

of the completed merchandise.²³ Therefore, because most of the value of the finished PRCB is created in Taiwan, the value of the merchandise as entered is certainly a significant portion of the total value of the finished PRCB.

E. Factors To Consider in Determining Whether Action Is Necessary

Section 781(a)(3) of the Act identifies additional factors that the Department shall consider in determining whether to include parts or components in an antidumping duty order as part of an anti-circumvention inquiry. Of these, the petitioners argue that importation of the circumventing merchandise represents a change in the pattern of trade.²⁴ The petitioners assert that prior to imposition of the *PRCB Orders*, no party imported such merchandise for completion into finished PRCBs. The petitioners argue that interrupting the production process prior to completion is neither economical nor rational, and that the only reason not to complete the PRCB in the country of origin is to evade application of antidumping duties upon importation.²⁵

Analysis

Section 351.225(f)(1) of our regulations directs that a notice of the initiation of an anti-circumvention inquiry issued under 19 CFR 351.225(e) will include a description of the product that is the subject of the anti-circumvention inquiry and an explanation of the reasons for the Department's decision to initiate an anti-circumvention inquiry.

The product that is subject of this anti-circumvention inquiry covers merchandise from Taiwan that appears to be series or roll of unfinished PRCBs that is ready to undergo the final steps in the production process, *i.e.*, cutting-to-size the merchandise, sealing the bag on one end to form a closure, and creating the handles of a finished PRCB (using a die press to stamp out the opening).

Based on our analysis of the petitioners' request, the Department determines that the criteria under section 781(a) of the Act have been satisfied to warrant the initiation of an anti-circumvention inquiry.

With regard to whether the merchandise sold in the United States is of the same class or kind as the merchandise covered by the antidumping duty order, the petitioners presented information indicating that the merchandise completed and sold in

the United States is of the same class or kind as PRCBs from Taiwan which are subject to the order on PRCBs from Taiwan.²⁶ With regard to whether the process of converting this product into finished PRCBs is a "minor or insignificant process," the petitioners addressed the relevant statutory factors with the best information available to them at the time of their anti-circumvention inquiry request.²⁷ The petitioners relied on publicly-available information for this purpose, in addition to their own expertise in the production process. Given that the petitioners do not have access to cost or price data of either the Taiwanese producer or the U.S. importer, the petitioners relied on their own knowledge of the production process to draw their conclusions and demonstrate that, qualitatively, the value of the conversion of the imported merchandise into subject merchandise is minor or insignificant.²⁸

With respect to the value of the merchandise produced in Taiwan, the petitioners relied on the information and arguments in the "minor or insignificant process" portion of their anti-circumvention request to indicate that the value of Taiwan production for unfinished PRCBs is significant relative to the total value of finished PRCBs sold in the United States.²⁹

Finally, the petitioners argued that the Department should also consider the pattern of trade as a factor in determining whether to initiate the anti-circumvention inquiry. In particular, the petitioners asserted that no party imported merchandise that must undergo the final step of the production process to be converted into finished PRCBs prior to the imposition of the order on PRCBs from Taiwan, as doing so is irrational and uneconomical.³⁰

Based on these allegations, we are initiating an anti-circumvention inquiry concerning the antidumping duty order on PRCBs from Taiwan, pursuant to section 781(a) of the Act and 19 CFR 351.225(g). The Department is initiating this anti-circumvention inquiry with respect to all such merchandise from Taiwan as described above, regardless of producer or exporter. In accordance with 19 CFR 351.225(l)(2), if the Department issues a preliminary affirmative determination, we will then instruct CBP to suspend liquidation and require a cash deposit of estimated duties, at the applicable rate, for each unliquidated entry of the merchandise

at issue, entered or withdrawn from warehouse for consumption on or after the date of initiation of the inquiry. In accordance with section 781(e)(1) of the Act and 19 CFR 351.225(f)(7)(i)(A), we intend to notify the ITC in the event of an affirmative preliminary determination of circumvention under section 781(d) of the Act.

This notice serves as an invitation to interested parties to participate in this anti-circumvention inquiry. The Department invites all potential respondents to identify themselves as producers, importers, or further processors of such merchandise and to provide their own evidence and information that may inform the Department's determination. Please contact the official listed under the above heading, **FOR FURTHER INFORMATION CONTACT** for instructions for participating in this inquiry. The Department will, following consultation with interested parties, establish a schedule for questionnaires and comments on the issues. The Department intends to issue its final determination within 300 days of the date of publication of this initiation consistent with section 781(f) of the Act.

This notice is published in accordance with 781(a) of the Act and 19 CFR 351.225(f).

Dated: July 25, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2013-18430 Filed 7-30-13; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 130702582-3582-01]

RIN 0648-XC747

Endangered and Threatened Species; 90-Day Finding on Petition To Delist the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon Under the Endangered Species Act

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

ACTION: Notice of 90-day petition finding.

SUMMARY: We, NMFS, announce a 90-day finding on a petition to delist the Southern Oregon/Northern California Coast (SONCC) Evolutionarily Significant Unit (ESU) of coho salmon

²³ *Id.* at 13.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 10-11.

²⁷ *Id.* at 11-13.

²⁸ *Id.*

²⁹ *Id.* at 13.

³⁰ *Id.*

(*Oncorhynchus kisutch*) under the Endangered Species Act (ESA). We find that the petition does not present substantial scientific or commercial information indicating that the petitioned action may be warranted.

ADDRESSES: Copies of the petition are available at: <http://www.nmfs.noaa.gov/pr/> or upon request from the Assistant Regional Administrator, Protected Resources Division, NMFS, Southwest Regional Office, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: Craig Wingert, NMFS, Southwest Region Office, (562) 980-4021; or Dwayne Meadows, Office of Protected Resources, (301) 427-8403.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the ESA (16 U.S.C. 1533(b)(3)(A)) requires that we make a finding as to whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. The Secretary has delegated the authority for these actions to the NOAA Assistant Administrator for Fisheries. ESA implementing regulations define “substantial information” as the “amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted” (50 CFR 424.14(b)(1)). In determining whether a petition presents substantial scientific or commercial information to list or delist a species, we take into account information submitted with, and referenced in, the petition and all other information readily available in our files. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, followed by prompt publication in the **Federal Register** (16 U.S.C. 1533(b)(3)(A)). ESA implementing regulations state that a species may be delisted only if the best scientific and commercial data available substantiate that it is neither endangered nor threatened for one or more of the following reasons: the species is extinct; the species is recovered; or subsequent investigations show the best scientific or commercial data available when the species was listed, or the interpretation of such data, were in error (50 CFR 424.11(d)).

On May 30, 2013, we received a petition from the Siskiyou County Water Users Association (SCWUA) requesting that we delist the threatened Southern Oregon/Northern California Coast (SONCC) coho salmon Evolutionarily Significant Unit (ESU) pursuant to the

ESA. This ESU includes all naturally spawning populations of coho salmon in coastal streams between Cape Blanco, Oregon and Punta Gorda, California, as well as three artificially produced hatchery stocks (70 FR 37160; June 28, 2005). The SCWUA has previously submitted several petitions to us requesting that we delist this ESU. We analyzed each of those petitions and found they did not present substantial scientific or commercial information indicating that delisting of the ESU may be warranted. Negative 90-day findings were published for these petitions on October 7, 2011 (76 FR 62375), January 11, 2012 (77 FR 1668), and September 10, 2012 (77 FR 55458).

SCWUA Petition

In this new petition, the SCWUA asserts that our original listing of the SONCC coho salmon ESU as threatened under the ESA (62 FR 24588; May 6, 1997) was unlawful, arbitrary and capricious because the primary causative factor for the low abundance of coho salmon at the time of listing in 1997 was poor ocean conditions in the North Pacific Ocean, rather than human-caused activities (e.g., dams, agriculture, etc.). The SCWUA petition bases the assertion that our 1997 listing determination for this ESU was in error because it did not consider a 1997 scientific paper (Mantua *et al.*, 1997) that describes an interdecadal climate oscillation pattern in the Pacific Ocean (named by the authors as the Pacific Decadal Oscillation or PDO) and its impact on salmon abundance in the North Pacific. The SCWUA petition does not provide a summary of the actual Mantua *et al.* (1997) paper, but does provide an internet link to an article on our Northwest Fisheries Science Center (NWFSC) Web site that summarizes research conducted by Dr. Nathan Mantua and his colleagues about the PDO and its relationship to the survival and abundance of salmon populations in the Pacific Northwest. A key point made in the NWFSC web article is that the listing of many salmon stocks as threatened and endangered under the ESA in the 1990s coincided with a prolonged period of poor ocean conditions and low salmon abundance. The SCWUA petition simply repeats verbatim the article on the NWFSC Web site with no analysis or interpretation of how ocean conditions or other factors (e.g., habitat degradation, hatchery practices, harvest, etc.) influence the abundance of coho salmon populations, or why the SONCC coho salmon ESU should be delisted. The SCWUA petition implies, however, that we did not consider information about the

relationship between ocean conditions and salmon abundance when we listed the SONCC coho salmon ESU as threatened under the ESA in 1997. The SCWUA petition does not provide any information on the status (i.e., past or present information on abundance or distribution) of the SONCC coho salmon ESU, any new information or analysis of the threats to the ESU, or any analysis of why the ESU should be delisted based on a consideration of the ESA section 4(a)(1) listing factors.

Previous Reviews of SONCC Coho Salmon ESU Under the ESA

We have evaluated the status of the SONCC coho salmon ESU under the ESA on three separate occasions (62 FR 24588, May 6, 1997; 70 FR 37160, June 28, 2005; and 76 FR 50447, August 15, 2011). As part of each review, we fully considered the effects of ocean productivity on coho salmon populations in this ESU based on the best available information at the time. The following discussion provides an overview of our past listing decisions for this ESU, with special emphasis on how ocean productivity was considered, including consideration of Mantua *et al.*, 1997.

We published our original determination to list the SONCC coho salmon ESU as threatened on May 6, 1997 (62 FR 24588). In this determination, we concluded that coho salmon populations in this ESU were very depressed from historic levels, that anthropogenic threats to these populations were numerous and varied (e.g., habitat degradation, harvest, and artificial propagation) and that anthropogenic threats likely exacerbated the adverse effects of natural environmental variability caused by drought, flooding and ocean productivity conditions. In our analysis of factors affecting the ESU, we concluded that long-term trends in rainfall and marine productivity associated with atmospheric conditions in the North Pacific Ocean likely had a major influence on coho salmon production, but that it was unclear whether the climactic conditions causing population declines represented a long-term change that would continue to adversely affect coho salmon stocks in the future or whether the conditions were short-term and could be expected to reverse themselves in the near future. Mantua *et al.* (1997), which described the PDO phenomenon and its relationship to abundance of salmon populations in the North Pacific, was published after our review was completed, and so we did not consider it in our analysis of whether the ESU

was threatened or endangered. However, we did consider many other sources of information regarding the relationship between ocean productivity in the North Pacific and salmon population abundance in the analysis of the ESA section 4(a)(1) listing factors that informed our final listing determination. In our review of the effects of ocean productivity and El Nino events on salmon populations, we found that several researchers had suggested mechanisms linking atmospheric and ocean physics and ocean fish populations (e.g., Rogers, 1984; Nickelson, 1986; and several others) and that others had tried to correlate the production and survival of salmon with environmental factors (e.g., Pearcy, 1992; Neeley, 1994). We also cited studies that had reported on the relationship between salmon survival and sea surface temperatures and salinity during the first few months that salmonids are at sea (Vernon, 1958; Holtby and Scrivener, 1989; Holtby *et al.*, 1990) and others that had found relationships between salmon production and sea surface temperatures (Francis and Sibley, 1991; Roger, 1984; Cooney *et al.*, 1993). We also cited studies that had tried to link salmon production to oceanic and atmospheric climate change (Beamish and Bouillon, 1993; Ward, 1993) and reported that Francis and Sibley (1991) and Francis *et al.* (1992) had developed a model linking decadal-scale atmospheric variability and salmon production. Finally, we cited studies by Scarnecchia (1981) that suggested nearshore ocean conditions during the spring and summer along the California coast may dramatically affect year class strength of salmon populations from this area and by Bottom *et al.* (1986) that suggested coho salmon populations along the California and Oregon coasts might be especially sensitive to upwelling patterns because the region lacks extensive bays and estuaries such as those found further north.

In response to the 1991 U.S. District Court decision in the *Alsea Valley Alliance v. Evans*, 161 F.Supp.2d 1154 (D. Or. 2001), appeal dismissed, 358 F.3d 1181 (9th Cir. 2004), and several petitions, we conducted updated status reviews of all west coast salmon and steelhead ESUs, including the SONCC coho salmon ESU, in the early 2000s (Good *et al.*, 2005). Following completion of this review and development of a new policy for considering hatchery populations in our listing decisions, we published listing determinations in 2005 for 16 ESUs of west coast salmon, including the

SONCC coho salmon ESU (70 FR 37160; June 28, 2005). We determined that this ESU continued to warrant listing as threatened. In the proposed listing determination for west coast salmon and steelhead ESUs (69 FR 33102; June 14, 2004), we specifically reviewed marine productivity and its relationship to the abundance of salmon populations. We concluded there was evidence demonstrating that recurring, decadal scale patterns of ocean-atmosphere climate variability in the North Pacific (Mantua *et al.*, 1997; Zhang *et al.*, 1997) were correlated with salmon population abundance in the Pacific Northwest and Alaska (Hare *et al.*, 1999; Mueter *et al.*, 2002) and that survival rates in the marine environment are strong determinants of salmon and steelhead population abundance. In addition, we recognized that many salmon and steelhead populations in the Pacific Northwest had experienced low ocean survival during a period of unfavorable ocean conditions from approximately 1977–1997 and that there was evidence of an important change in the PDO starting in 1998 that likely resulted in increased salmon survival and population abundance through the early 2000s. Although we found that the relationship between ocean productivity, ocean survival and salmon population abundance appeared to be well established, we concluded that our ability to predict future changes in ocean-climate regimes and their influence on salmon productivity and population abundance was limited. For this reason, we were reluctant to make any assumptions or predictions about the future behavior of ocean-climate regimes or their effects on the distribution and abundance of salmon populations in our listing determinations. Although we recognized that salmon populations would likely respond positively to favorable ocean-climate regimes and increased ocean productivity, we felt such population increases might only be temporary and that they could mask the adverse impacts of underlying threats such as habitat degradation and loss, harvest impacts and adverse hatchery impacts, all of which are recognized as threats to west coast salmon and steelhead ESUs, including the SONCC coho salmon ESU. We concluded our analysis by indicating that our principal concern was not if and how salmon and steelhead populations would respond to favorable ocean conditions, but rather how they would respond during periods of poor ocean survival when their freshwater and estuarine habitat was degraded.

In 2011 we completed a 5-year review of the SONCC coho salmon ESU that concluded its status had worsened because of continued low population abundance levels, ongoing anthropogenic threats, and other factors including poor ocean conditions (Williams *et al.*, 2011; 76 FR 50447, August 15, 2011). Although the 5-year review did not specifically cite Mantua *et al.* (1997), it did cite and rely upon Good *et al.* (2005), which discussed that paper. In addition, we specifically considered the effects of ocean conditions on marine survival and abundance of coho salmon in this ESU as part of our analysis of the ESA section 4(a)(1) listing factors. Our analysis of ocean conditions indicated that marine survival for coho salmon from the Cole Rivers hatchery in Oregon varied substantially between 2000 and 2006. Survival averaged approximately 2.2 percent from 2000 to 2004, but was extremely low for the 2005 and 2006 broodyears (0.05–0.07 percent). We found that strong upwelling in 2007 resulted in better ocean conditions (MacFarlane *et al.*, 2008; Peterson *et al.*, 2010) and that marine conditions were also favorable in 2008 and 2009 (NWFSC, 2011). However, despite the favorable ocean conditions in 2007 and 2008, we also determined that 2005 and 2006 broodyears experienced poor marine survival. We concluded that improved ocean conditions had not resulted in improved marine survival and increased abundance of coho salmon populations as expected, and that poor marine survival had contributed to recent population declines, which were a significant threat to the ESU.

Petition Finding

We carefully analyzed the information in the SCWUA petition and our record associated with past listing determinations for the SONCC coho salmon ESU. Based on this review, we conclude that our listing determinations for the SONCC coho salmon ESU have fully evaluated the relationship between ocean conditions, the PDO, and coho salmon abundance using the best scientific and commercial data available and that the SCWUA petition does not provide any additional substantial scientific or commercial information that we ignored or did not consider in our listing determinations. The SCWUA petition does not present any additional substantial scientific or commercial information related to whether the SONCC coho salmon ESU is recovered; extinct; or the best scientific or commercial data available when the species was listed, or the interpretation

of such data, were in error. Moreover, none of the information in the petition modifies the underlying scientific basis for our original determination to list the SONCC coho salmon ESU or causes us to re-evaluate our analysis of delisting petitions that were previously submitted by the petitioner. Accordingly, we find that the SCWUA petition does not present substantial scientific or commercial information indicating that the petitioned action to delist the SONCC coho salmon ESU may be warranted.

References Cited

A complete list of the references used in this finding is available upon request (see **ADDRESSES**).

Authority: 16 U.S.C. 1531 *et seq.*

Dated: July 26, 2013.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, Performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2013-18444 Filed 7-30-13; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC785

Pacific Fishery Management Council (Pacific Council); Public Meeting

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

ACTION: Notice of public teleconference.

SUMMARY: The Groundfish Subcommittee of the Pacific Council's Scientific and Statistical Committee (SSC) will convene a teleconference, which is open to the public. To attend the SSC Groundfish Subcommittee teleconference, participants need to dial the following toll-free number and, when requested, the access code for the teleconference: telephone: (866) 781-8576; Access code: 67358852

DATES: The SSC Groundfish Subcommittee teleconference will be held beginning at 10:30 a.m., Friday, August 16, 2013 and end at 12 p.m. or as necessary to complete business for the day.

ADDRESSES: Does not apply. No listening stations are specified for the SSC Groundfish Subcommittee teleconference.

Council address: Pacific Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

FOR FURTHER INFORMATION CONTACT: Mr. John DeVore, Pacific Council; telephone: (503) 820-2280.

SUPPLEMENTARY INFORMATION: The purpose of the SSC Groundfish Subcommittee teleconference is to discuss analytical approaches for a meta-analysis of elasmobranch harvest rates designed to determine a reasonable proxy harvest rate designed to achieve maximum sustainable yield (F_{MSY}) for elasmobranchs managed in the Pacific Coast Fishery Management Plan. No management actions will be decided by the SSC Groundfish Subcommittee. The Subcommittee's role will be development of analyses used to inform proxy F_{MSY} harvest rates for consideration by the Pacific Council's SSC at its September meeting in Boise, ID. Any proxy F_{MSY} harvest rates recommended for managing elasmobranchs will inform Pacific Council decisions for harvest specifications to be implemented in 2015 and beyond.

Although non-emergency issues not contained in the teleconference agenda may come before the Subcommittee participants for discussion, those issues may not be the subject of formal SSC Groundfish Subcommittee action during this meeting. Subcommittee action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Subpanel participants' intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820-2280 at least 5 days prior to the teleconference date.

Dated: July 25, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013-18297 Filed 7-30-13; 8:45 am]

BILLING CODE 3510-22-P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No: CFPB-2013-0025]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau) is proposing to renew the Office of Management and Budget (OMB) approval for an existing information collection, titled, "Truth in Savings (Regulation DD) 12 CFR 1030."

DATES: Written comments are encouraged and must be received on or before August 30, 2013 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Electronic:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail/Hand Delivery/Courier:* Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street, NW., Washington, DC 20552. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted. In general, all comments received will be posted without change to www.regulations.gov, including any personal information provided. Sensitive personal information, such as account numbers or social security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at www.reginfo.gov. Requests for additional information should be directed to the Consumer Financial Protection Bureau, (Attention: PRA Office), 1700 G Street, NW., Washington, DC 20552, (202) 435-9575, or email: PRA@cfpb.gov. Please do not submit comments to this email box.

SUPPLEMENTARY INFORMATION:

Title of Collection: Truth in Savings (Regulation DD) 12 CFR Part 1030.

OMB Control Number: 3170-0004.

Type of Review: Extension without change of a currently approved collection.

Affected Public: Businesses or other for-profits (insured depository institutions with total assets of more than \$10 billion and their depository affiliates).