

guidelines, the 2017 SBRM rulemaking, and the 2017 Fisheries Allocation Review Policy Directive 01–119, along with other relevant statutes and the 2006 Consolidated Atlantic HMS FMP and its amendments. Draft Amendment 12 does not contain a proposed rule or regulatory text. Quotas or other fishery management measures will not be changed or affected as a result of this amendment. Any operational changes to fishery management measures as a result of Amendment 12 would be considered in future rulemakings, as appropriate. NMFS will take public comment into consideration before finalizing Draft Amendment 12, and its

provisions may be altered or changed at the final amendment stage.

NMFS published a Notice of Availability of a scoping document for Amendment 12 on September 3, 2019 (84 FR 45941). The scoping period closed on November 4, 2019. Given that specific changes to fishery management measures are not proposed or evaluated in this amendment; NMFS does not expect any impacts. Furthermore, no extraordinary circumstances exist, and the action is not expected to be controversial. Thus, NMFS has preliminarily determined that Amendment 12 would appropriately be categorically excluded from further

analysis under the National Environmental Policy Act (NEPA).

### Public Hearings

Comments on Draft Amendment 12 may be submitted via [www.regulations.gov](http://www.regulations.gov) (see **ADDRESSES**) and comments may also be submitted at a public hearing. NMFS solicits comments on this action by October 26, 2020. During the comment period, NMFS will hold two public hearings via conference call and webinar for Draft Amendment 12 (Table 1). In addition, NMFS anticipates presenting at the HMS Advisory Panel meeting in the fall of 2020, to discuss Draft Amendment 12.

TABLE 1—DATES AND TIMES OF UPCOMING WEBINARS/CONFERENCE CALLS

| Venue         | Date               | Time          | Instructions                                                                                                                                                                                                                                                                                                                         |
|---------------|--------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Webinar ..... | September 23, 2020 | 2–4 p.m. .... | Link: <a href="https://noaanmfs-meets.webex.com/noaanmfs-meets/j.php?MTID=m6d4223b580c2d26883b4ca44e1d35a7a">https://noaanmfs-meets.webex.com/noaanmfs-meets/j.php?MTID=m6d4223b580c2d26883b4ca44e1d35a7a</a> .<br>Meeting number: 199 162 5739; Password: D3Pn3hQt2J9.<br>Join by phone: 1–415–527–5035; Access code: 199 162 5739. |
| Webinar ..... | September 29, 2020 | 3–5 p.m. .... | Link: <a href="https://noaanmfs-meets.webex.com/noaanmfs-meets/j.php?MTID=m335138f7bf5bbac0518e97789ee49776">https://noaanmfs-meets.webex.com/noaanmfs-meets/j.php?MTID=m335138f7bf5bbac0518e97789ee49776</a> .<br>Meeting number: 199 054 2449; Password: yfSEgJW24d3.<br>Join by phone: 1–415–527–5035; Access code: 199 054 2449  |

The public is reminded that NMFS expects participants at public webinars/conference calls to conduct themselves appropriately. At the beginning of each webinar/conference call, the moderator will explain how the webinar/conference call will be conducted and how and when participants can provide comments. NMFS representative(s) will structure the webinars/conference calls so that all members of the public will be able to comment, if they so choose, regardless of the controversial nature of the subject(s). Participants are expected to respect the ground rules, and those that do not may be asked to leave the webinars/conference calls.

**Authority:** 16 U.S.C. 971 *et seq.*, and 1801 *et seq.*

Dated: August 20, 2020.

**Samuel D. Rauch III,**

Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.

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**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XA315]

#### Marine Mammals; Pinniped Removal Authority; Approval of Application

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

**ACTION:** Notice of availability.

**SUMMARY:** NMFS announces approval of an application to intentionally take, by lethal methods, California sea lions (*Zalophus californianus*) and Steller sea lions (*Eumetopias jubatus*; Eastern stock) that are located in the mainstem of the Columbia River between river mile 112 (I–205 bridge) and river mile 292 (McNary Dam), or in any tributary to the Columbia River that includes spawning habitat of threatened or endangered salmon or steelhead (*Onchorynchus* spp.). This action is intended to reduce or eliminate sea lion predation on species that are listed as threatened or endangered under the Endangered Species Act of 1973, and species of lamprey or sturgeon that are not listed as endangered or threatened but are listed as a species of concern. This authorization is pursuant to section 120(f) of the Marine Mammal Protection

Act (MMPA). NMFS also announces availability of decision documents and other information relied upon in making this determination.

**ADDRESSES:** Additional information about our determination may be obtained by visiting the NMFS West Coast Region's website: <http://www.westcoast.fisheries.noaa.gov>, or by writing to us at: NMFS West Coast Region, Protected Resources Division, 1201 Lloyd Blvd., Suite 1100, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Anderson at the above address, by phone at (503) 231–2226, or by email at [robert.c.anderson@noaa.gov](mailto:robert.c.anderson@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 120 (MMPA; 16 U.S.C. 1361, *et seq.*) allows the Secretary of Commerce, acting through the Assistant Administrator for Fisheries, and the West Coast Regional Administrator of NMFS, to authorize the intentional lethal taking of individually identifiable pinnipeds that are having a significant negative impact on the decline or recovery of salmonid species listed as threatened or endangered species under the ESA, are approaching threatened species or endangered species status (as those terms are defined in that Act), or migrate through the Ballard Locks at Seattle, Washington. Section 120(b)(1)

establishes the criteria whereby a state may apply to the Secretary requesting authorization for the intentional lethal taking of individually identifiable pinnipeds which are having a significant negative impact on the decline or recovery of salmonid species. Section 120(b)(2) requires that any such application shall include a means of identifying the individual pinniped or pinnipeds, and shall include a detailed description of the problem interaction and expected benefits of the taking.

The Endangered Salmon Predation Prevention Act of 2018 (Pub. L. 115–329) replaced the existing MMPA section 120(f) with a new section 120(f)—Temporary Marine Mammal Removal Authority on the Waters of the Columbia River or its Tributaries. The new 120(f) provides separate authority for NMFS to issue permits allowing the intentional lethal taking of sea lions for the purpose of protecting ESA-listed fish species and species of lamprey and sturgeon that are listed as species of concern. Under section 120(f), sea lions are deemed to be individually identifiable and having a significant negative impact on the protected fish species when the sea lions are located in defined areas of the Columbia River and its tributaries. These areas include the mainstem of the Columbia River between river mile 112 (I–205 bridge) and river mile 292 (McNary Dam), and in any tributary to the Columbia River that includes spawning habitat of threatened or endangered salmon or steelhead (*Onchorynchus* spp.) are deemed to be individually identifiable and to be having a significant negative impact, within the meaning of section 120(b)(1), as defined by section 120(f)(7) and (8) (MMPA; 16 U.S.C. 1389(f)(7) and (8)). Public Law 115–329 also included additional eligible entities<sup>1</sup> not identified in section 120(b)(1) that may apply for authorization to intentionally take, by lethal methods, sea lions present within the geographic area established in section 120(f).

Pursuant to section 120(f) of the MMPA, an eligible entity may request authorization to lethally remove sea lions, and the Regional Administrator is required to: (1) Review the application to determine whether the applicant has produced sufficient evidence to warrant establishing a Pinniped-Fishery Interaction Task Force (Task Force) to address the situation described in the application; (2) publish a notice in the

**Federal Register** requesting public comment on the application, if sufficient evidence has been produced; (3) establish and convene a Task Force; (4) consider any recommendations made by the Task Force in making a determination whether to approve or deny the application; and (5) if approved, immediately take steps to implement the intentional lethal taking, which shall be performed by agencies or qualified individuals under contract to such agencies (section 120(c)(4)), or by individuals employed by the eligible entities described in section 120(f)(6).

Section 120(c)(2) requires the Task Force be composed of the following: (1) Employees of the Department of Commerce; (2) scientists who are knowledgeable about the pinniped interaction; (3) representatives of affected conservation and fishing community organizations; (4) Indian Treaty tribes; (5) the states; and (6) such other organizations as NMFS deems appropriate. The Task Force reviews the application and public comments and, as required by section 120, recommends to NMFS whether to approve or deny the application. The Task Force is also required to submit with its recommendations for the proposed location, time, and method of such taking; criteria for evaluating the success of the action; the duration of the intentional lethal taking authority; and a suggestion for non-lethal alternatives, if available and practicable, including a recommended course of action.

Section 120(f)(2)(C) requires the Secretary to establish procedures to coordinate issuance of permits [authorizations] under this subsection, including application procedures and timelines, delegation and revocation of permits to and between eligible entities, monitoring, periodic review, and geographic, seasonal take, and species-specific considerations. Pursuant to section 120(f)(2)(C), on June 4, 2019, NMFS issued a Decision Memorandum to fulfill this statutory requirement by establishing application requirements and program implementation procedures for prospective and approved authorizations issued to an eligible entity under section 120(f). Permits issued under section 120(f) may only authorize take of sea lions that are not listed under the ESA, or designated as a depleted or strategic stock under the MMPA.

On June 13, 2019, NMFS received an application pursuant to section 120(f) from the following entities: Oregon Department of Fish and Wildlife, the Washington Department of Fish and Wildlife, the Idaho Department of Fish and Game, the Nez Perce Tribe, the

Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Willamette Committee<sup>2</sup> (hereafter referred to as the “eligible entities”). The eligible entities requested authorization to intentionally take, by lethal methods, California sea lions and Steller sea lions that are located in the mainstem of the Columbia River between river mile 112 and river mile 292 (McNary Dam), or in any tributary to the Columbia River that includes spawning habitat of threatened or endangered salmon or steelhead (*Onchorynchus* spp.) to reduce or eliminate sea lion predation on the following species that are listed as threatened or endangered under the ESA: Lower Columbia River Chinook salmon (*O. tshawytscha*), Snake River Fall-run Chinook salmon, Snake River Spring/Summer-run Chinook salmon, Upper Columbia River Spring-run Chinook salmon, Upper Willamette River Chinook salmon, Lower Columbia River steelhead, Middle Columbia River steelhead (*O. mykiss*), Snake River Basin steelhead, Upper Columbia River steelhead, Upper Willamette River steelhead, Columbia River chum salmon (*O. keta*), Lower Columbia River coho salmon (*O. kisutch*), Snake River sockeye salmon (*O. nerka*), the southern distinct population segment of eulachon (*Thaleichthys pacificus*), and species of lamprey or sturgeon that are not listed as threatened or endangered but are listed as a species of concern. California and Steller sea lions are not listed under the ESA nor are they designated as a depleted or strategic stock under the MMPA.

On June 18, 2019, NMFS provided the above-mentioned eligible entities a letter acknowledging receipt of their application and a determination that the application produced sufficient evidence of the problem interaction to warrant establishing a Task Force. On August 30, 2019, NMFS published a notice in the **Federal Register** (84 FR

<sup>2</sup> The Willamette Committee fulfills the requirements for an eligible entity under section 120(f)(6)(A)(iii) of the MMPA. Pursuant to this section of the statute, the Committee members include the Oregon Department of Fish and Wildlife, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes of the Grand Ronde Community, and the Confederated Tribes of the Siletz Indians of Oregon. The Confederated Tribes of the Grand Ronde Community and the Confederated Tribes of the Siletz Indians of Oregon will coordinate and conduct lethal removal activities in the Willamette River Basin with the member co-managers, but not elsewhere in the Columbia River Basin.

<sup>1</sup> The Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Willamette Committee as defined in section 120(f)(6)(D) of the MMPA.

45730) requesting public comment on the application, any additional information NMFS should consider in making its decision, and nominations for potential Task Force members. As required under the MMPA, after the close of the public comment period NMFS established the Task Force and convened a Task Force meeting on May 12, 2020 through May 14, 2020. The Task Force meeting was open to the public.

The Task Force completed and submitted its report to NMFS on July 14, 2020. The majority of Task Force members present at the meeting (16 of 22) recommended that NMFS approve the eligible entities' application with certain terms and conditions, while two Task Force members recommended that NMFS deny the application, one Task Force member abstained, and three Task Force members were intermittently absent and did not provide a recommendation. The Task Force report also included recommendations pursuant to the requirements in section 120(c)(3)(A) of the MMPA and also considered the factors identified in MMPA section 120(d). All decision documents, including a copy of the authorization, are available on NMFS' West Coast Region web page (see **ADDRESSES**).

### Findings

As required under section 7(a)(2) under the ESA, NMFS completed informal consultation, and in accordance with the National Environmental Policy Act, NMFS completed an environmental assessment with a finding of no significant impact.

Based on these requirements, NMFS has determined that the requirements of section 120(f) of the MMPA have been met and it is therefore reasonable to issue a permit to the eligible entities authorizing them to remove (*i.e.*, place in permanent captivity or kill) no more than 540 California sea lions and no more than 176 Steller sea lions (eastern stock) through August 14, 2025.

Dated: August 19, 2020.

**Angela Somma,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB-2020-0026]

### Request for Information on the Equal Credit Opportunity Act and Regulation B; Extension of Comment Period

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice and request for information; extension of comment period.

**SUMMARY:** On August 3, 2020, the Bureau of Consumer Financial Protection (Bureau) published in the **Federal Register** a Request for Information (RFI) seeking comments and information to identify opportunities to prevent credit discrimination, encourage responsible innovation, promote fair, equitable, and nondiscriminatory access to credit, address potential regulatory uncertainty, and develop viable solutions to regulatory compliance challenges under the Equal Credit Opportunity Act (ECOA) and Regulation B. The RFI provided a 60-day comment period that was set to close on October 2, 2020. To allow interested persons more time to consider and submit their comments, the Bureau is extending the comment period until December 1, 2020.

**DATES:** The comment period for the RFI published August 3, 2020, at 85 FR 46600, is extended. Responses to the RFI must now be received on or before December 1, 2020.

**ADDRESSES:** You may submit responsive information and other comments, identified by Docket No. CFPB-2020-0026, by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Email:** 2020-RFI-ECOA@cfpb.gov. Include Docket No. CFPB-2020-0026 in the subject line of the message.
- **Mail/Hand Delivery/Courier:** Comment Intake, Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552. Please note that due to circumstances associated with the COVID-19 pandemic, the Bureau discourages the submission of comments by mail, hand delivery, or courier.

- **Instructions:** The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, and in light of difficulties associated with mail and hand deliveries during the COVID-19

pandemic, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <http://www.regulations.gov>. In addition, once the Bureau's headquarters reopens, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. At that time, you can make an appointment to inspect the documents by telephoning 202-435-9169.

All submissions in response to this request for information (RFI), including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Please do not include sensitive personal information in your submissions, such as account numbers or Social Security numbers, or names of other individuals, or other information that you would not ordinarily make public, such as trade secrets or confidential commercial information. Submissions will not be edited to remove any identifying or contact information, or other information that you would not ordinarily make public. If you wish to submit trade secret or confidential commercial information, please contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section below. Information submitted to the Bureau will be treated in accordance with the Bureau's Rule on the Disclosure of Records and Information, 12 CFR part 1070 *et seq.*

**FOR FURTHER INFORMATION CONTACT:** For general inquiries and submission process questions, please call Pavy Bacon, Senior Counsel, Office of Regulations at 202-435-7700. If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov).

**SUPPLEMENTARY INFORMATION:** On July 28, 2020, the Bureau issued an RFI to seek comments on the actions it can take or should consider taking to prevent credit discrimination, encourage responsible innovation, promote fair, equitable, and nondiscriminatory access to credit, address potential regulatory uncertainty, and develop viable solutions to regulatory compliance challenges under ECOA and Regulation B. The RFI was published in the **Federal Register** on August 3, 2020.<sup>1</sup>

The RFI provided a 60-day public comment period that was set to close on October 2, 2020. Subsequent to issuance of the RFI, representatives from several

<sup>1</sup> 85 FR 46600 (Aug. 3, 2020).