Escalon, CA  
South Valley Almond Company, LLC, Wasco, CA  
Sunny Gem, LLC, Wasco, CA  
Western Nut Company, Chico, CA

Dated: May 7, 2014.

**Emily Kilcrease,**

*Acting Director, Office of Trade and Economic Analysis.*

[FR Doc. 2014-10860 Filed 5-9-14; 8:45 am]

**BILLING CODE 3510-DR-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****RIN 0648-XD284****Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Issuance of a scientific research permit, and notice of availability for final environmental assessment and finding of no significant impact.

**SUMMARY:** This notice is hereby given that NMFS has issued Permit 17781 to Mr. Robert Clark, Fisheries Program Supervisor of the U.S. Fish and Wildlife Service (USFWS), in accordance with the Endangered Species Act of 1973, as amended (ESA). In addition, the Final Environmental Assessment (EA) and Finding of No Significant Impact associated with this permit are available to the public.

**ADDRESSES:** The approved application for the permit is available on the Applications and Permits for Protected Species (APPS), <https://apps.nmfs.noaa.gov> Web site by searching the permit number within the Search Database page. The application, issued permit, Final Environmental Assessment, Finding of No Significant Impact and supporting documents are also available by appointment, or upon the following:

- **Mail:** Submit written requests to Elif Fehm-Sullivan, Fisheries Biologist, West Coast Region, California Central Valley Area Office, National Marine

Fisheries Service, 650 Capitol Mall, Suite 5-100, Sacramento, CA 95814.

- **Fax:** (916) 930-3629.
- **Email:** [Elif.Fehm-Sullivan@noaa.gov](mailto:Elif.Fehm-Sullivan@noaa.gov).

[www.noaa.gov](http://www.noaa.gov).

You may access a copy of supporting documents including the final EA by one of the following:

- Visit the NMFS Reintroduction Web site at [http://www.westcoast.fisheries.noaa.gov/central\\_valley/san\\_joaquin/san\\_joaquin\\_reint.html](http://www.westcoast.fisheries.noaa.gov/central_valley/san_joaquin/san_joaquin_reint.html).
- Call (916) 930-3723 and request to have a CD or hard copy mailed to you.
- Obtain a CD or hard copy by visiting the NMFS Central Valley office at 650 Capitol Mall, Suite 5-100, Sacramento, CA 95814.

**FOR FURTHER INFORMATION CONTACT:** Elif Fehm-Sullivan, National Marine Fisheries Service, 650 Capitol Mall, Suite 5-100, Sacramento, CA 95814 (916) 930-3723.

**SUPPLEMENTARY INFORMATION:****Authority**

The issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) Are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations (50 CFR parts 222-226) governing listed fish and wildlife permits.

**Species Covered in This Notice**

This notice is relevant to ESA listed species from the threatened Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) (spring-run Chinook salmon) evolutionarily significant unit (ESU) and threatened California Central Valley (CCV) steelhead (*O. mykiss*).

**Permit 17781**

NMFS formally initiated a public review period for review of the permit application through publication of a Notice of Receipt (NOR) of the Permit application in the **Federal Register** on December 31, 2013, outlining the research and enhancement activities proposed by USFWS and take of ESA-listed spring-run Chinook salmon proposed under Permit 17781 (28 FR 79675). The notice of receipt included a

30-day public comment period for this permit application, which closed on January 30, 2014. A combined total of 6 public comments on the permit application were submitted to NMFS by two entities.

The public comments and NMFS' response are as follows:

*Comment 1:* The permit should acknowledge the protections accorded by The Settlement Act requiring that the reintroduction of spring-run Chinook salmon to the San Joaquin River will have no adverse impacts to Central Valley Project (CVP) contract allocations.

*Response:* The protections accorded by The Settlement Act, as referred to in the above comment and in this response (Pub. L. 11–111, Title X, Section 10011), have been addressed in the designation of an experimental population rule (50 CFR 223.301(b)) that went into effect January 31, 2014. That federal regulation states that an annual technical memorandum will be developed to ensure that the reintroduction of spring-run Chinook salmon will not result in more than *de minimus* water supply reductions, additional storage releases or bypass flows on unwilling persons or entities diverting or receiving water pursuant to applicable State and Federal laws. This also applies to the CVP and State Water Project (SWP) operations under any biological opinion or ESA section 10 permit that is in effect at the time for operations of the CVP and SWP. The actions of this permit will be considered in that annual process. Also note that this is directly addressed in the permit application project description. To address concerns of downstream water users and to assess take at the State and Federal pumping facilities in the Delta, an externally visible mark will be used by the Program.

*Comment 2:* The permit application should include provisions for genetic monitoring to ensure the introduction of the experimental spring-run Chinook salmon population will not result in adverse impacts to CVP operations.

*Response:* Please see the response to comment 1. Genetic material collection is part of this permit application. The need for genetic testing with respect to this concern will be addressed in the annual technical memorandum associated with 50 CFR 223.301(b).

*Comment 3:* There is inadequate habitat in the San Joaquin river and as a result, the issuance of the 10(a)(1)(A) permit for the salmon reintroduction program with the goal of spring-run Chinook salmon reintroduction to the San Joaquin River in 2014 is far in advance of the necessary structural and

channel improvements, which are critical to providing habitat conditions for the successful reintroduction of spring-run Chinook salmon to the San Joaquin River.

*Response:* NMFS recognizes that the restoration of naturally self-sustaining populations of Chinook salmon to the San Joaquin River will require completion of other channel and habitat improvements to be implemented by the San Joaquin River Restoration Program. However, suitable habitat for Chinook salmon presently exists seasonally and in places along the San Joaquin River as described in section 3 of the EA. Reintroduction is not one single event, but a series of several events that over time will lead to successful restoration of spring-run Chinook to the San Joaquin River. In order for the reintroduction to be successful, the initial step of this reintroduction process will have a testing phase, where the collection, transportation, holding, rearing, and release techniques can be tested to ensure that the program will not have an adverse effect on these listed fish. This permit authorizes the implementation of necessary initial actions and the scope of the permitted actions does consider existing habitat availability.

*Comment 4:* There is inadequate funding for the San Joaquin River Restoration Program to achieve the program's goals of habitat restoration, channel improvements, and operate the salmon reintroduction program.

*Response:* Please see response to comment 3. For the purposes of this permit, NMFS assumes that all channel and structural modifications, habitat improvements, and water releases, will be implemented as required by the Settlement. Implementing only some of these measures would not achieve the Restoration Goal, and thereby would not fulfill the terms and conditions of the Settlement. NMFS correctly makes assumptions that other related factors such as compliance with other laws, plans, and policies and adequate funding to carry out the proposal will occur. Funding sources are identified for the implementation of the SJRRP. Lack of implementation could result from a suite of potential factors including lack of funding or noncompliance with a related law. If funding issues prevent the completion of some SJRRP actions, there would be no impacts to third parties from the reintroduction of spring-run Chinook salmon due to the non-essential experimental population designation and take exemptions. However, throughout Settlement implementation, the Implementing Agencies will remain

cognizant of funding availability and the need to prioritize individual actions in recognition of their anticipated costs and effectiveness. If the reintroduction program were halted because of a lack of funding, NMFS would then reevaluate the program and make necessary adjustments through its regulatory processes.

*Comment 5:* The permit application anticipates the use of a trap and haul program to move spring-run Chinook salmon around major passage impediments in the early years of the reintroduction program, however it does not adequately address the impact on survival from such a trap and haul program.

*Response:* The permit application calls out specific release criteria for juveniles, found in appendix J of the attached permit documents, which specify that fish will be released only from a point where there is connectivity with the ocean, and the potential impact on survival resulting from this handling and transport has been accounted for in the take tables found in the permit application and the permit itself. For returning adults, a trap and haul program would only be used if necessary, as outline in appendix K of the attached permit documents. The incidental mortality rate provided by USFWS for the adult trap and haul program is 3 percent. The number used is a doubling of the observed mortality rate of adult fall-run trap and haul program currently being used in the San Joaquin River and outlined in appendix K. This number was used as a conservative, surrogate estimate for take, as no spring-run Chinook trap and haul program has been performed in this area.

*Comment 6:* The permit application proposes the use of in-river and streamside incubators for eggs and the use of in-river holding pens for juveniles, including unmarked juveniles that have not reached a sufficient size for marking, but does not adequately address the risks of releases of eggs or unmarked fish to the San Joaquin River either through accidental release or vandalism.

*Response:* Eggs will be transported to stream side incubators. As they develop into juveniles they will be held in incubators until they can be tagged and adipose fin-clipped, and then moved to holding pens. No un-marked juveniles will be put into net pens. The stream side incubators will be placed on federal land and built in such a way as to deter vandalism to the best extent possible.

Permit 17781 authorizes USFWS take of ESA-listed Central Valley spring-run Chinook salmon from the Feather River

Fish Hatchery (FRFH) for the following activities: (1) The collection of spring-run Chinook salmon juveniles and eggs from the FRFH and their transport to stream side incubators located alongside the San Joaquin River; (2) the transport of collected Chinook salmon to holding pens located in the San Joaquin River; (3) the tagging of FRFH collected spring-run Chinook salmon; (4) the release of tagged juvenile spring-run Chinook salmon from FRFH, the salmon conservation and research facility (SCARF), and those juveniles that were raised in the stream side incubators; (5) the release of tagged adult salmon from SCARF in years 4–5 of the permit; (6) monitoring and evaluation associated with permitted activities; and (7) if required, quarantine and pathology testing on eggs and/or juveniles collected from FRFH.

Dated: May 6, 2014.

**Angela Somma,**

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

[FR Doc. 2014–10737 Filed 5–9–14; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–BD32**

#### **Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Fishery Management Plan for the Exclusive Economic Zone of Puerto Rico**

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

**ACTION:** Supplemental Notice of Intent (NOI) to prepare a draft environmental impact statement (DEIS); reopening of comment period.

**SUMMARY:** NMFS is reopening the comment period for the supplemental NOI to prepare a DEIS, which published on March 11, 2014. NMFS, Southeast Region, in collaboration with the Caribbean Fishery Management Council (Council), intends to prepare a DEIS to describe and analyze a range of management alternatives for management actions to be considered when developing and establishing a Comprehensive Fishery Management Plan (FMP) for the exclusive economic zone (EEZ) of Puerto Rico. The purpose of this Supplemental NOI is to inform the public of upcoming opportunities to provide comments on the actions to be

addressed in the DEIS, as specified in this notice.

**DATES:** Written comments on the scope of issues to be addressed in the DEIS must be received by NMFS by August 11, 2014.

**ADDRESSES:** You may submit comments on the DEIS, identified by “NOAA–NMFS–2013–0093”, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0093](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0093), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- **Mail:** Submit written comments to Miguel Lugo, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701, or to the Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. 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 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.

Electronic copies of the scoping document may be obtained from the Southeast Regional Office Web site at [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/caribbean/island\\_based/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/caribbean/island_based/index.html).

#### **FOR FURTHER INFORMATION CONTACT:**

Miguel Lugo, phone 727–824–5305, email [Miguel.Lugo@noaa.gov](mailto:Miguel.Lugo@noaa.gov); or Graciela García-Moliner, phone 787–766–5926, email [Graciela.Garcia-Moliner@noaa.gov](mailto:Graciela.Garcia-Moliner@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On Tuesday, March 11, 2014, NMFS published in the **Federal Register** (79 FR 13624) a supplemental NOI to prepare a DEIS. Comments on the notice were required to be received on or before April 10, 2014. NMFS is reopening the comment period for an additional 90 days to allow interested parties additional time to prepare and submit comments.

Currently, the Council manages Federal fisheries in the U.S. Caribbean under four species-based FMPs: The Spiny Lobster FMP of Puerto Rico and the U.S. Virgin Islands (Spiny Lobster FMP), the Reef Fish FMP of Puerto Rico and the U.S. Virgin Islands (Reef Fish FMP), the Corals and Reef Associated Plants and Invertebrates FMP of Puerto Rico and the U.S. Virgin Islands (Coral FMP), and the FMP for the Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands (Queen Conch FMP). The fishers, fishing community representatives, and the local governments of Puerto Rico and the U.S. Virgin Islands (USVI) have frequently requested the Council consider the differences between the islands or island groups when addressing fisheries management in the U.S. Caribbean to recognize the unique attributes of each U.S. Caribbean island. By developing island-based FMPs, NMFS and the Council would better account for differences among the U.S. Caribbean islands with respect to culture, markets, gear, seafood preferences, and the ecological impacts that result from these differences.

At its 145th meeting, held on March 26–27, 2013, the Council decided to transition from species-based fisheries management to island-based fisheries management. If approved, a comprehensive FMP for fisheries management off Puerto Rico, in conjunction with similar comprehensive FMPs for fisheries management off St. Croix and off St. Thomas/St. John, would replace the existing species-based FMPs.

Also at its March meeting, the Council voted to hold scoping meetings in July 2013 to receive public feedback on possible actions and alternatives to consider during the development of the Puerto Rico FMP, the St. Croix FMP, and the St. Thomas/St. John FMP. Based on public feedback received at the July scoping meetings, the Council decided at its 148th Meeting, held December 11–12, 2013, to hold a second round of scoping meetings to present a more robust set of actions and alternatives. After the second round of scoping meetings in April, 2014, the Council recommended providing the public with an additional opportunity to comment on the range of management alternatives to include in the DEIS. The Council could develop the comprehensive FMPs without significant changes to current Federal fisheries management. For example, the 2010 Caribbean Annual Catch Limit (ACL) Amendment (76 FR 82404, December 30, 2011) and the 2011 Caribbean ACL Amendment (76 FR 82414, December 30, 2011) established