

(b) A party, investigating authority or interested person that does not file a complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a notice of appearance in accordance with rule 40 within 45 days after the filing of the first request for panel review (the deadline for filing a notice of appearance is March 13, 2003); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: January 28, 2003.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

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**BILLING CODE 3510-GT-U**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 010603D]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Issuance of permit 1413 to Charlotte Ambrose.

**SUMMARY:** Notice is given that NMFS has issued permit 1413 to Charlotte Ambrose, of the NMFS Protected Resources Division in Santa Rosa, California, that authorizes takes of Endangered Species Act-listed anadromous fish species for research purposes, subject to certain conditions set forth therein.

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

For permit 1413: Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528.

**FOR FURTHER INFORMATION CONTACT:** For permit 1413: Daniel Logan, Protected Resources Division, NMFS, Santa Rosa, CA, (707) 575-6053, or e-mail: [dan.logan@noaa.gov](mailto:dan.logan@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Species Covered in This Notice:

The following species and evolutionarily significant units (ESU's)

are covered in this notice: Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*O. kisutch*), and steelhead (*O. mykiss*).

Issuance of this permit, as required by the ESA, was based on a finding that such modification was: (1) applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permit; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. This permit was issued in accordance with and is subject to part 222 of title 50 CFR, the NMFS regulations governing listed species permits.

The applicant's proposed activities are in support of a potential ESA violation enforcement action. The applicant proposes field investigations to document the potential harm or injury to ESA-listed salmonids within the California Coastal (CC) Chinook salmon Evolutionarily Significant Unit (ESU), the Southern Oregon/Northern California Coasts (SONCC) coho salmon ESU, and the Northern California (NC) steelhead ESU.

The NMFS SWR believes that because the health and life of the animals are in danger, the issuance of permit 1413 is an urgent action and sufficient to qualify as an emergency situation consistent with CFR 222.303(g).

#### Permit Issued

Permit 1413 was issued on December 11, 2002.

Charlotte Ambrose is authorized to capture and handle ESA-listed salmonids within the CC Chinook salmon ESU, the SONCC coho salmon ESU, and the NC steelhead ESU.

The expiration date of Permit 1413 is June 30, 2003.

Dated: January 8, 2003.

**Phil Williams,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 010803B]

#### Permit 1233 Modification

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

**ACTION:** Issuance of Modification 1 to Permit 1233.

**SUMMARY:** NMFS has issued a permit 1233 to the State of Idaho Department of Fish and Game (IDFG).

**ADDRESSES:** Copies of the permit may be obtained from the Hatcheries and Inland Fisheries Branch, Sustainable Fisheries Division, NMFS, 525 N.E. Oregon Street, Suite 510, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Herbert Pollard, Boise, Idaho, at phone number: (208) 378-5614, e-mail: [Herbert.Pollard@noaa.gov](mailto:Herbert.Pollard@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The following species and evolutionarily significant units (ESUs) are covered in this notice:

Spring/summer chinook salmon (*Oncorhynchus tshawytscha*): threatened Snake River;

Fall chinook salmon (*Oncorhynchus tshawytscha*): threatened Snake River; Sockeye salmon (*Oncorhynchus nerka*): endangered Snake River; and Steelhead (*Oncorhynchus mykiss*): threatened Snake River.

#### Permits

Permit 1233 was issued to IDFG on May 26, 2000, and Modification 1 to permit 1233 was issued to IDFG on December 6, 2002. Permit 1233 authorizes IDFG annual incidental take of naturally produced and artificially propagated ESA-listed anadromous fish associated with the operation of recreational fisheries that target non-listed, hatchery-origin anadromous fish and resident game fish species. Permit 1233 expires December 31, 2004.

Permit 1233 authorizes IDFG's recreational fishing programs including the following activities: (1) Resident sport-fishing in waters which also support ESA-listed chinook and sockeye salmon under the IDFG General Fishing Regulations, including kokanee and trout fisheries in Redfish, Alturas, and Pettit Lakes; (2) chinook salmon sport-fishing in the Clearwater River, Snake River, lower Salmon River, Little Salmon River, and South Fork Salmon River under the IDFG Anadromous Salmon Fishing Regulations; and (3) summer steelhead fishing during the fall and spring seasons under the IDFG Steelhead Fishing Regulations. The permit constitutes authorization for implementation of the IDFG General Fishing Regulations, the IDFG Anadromous Salmon Fishing Regulations, and the IDFG Steelhead Fishing Regulations. Modification 1 to permit 1233 includes additional authorized locations for conducting the state's recreational chinook salmon