

addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Preliminary Results of Review

The Department preliminarily determines that revocation of the antidumping duty order on SSSS in coils from Mexico is likely to lead to continuation or recurrence of dumping at the following weighted-average margins:

Mexinox—30.69 percent.

All Other's—30.69 percent.

#### Public Comments and Hearing

Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Consistent with 19 CFR 351.310(d)(1), any hearing, if requested, will generally be held two days after the scheduled date for submission of rebuttal briefs, in accordance with 19 CFR 351.309(d). Interested parties may submit case briefs no later than 50 days after the date of publication of these preliminary results of review, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than five days after the time limit for filing the case brief, unless the Secretary alters this time limit. See 19 CFR 351.309(d). The Department will issue a notice of final results of this sunset review, which will include the results of its analysis of issues raised in any such briefs, no later than April 28, 2011.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: December 20, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-32478 Filed 12-23-10; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### Availability of Seats for the Channel Islands 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 and request for applications.

**SUMMARY:** The ONMS is seeking applications for the following vacant seats on the Channel Islands National Marine Sanctuary Advisory Council: Commercial Fishing member and alternate, Non-consumptive recreation member and alternate, Conservation member and alternate, Research member and alternate, Public at large members (2), and Business member. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary.

Applicants who are chosen as members should expect to serve two-year terms, pursuant to the council's charter.

**DATES:** Applications are due by January 24, 2011.

**ADDRESSES:** Application kits may be obtained from <http://channelislands.noaa.gov/>. Completed applications should be sent [Danielle.lipski@noaa.gov](mailto:Danielle.lipski@noaa.gov).

#### FOR FURTHER INFORMATION CONTACT:

Mike Murray,  
[Michael.murray@noaa.gov](mailto:Michael.murray@noaa.gov), 805-884-1464, 113 Harbor Way, Suite 150, Santa Barbara, CA 93109.

**SUPPLEMENTARY INFORMATION:** The CINMS Advisory Council was originally established in December 1998 and has a broad representation consisting of 21 members, including ten government agency representatives and eleven members from the general public. The Council functions in an advisory capacity to the Sanctuary Superintendent. The Council works in concert with the Sanctuary Superintendent by keeping him or her informed about issues of concern throughout the Sanctuary, offering recommendations on specific issues, and aiding the Superintendent in achieving the goals of the Office National Marine Sanctuaries. Specifically, the Council's objectives are to provide advice on: (1) Protecting natural and cultural resources and identifying and evaluating emergent or critical issues involving Sanctuary use or resources; (2) Identifying and realizing the Sanctuary's research objectives; (3) Identifying and realizing educational opportunities to increase the public knowledge and stewardship of the Sanctuary environment; and (4) Assisting to develop an informed constituency to increase awareness and understanding of the purpose and value

of the Sanctuary and the Office of National Marine Sanctuaries.

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

(Federal Domestic Assistance Catalog Number 11.429, Marine Sanctuary Program)

Dated: December 16, 2010.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. 2010-32370 Filed 12-23-10; 8:45 am]

BILLING CODE 3510-NK-M

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### Availability of Recreational Diving, Oil and Gas Operations and Commercial Fishing Seats for the Flower Garden Banks 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 and request for applications.

**SUMMARY:** The ONMS is seeking applications for the following vacant seats on the Flower Garden Banks National Marine Sanctuary Advisory Council: Recreational Diving, Oil and Gas Operations and Commercial Fishing. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary. Applicants who are chosen as members should expect to serve three-year terms, pursuant to the council's charter.

**DATES:** Applications are due by February 4, 2010.

**ADDRESSES:** Application kits may be obtained from Jennifer Morgan, NOAA—Flower Garden Banks National Marine Sanctuary, 4700 Avenue U, Bldg. 216, Galveston, TX 77551 or downloaded from the sanctuary Web site <http://flowergarden.noaa.gov>. Completed applications should be sent to the same address.

#### FOR FURTHER INFORMATION CONTACT:

Jennifer Morgan, NOAA—Flower Garden Banks National Marine Sanctuary, 4700 Avenue U, Bldg. 216,

Galveston, TX 77551, 409-621-5151 ext. 103, [Jennifer.Morgan@noaa.gov](mailto:Jennifer.Morgan@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Located in the northwestern Gulf of Mexico, the Flower Garden Banks National Marine Sanctuary includes three separate areas, known as East Flower Garden, West Flower Garden, and Stetson Banks. The Sanctuary was designated on January 17, 1992. Stetson Bank was added to the Sanctuary in 1996. The Sanctuary Advisory Council will consist of no more than 21 members; 16 non governmental voting members and 5 governmental non-voting members. The council may serve as a forum for consultation and deliberation among its members and as a source of advice to the Sanctuary manager regarding the management of the Flower Garden Banks National Marine Sanctuary.

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

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: December 17, 2010.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. 2010-32369 Filed 12-23-10; 8:45 am]

**BILLING CODE 3510-NK-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA018**

#### 60-Day Finding for a Petition To Conduct a Status Review of the Eastern North Pacific Population of Gray Whale Under the Marine Mammal Protection Act

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

**ACTION:** Notification of a 60-day petition finding.

**SUMMARY:** NMFS received a petition to conduct a status review under the Marine Mammal Protection Act (MMPA) for the purpose of designating the Eastern North Pacific stock of gray whales (*Eschrichtius robustus*) as depleted. NMFS finds that the petition does not present substantial information indicating that a status review may be warranted.

**DATES:** This petition finding was made on December 20, 2010.

**ADDRESSES:** A copy of the petition and a complete list of references cited in this

notice will be available on the Internet at the following address: <http://www.nmfs.noaa.gov/pr/>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Shannon Bettridge or Dr. Thomas C. Eagle, Office of Protected Resources, Silver Spring, MD, (301) 713-2322.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

##### *Statutory Guidance*

Section 3(1)(A) of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1362(1)(A)) defines the term, “depletion” or “depleted”, to include any case in which “ \* \* \* the Secretary, after consultation with the Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals \* \* \* determines that a species or a population stock is below its optimum sustainable population.” Section 3(9) of the MMPA (16 U.S.C. 1362(9)) defines “optimum sustainable population [(OSP)] \* \* \* with respect to any population stock, [as] the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity [(K)] of the habitat and the health of the ecosystem of which they form a constituent element.” NMFS’ regulations at 50 CFR 216.3 clarify the definition of OSP as “a population size which falls within a range from the population level of a given species or stock which is the largest supportable within the ecosystem [i.e., K] to the population level that results in maximum net productivity.” Maximum net productivity level (MNPL) is the population abundance that results in the greatest net annual increment in population numbers resulting from additions to the population from reproduction, less losses due to natural mortality.

The MMPA provides for interested parties to submit a petition to designate a population stock (hereafter “stock”) of marine mammals as depleted. Section 115(a)(3) of the MMPA (16 U.S.C. 1383b(a)(3)) requires NMFS to publish a notice in the **Federal Register** that such a petition has been received and is available for public review. Section 115(a)(3)(B) (16 U.S.C. 1383b(a)(3)(B)) of the MMPA requires NMFS to publish a notice in the **Federal Register** as to whether the petition presents substantial information indicating that the petitioned action may be warranted within 60 days of receiving a petition. NMFS and the U.S. Fish and Wildlife Service define “substantial information” under the petition procedural regulations of the Endangered Species

Act as the amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted (*see* 50 CFR 424.14(b)). Given that the identical term is used in the MMPA with reference to petitioned actions, NMFS interprets “substantial information” under MMPA using the same parameters as those used under the ESA.

##### *Status of Gray Whales Under the Law*

Gray whales were listed among several genera of baleen whales as endangered under the Endangered Species Conservation Act in June 1970, the precursor to the Endangered Species Act (ESA) (35 FR 8491, June 2, 1970). The species was subsequently listed as endangered on the List of Endangered and Threatened Wildlife and Plants (the List) under the ESA in 1973. All marine mammal species listed under the ESA are defined as “depleted” under the MMPA. NMFS completed its first status review of gray whales in 1984 and concluded that the Eastern North Pacific (ENP) stock was not in danger of extinction. That review recommended changing the status of the ENP stock of gray whales from endangered to threatened, however, no further action was taken at that time (49 FR 44774, November 9, 1984).

NMFS began a subsequent status review of gray whales and other listed species in 1990, and completed a formal report of the review and made it available to the public on June 27, 1991 (56 FR 29471). NMFS published a proposed rule to delist the ENP stock of gray whales on November 22, 1991 (56 FR 58869). On January 7, 1993, NMFS announced its final determination that the stock was no longer in danger of extinction and was not likely to become endangered in the foreseeable future, and concluded that the stock was 60 to 90 percent of K (within the accepted range of abundances for the stock’s OSP) and should be removed from the List (58 FR 3121). The U.S. Fish and Wildlife Service removed the ENP stock of gray whales from the List on June 16, 1994 (59 FR 31094). As required by the ESA, NMFS conducted a status review five years after the delisting, and convened a workshop on March 16–17, 1999, in Seattle, WA. The workshop participants concluded that there was no reason to reverse the decision to remove the stock from the List. This determination was based on the continued growth of the population (at that time, increasing at 2.5 percent annually and with abundance estimates well above 20,000) and the absence of evidence of any imminent threats to the stock. As recommended by the workshop