

4421.90.70.40, and 4421.90.98.40. Our findings are detailed in a decision memorandum regarding Antidumping and Countervailing Duty Investigations on Softwood Lumber from Canada: Amendment to the Language of the Scope Description. See Memorandum to Bernard T. Carreau from Melissa G. Skinner and Gary Taverman on Antidumping and Countervailing Duty Investigations on Softwood Lumber from Canada: Amendment to the Language of the Scope Description, dated 1/18/02, on file in the Central Record Unit, Room B-099, Main Commerce Building.

We are therefore publishing an amendment to the notice of preliminary determination in the AD investigation and to the notice of preliminary determination in the CVD investigation clarifying the HTSUS coverage of the scope. Although additional HTSUS headings have been provided for convenience and U.S. Customs purposes, the written description remains dispositive. We plan to amend the instructions to Customs for both the AD and CVD cases.

#### AMENDMENT:

The language of the Scope Issues section in the notice of preliminary determination in the AD investigation (which also applies to the CVD investigation) is amended as follows (added language in bold print).

In the Initiation Notice, we invited all interested parties to raise issues and comment regarding the product coverage under the scope of this investigation. We received numerous comments, including scope clarification requests, scope exclusion requests, and requests for determinations of separate classes or kinds. The requests covered approximately 50 products, ranging from species, like Western red cedar and Douglas fir, to fencing products, bed frame components, pallet stock, and joinery and carpentry products. We published a preliminary list of scope exclusions in the Notice of Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, and Alignment of Final Determination With Final Antidumping Duty Determination: Certain Softwood Lumber Products from Canada, 66 FR 43186 – 43188 (August 17, 2001) (CVD Preliminary).

In our review of the comments received since the first list of product exclusions was issued in the CVD Preliminary, we found that some of the excluded product definitions required further clarification. Based on our analysis of the comments received, we

have amended the list of excluded products that was originally presented in the CVD Preliminary. The amended list of scope exclusions is divided into two groups:

#### Group A. *Softwood lumber products excluded from the scope:*

1. Trusses and truss kits, properly classified under HTSUS 4418.90
2. I-Joist beams
3. Assembled box spring frames
4. Pallets and pallet kits, properly classified under HTSUS 4415.20
5. Garage doors
6. Edge-glued wood, properly classified under HTSUS item 4421.90.98.40
7. Properly classified complete door frames.
8. Properly classified complete window frames
9. Properly classified furniture

#### Group B. *Softwood lumber products excluded from the scope only if they meet certain requirements:*

1. Stringers (pallet components used for runners): if they have at least two notches on the side, positioned at equal distance from the center, to properly accommodate forklift blades, properly classified under HTSUS 4421.90.98.40.

2. Box-spring frame kits: if they contain the following wooden pieces – two side rails, two end (or top) rails and varying numbers of slats. The side rails and the end rails should be radius-cut at both ends. The kits should be individually packaged, they should contain the exact number of wooden components needed to make a particular box spring frame, with no further processing required. None of the components exceeds 1" in actual thickness or 83" in length.

3. Radius-cut box-spring-frame components, not exceeding 1" in actual thickness or 83" in length, ready for assembly without further processing. The radius cuts must be present on both ends of the boards and must be substantial cuts so as to completely round one corner.

4. Fence pickets requiring no further processing and properly classified under HTSUS 4421.90.70, 1" or less in actual thickness, up to 8" wide, 6' or less in length, and have finials or decorative cuttings that clearly identify them as fence pickets. In the case of dog-eared fence pickets, the corners of the boards should be cut off so as to remove pieces of wood in the shape of isosceles right angle triangles with sides measuring 3/4 inch or more.

We have preliminarily determined that the products listed in groups (A) and (B) above are outside the scope of this investigation. See Memorandum to

Bernard T. Carreau from Maria MacKay, Gayle Longest, David Layton on Scope Clarification in the Antidumping and Countervailing Duty Investigations on Softwood Lumber from Canada (October 30, 2001), which is on public file in the CRU, room B-099 of the main Commerce building. Lumber products that Customs may classify as stringers, radius cut box-spring-frame components, and fence pickets, not conforming to the above requirements, as well as truss components or pallet components, are covered under the scope of these investigations and may be classified under HTSUS subheadings 4418.90.40.90, 4421.90.70.40, and 4421.90.98.40. On January 24, 2002, Customs informed the Department of certain changes in the 2002 HTSUS affecting these products. Specifically, subheading 4418.90.40.90 and 4421.90.98.40 were changed to 4418.90.45.90 and 4421.90.97.40, respectively. Therefore, we are adding these subheadings as well.

This notice is issued and published pursuant to sections 773(f) and 777(i)(1) of the Act.

February 2, 2002

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 020402D]

### New England Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Groundfish Oversight Committee and Scallop Oversight Committee in February, 2002 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** The meetings will be held on Friday, February 22 and Monday, February 25, 2002. See **SUPPLEMENTARY**

**INFORMATION** for specific dates and times.

**ADDRESSES:** The meetings will be held in Mansfield and Danvers, MA. See **SUPPLEMENTARY INFORMATION** for specific locations.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; (978)465-0492.

#### **SUPPLEMENTARY INFORMATION:**

##### **Meeting Dates and Agendas**

*Friday, February 22, 2002, 9:30 a.m.--* Groundfish Oversight Committee Meeting.

*Location:* Holiday Inn, 31 Hampshire Street, Mansfield, MA 02048; telephone: (508)339-2200.

The Groundfish Oversight Committee will meet to discuss Amendment 10 to the Scallop Fishery Management Plan (FMP) and Amendment 13 to the Northeast Multispecies FMP. The Committee will first discuss Amendment 10 to the Scallop FMP. The committee will evaluate habitat and bycatch technical advice from the joint meeting of the Habitat Technical Team, the Groundfish Plan Development Team (PDT), and the Scallop PDT. Recommendations will be developed for draft alternatives in Scallop FMP Amendment 10 to minimize, to the extent practicable, bycatch and habitat impacts from scallop fishing.

The Committee will then discuss Amendment 13 to the Northeast Multispecies FMP. Amendment 13 will establish rebuilding programs for overfished groundfish stocks, and will also end overfishing on stocks in that condition. The Committee will review available information on the biological objectives for the FMP, including the mortality and biomass targets for stocks such as Gulf of Maine cod. The Committee will also explore alternatives for crafting management recommendations for Amendment 13 that will incorporate additional input and advice from New England fishermen. The Committee is considering an approach that would have management measures in geographic areas developed by fishermen that fish in those areas. The details, advantages, and limitations of this approach will be discussed and the Committee will prepare a recommendation for the Council. Finally, the Committee will continue its review and development of specific management alternatives for further analysis.

The Committee's discussion on Amendment 13 may be influenced by a pending court order in the matter of Conservation Law Foundation et al. v. Donald Evans et al. Should a court order be issued prior to the meeting, the Committee's discussions will include an evaluation of the impacts of that order on the development of Amendment 13. This court order may also constrain or expand the Committee's discussions on measures that are to be used for Amendment 13.

*Monday, February 25, 2002, 9:30 a.m.--* Scallop Oversight Committee Meeting.

*Location:* Sheraton Ferncroft, 50 Ferncroft Road, Danvers, MA 01923; telephone: (978) 777-2500.

The Oversight Committee will continue development of management alternatives for Draft Amendment 10 to the Sea Scallop Fishery Management Plan (FMP). The committee will evaluate habitat and bycatch technical advice from the joint meeting of the Habitat Technical Team, the Groundfish Plan Development Team (PDT), and the Scallop PDT. Recommendations will be developed for draft alternatives in Scallop FMP Amendment 10 to minimize, to the extent practicable, bycatch and habitat impacts from scallop fishing. Other issues and measures associated with Amendment 10 may also be developed.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. 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 Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

##### **Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting dates.

February 4, 2002.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 02-3114 Filed 2-8-02; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

[I.D. 020402A]

#### **Endangered Species; Permits**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given of the following actions regarding permits for takes of endangered and threatened species for the purposes of scientific research and/or enhancement under the Endangered Species Act (ESA): NMFS has issued permit 1303 to Dr. R. Michael Laurs, of Southwest Fisheries Science Center (SWFSC) (1303).

**ADDRESSES:** The applications and related documents are available for review in the indicated office, by appointment:

Permits, Conservation, and Education Division, F/PR1, 1315 East West Highway, Silver Spring, MD 20910 (phone: 301-713-2289, fax: 301-713-0376).

#### **FOR FURTHER INFORMATION CONTACT:**

Lillian Becker, Silver Spring, MD (phone: 301-713-2319, fax: 301-713-0376, e-mail: Lillian.Becker@noaa.gov)

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

To view the final version of Permit 1303 go to <http://www.nmfs.noaa.gov/prot-res/PR1/Permits/pr1permits-review.html>.

##### **Authority**

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Scientific research and/or enhancement permits are issued under section 10(a)(1)(A) of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).