

appealed, pending a final and conclusive court decision.

### Amended Final Scope Ruling

Because there is now a final court decision with respect to this case, Commerce is amending its final scope ruling and finds that the scope of the *Orders* do not cover certain finished components of refrigerated merchandising and display structures (merchandising bar part number R10447 and welded mounted bar kit number 250355) imported by Carlson. Commerce will instruct CBP that the cash deposit rate will be zero percent for certain finished components of refrigerated merchandising and display structures (merchandising bar part number R10447 and welded mounted bar kit number 250355) imported by Carlson. In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, Commerce will instruct CBP to liquidate entries of certain finished components of refrigerated merchandising and display structures (merchandising bar part number R10447 and welded mounted bar kit number 250355) imported by Carlson without regard to antidumping duties, and to lift suspension of liquidation of such entries.

### Notification to Interested Parties

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

Dated: September 11, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-20088 Filed 9-16-19; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Establishing an Advisory Council Pursuant to the National Marine Sanctuaries Act and Solicitation for Applications for the Proposed Lake Ontario National Marine Sanctuary Advisory Council

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of solicitation.

**SUMMARY:** Notice is hereby given that NOAA is establishing a national marine sanctuary advisory council for the proposed sanctuary in eastern Lake

Ontario. The council will provide advice and recommendations to ONMS regarding the sanctuary's designation. ONMS is soliciting applications to fill seats on the Proposed Lake Ontario National Marine Sanctuary Advisory Council. This notice contains web page links and contact information for the Proposed Lake Ontario National Marine Sanctuary and application materials to apply for the newly established advisory council.

**DATES:** Applications for membership on the Proposed Lake Ontario Sanctuary Advisory Council need to be received by November 1, 2019.

**ADDRESSES:** For further information contact: Ellen Brody, Great Lakes Regional Coordinator, NOAA Office of National Marine Sanctuaries, 4840 South State Rd., Ann Arbor, MI 48108, or call 734-741-2270, or email [ellen.brody@noaa.gov](mailto:ellen.brody@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 315 of the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1445a) authorizes the Secretary of Commerce to establish advisory councils to advise and make recommendations regarding the designation and management of national marine sanctuaries. ONMS is establishing a new sanctuary advisory council for the proposed national marine sanctuary in Lake Ontario to serve as a liaison with the local community and provide guidance and advice to ONMS regarding the designation. The advisory council for the proposed sanctuary in Lake Ontario was not established when ONMS published its annual announcement in May 2019 that was advertising to fill vacant seats on the other 14 councils (84 FR 24758, May 29, 2019). Therefore, ONMS is adding the new advisory council to the list of sites with open vacancies and announcing that it is soliciting applications to fill the council's seats. Applications are due November 1, 2019.

##### II. Office of National Marine Sanctuaries (ONMS)

ONMS serves as the trustee for a network of underwater parks encompassing more than 600,000 square miles of marine and Great Lakes waters from Washington state to the Florida Keys, and from Lake Huron to American Samoa. The network includes a system of 14 national marine sanctuaries and the Papahānaumokuākea and Rose Atoll marine national monuments. National marine sanctuaries protect our nation's most vital coastal and marine natural

and cultural resources, and through active research, management, and public engagement, sustain healthy environments that are the foundation for thriving communities and stable economies.

One of the many ways ONMS ensures public participation in the designation and management of national marine sanctuaries is through the formation of advisory councils. Advisory councils are community-based groups established to provide advice and recommendations to ONMS on issues including management and science, as well as to serve as liaisons between their constituents in the community and the site. Pursuant to Section 315(a) of the NMSA, advisory councils are exempt from the requirements of the Federal Advisory Committee Act. Additional information on ONMS and its advisory councils can be found at <http://sanctuaries.noaa.gov>.

##### III. Advisory Council Membership

Under Section 315 of the NMSA, advisory council members may be appointed from among: (1) Persons employed by federal or state agencies with expertise in natural resources management; (2) members of relevant regional fishery management councils; and (3) representatives of local user groups, conservation and other public interest organizations, scientific organizations, educational organizations, or others interested in the protection and multiple use management of sanctuary resources (16 U.S.C. 1445 a(b)).

The charter for each advisory council defines the number and type of seats and positions on the council. The advisory council charter for the proposed national marine sanctuary in eastern Lake Ontario identifies the following initial, non-governmental voting seat types: Divers/dive clubs/shipwreck exploration; education; maritime history and interpretation; tourism; economic development; recreational fishing; recreational boating; shoreline property owner; and citizen-at-large. Initially, the council will also have non-voting seats for government agencies. Input from federally recognized tribes will be received through direct government-to-government consultation, pursuant to NOAA's Policy on Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations (NAO 218-8, December 19, 2018).

For each of the existing advisory councils, applicants are chosen based upon their particular expertise and experience in relation to the seat for

which they are applying; community and professional affiliations; views regarding the protection and management of marine or Great Lakes resources; and possibly the length of residence in the area affected by the site. Council members and alternates for the Proposed Lake Ontario National Marine Sanctuary Advisory Council serve three-year terms, as reflected in the signed charter.

More information on advisory council membership and processes, and materials related to the purpose, policies, and operational requirements for advisory councils can be found in the charter for a particular advisory council ([http://sanctuaries.noaa.gov/management/ac/council\\_charters.html](http://sanctuaries.noaa.gov/management/ac/council_charters.html)) and the National Marine Sanctuary Advisory Council Implementation Handbook (<http://sanctuaries.noaa.gov/management/ac/acref.html>). For more information about the new advisory council for the proposed national marine sanctuary in Lake Ontario, including seat descriptions and application materials, please visit <https://sanctuaries.noaa.gov/lake-ontario/>.

#### B. Paperwork Reduction Act

ONMS has a valid Office of Management and Budget (OMB) control number (0648-0397) for the collection of public information related to the processing of ONMS national marine sanctuary advisory council applications across the National Marine Sanctuary System. Establishing a sanctuary advisory council for the proposed sanctuary in Lake Ontario fits within the estimated reporting burden under that control number. See <https://www.reginfo.gov/public/do/PRAsearch> (Enter Control Number 0648-0397). Therefore, ONMS will not request an update to the reporting burden certified for OMB control number 0648-0397.

Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to: Office of National Marine Sanctuaries, 1305 East West Highway, N/NMS, Silver Spring, Maryland 20910.

Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, unless that collection of information displays a currently valid Office of Management and Budget (OMB) control number. The OMB control number is #0648-0397.

**Authority:** 16 U.S.C. 1431 *et seq.*

**John Armor,**  
*Director, Office of National Marine Sanctuaries.*

[FR Doc. 2019-20069 Filed 9-16-19; 8:45 am]

**BILLING CODE 3510-NK-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XF591**

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Navy Construction at Naval Weapons Station Seal Beach, California

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

**ACTION:** Notice; receipt of application for Letter of Authorization; request for comments and information.

**SUMMARY:** NMFS has received a request from the U.S. Navy (Navy) for authorization to take small numbers of marine mammals incidental to conducting construction activities related to construction of an ammunition pier and turning basin at Naval Weapons Station Seal Beach, California, over the course of five years from the date of issuance. Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the Navy's request for the development and implementation of regulations governing the incidental taking of marine mammals. NMFS invites the public to provide information, suggestions, and comments on the Navy's application and request.

**DATES:** Comments and information must be received no later than October 17, 2019.

**ADDRESSES:** Comments on the applications should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to [ITP.Laws@noaa.gov](mailto:ITP.Laws@noaa.gov).

**Instructions:** NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-

megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted to the internet at [www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities](http://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities) without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Ben Laws, Office of Protected Resources, NMFS, (301) 427-8401. An electronic copy of the Navy's application may be obtained online at: [www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities](http://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities). In case of problems accessing these documents, please call the contact listed above.

#### SUPPLEMENTARY INFORMATION:

##### Background

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 issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined "negligible impact" in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term "take" means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.