

(59 FR 8686). The panel review in this matter was requested and terminated pursuant to these Rules.

Dated: May 23, 2007.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

[FR Doc. E7-10284 Filed 5-29-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Consent Motion To Terminate Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of Consent Motion to Terminate Panel Review of the Final Antidumping Determination Under Section 129 of the Uruguay Round Agreements Act made by the International Trade Administration, respecting Certain Softwood Lumber from Canada (Secretariat File No. USA-CDA-2005-1904-04).

SUMMARY: Pursuant to the Notice of Consent Motion to Terminate the Panel Review by the case participants, the panel review is terminated as of May 22, 2007. Pursuant to Rule 71(2) of the *Rules of Procedure for Article 1904 Binational Panel Review*, this panel review is terminated.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules").

These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter was requested and terminated pursuant to these Rules.

Dated: May 23, 2007.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 070516104-7104-01; I.D. 042607C]

Endangered and Threatened Species; 90-Day Finding for a Petition To List the Global Populations of Right Whales as a Single Species

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 regarding a petition to list the global populations of right whales with the common name Black Whale as a single species under the Endangered Species Act of 1973, as amended (ESA). This action is required by section 4(b)(3)(A) of the ESA. After review, we find the petition does not present substantial scientific or commercial information indicating that the petitioned action may be warranted. **DATES:** This finding is effective immediately.

ADDRESSES: Copies of the petition are available upon request from the Division Chief, NMFS, Office of Protected Resources, Endangered Species Division, 1315 East-West Highway, Silver Spring, MD 20910-3226.

FOR FURTHER INFORMATION CONTACT: Marta Nammack, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226, telephone (301)713-1401.

SUPPLEMENTARY INFORMATION:

Background

On March 8, 2007, we received a petition from GreenWorld to list the global populations of right whales as a single species with the common name Black Whale under the ESA. Copies of this petition are available from NMFS (see **ADDRESSES**, above). GreenWorld filed the petition following two

proposed rules published by NMFS on December 27, 2006, to list the North Pacific Right Whale (71 FR 77694; December 27, 2006) and the North Atlantic Right Whale (71 FR 77704; December 27, 2006) as separate endangered species.

ESA Statutory Provisions

Pursuant to section 4(b)(3)(A) of the ESA, we are required to make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, this finding must be made within 90 days of receipt of the petition. Our 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. In determining whether a petition contains substantial information indicating that the petitioned action may be warranted, we consider only information that is submitted with or referenced in the petition or readily available in our files. We do not conduct additional research. In making a finding, we consider whether the petition: (i) clearly indicates the administrative measure recommended and gives the scientific and any common name of the species involved; (ii) contains detailed narrative justification for the recommended measure, describing, based on available information, past and present numbers and distribution of the species involved and any threats faced by the species; (iii) provides information regarding the status of the species throughout all or a significant portion of its range; and (iv) is accompanied by the appropriate supporting documentation in the form of bibliographic references, reprints of pertinent publications, copies of reports or letters from authorities, and maps (50 CFR 424.14(b)(2)).

Analysis of Petition

For the reasons set forth below, the petition fails to present substantial scientific and commercial information indicating that the petitioned action may be warranted.

First, the petitioner fails to identify the scientific name of the species and provides no documentation or bibliographic references supporting the assertion that the global populations of right whales should be listed as a single species. The petitioner claims there is no scientific basis for listing the northern right whale as two species and that NMFS has offered no analysis of