

| DOC case No.    | ITC case No.     | Country           | Product                   |
|-----------------|------------------|-------------------|---------------------------|
| A-475-820 ..... | 731-TA-770 ..... | Italy .....       | Stainless Steel Wire Rod. |
| C-475-821 ..... | 701-TA-373 ..... | Italy .....       | Stainless Steel Wire Rod. |
| A-588-843 ..... | 731-TA-771 ..... | Japan .....       | Stainless Steel Wire Rod. |
| A-580-829 ..... | 731-TA-772 ..... | South Korea ..... | Stainless Steel Wire Rod. |
| A-469-807 ..... | 731-TA-773 ..... | Spain .....       | Stainless Steel Wire Rod. |
| A-401-806 ..... | 731-TA-774 ..... | Sweden .....      | Stainless Steel Wire Rod. |
| A-583-828 ..... | 731-TA-775 ..... | Taiwan .....      | Stainless Steel Wire Rod. |

### Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the Department's regulations regarding sunset reviews (19 CFR 351.218) and *Sunset Policy Bulletin*, the Department's schedule of sunset reviews, case history information (*i.e.*, previous margins, duty absorption determinations, scope language, import volumes), and service lists, available to the public on the Department's sunset Internet website at the following address: <http://ia.ita.doc.gov/sunset/>.

All submissions in these sunset reviews must be filed in accordance with the Department's regulations regarding format, translation, service, and certification of documents. These rules can be found at 19 CFR 351.303. Also, we suggest that parties check the Department's sunset website for any updates to the service list before filing any submissions. The Department will make additions to and/or deletions from the service list provided on the sunset website based on notifications from parties and participation in this review. Specifically, the Department will delete from the service list all parties that do not submit a substantive response to the notice of initiation.

Because deadlines in a sunset review are, in many instances, very short, we urge interested parties to apply for access to proprietary information under administrative protective order ("APO") immediately following publication in the **Federal Register** of the notice of initiation of the sunset review. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304-306.

### Information Required From Interested Parties

Domestic interested parties (defined in 19 CFR 351.102(6)) wishing to participate in these sunset reviews must respond not later than 15 days after the date of publication in the **Federal Register** of the notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19

CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review. See 19 CFR 351.218(d)(1)(iii).

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that *all parties* wishing to participate in the sunset review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of the notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic interested parties. Also, note that the Department's information requirements are distinct from the International Trade Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of sunset reviews.<sup>1</sup> Please consult the Department's regulations at 19 CFR Part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: July 29, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Grant Aldonas, Undersecretary.*

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**BILLING CODE 3510-DS-P**

<sup>1</sup> A number of parties commented that these interim-final regulations provided insufficient time for rebuttals to substantive responses to a notice of initiation, 19 CFR 351.218(d)(4). As provided in 19 CFR 351.302(b), the Department will consider individual requests for extension of that five-day deadline based upon a showing of good cause.

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration, National Marine Fisheries Service

[I.D. 072403C]

#### Availability of the Humboldt Bay Municipal Water District Habitat Conservation Plan for its Mad River Operations, Implementation Agreement, and Draft Environmental Assessment, Humboldt County, California

**AGENCY:** National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of Availability; request for comments.

**SUMMARY:** The Humboldt Bay Municipal Water District of Humboldt County, California (District) has applied for an Incidental Take Permit (ITP) from the National Marine Fisheries Service (NMFS) pursuant to the Endangered Species Act, as amended (ESA). In conjunction with this application, the District has prepared a Habitat Conservation Plan for its Mad River Operations (Plan) and an Implementation Agreement (IA). NMFS has prepared and announces the availability of a draft Environmental Assessment (EA) for the District's ITP application. The District's ITP application is related to their managed release and diversion of flow in the Mad River, located in Humboldt County, CA, and to their operation and maintenance of facilities associated with this activity. The duration of the proposed ITP and Plan is 50 years.

NMFS is providing this notice in order to allow other agencies and the public an opportunity to review and comment on the ITP application, Plan, IA, and draft EA, to scope alternatives and impacts to be considered, and to comment on effects to cultural and historic properties. All comments received will become part of the public record and will be available for review pursuant to the ESA.

**DATES:** Public meetings will be held on August 20, 2003, from 1 p.m. to 3 p.m.

and 5 p.m. to 7 p.m. in Eureka, CA. Written comments on the ITP application, Plan, IA, and draft EA, the scope of alternatives and impacts, and effects to cultural and historic properties must be received on or before September 2, 2003 to be considered.

**ADDRESSES:** Public meetings will be held at the District office, located at 828 Seventh Street, Eureka, CA 95501. Oral and written comments will be received at the meetings. Written comments may also be sent to Mr. Sam Flanagan, National Marine Fisheries Service, 1655 Heindon Road, Arcata, CA 95521 or sent by facsimile to (707) 825-4840. NMFS will not accept comments via the Internet. Documents are available for viewing and download on the Internet at <http://swr.nmfs.noaa.gov> or may be obtained by calling NMFS at (707) 822-7201. Hard bound copies are also available for viewing, or partial or complete duplication at several Humboldt and Trinity county libraries. See the Supplementary Information section of this notice for a list of libraries and their locations.

**FOR FURTHER INFORMATION CONTACT:** Mr. Sam Flanagan, NMFS Southwest Region, Protected Resources Division, (707) 825-5173.

**SUPPLEMENTARY INFORMATION:** Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. The term take is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm is defined by NMFS to include significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, feeding, and sheltering (50 CFR 222.102).

Two types of permits may be issued by NMFS under section 10(a) of the ESA to non-Federal landowners to take listed species, under certain terms and conditions. These regulations governing NMFS' permits for threatened and endangered species are promulgated at 50 CFR 222.307. The first of these permits is the Enhancement of Survival Permit, which is authorized under section 10(a)(1)(A) of the ESA. The second of these permits is the ITP, which is authorized under section 10(a)(1)(B) of the ESA.

An application for an ITP must be accompanied by a Habitat Conservation Plan for which the Secretary of Commerce finds that: (1) the taking will be incidental; (2) the applicant will, to the maximum extent practicable,

minimize and mitigate the impacts of such taking; (3) the applicant will ensure that adequate funding for the conservation plan will be provided; (4) the taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild; and (5) such other measures NMFS may require as necessary or appropriate for the purposes of the HCP. HCPs can address both listed and currently unlisted species.

The District has applied to NMFS for an ITP under Section 10(a)(1)(B) of the ESA for its Mad River operations. The District is the sole supplier of domestic and "raw" industrial water to the greater Humboldt Bay area. The District sells treated water for domestic consumption on a wholesale basis to the cities of Eureka, Arcata, and Blue Lake, and to the Humboldt, McKinleyville, Fieldbrook, and Manila Community Services Districts. The District also sells untreated "raw" water on a wholesale basis to industrial users on the Samoa Peninsula, located on the north spit of Humboldt Bay. The District obtains its water through diversions from the Mad River.

The District's diversion facilities are located approximately 8 river miles (13 km) upstream from the mouth of the Mad River, near the town of Essex. The District diverts water utilizing two separate systems: (1) A domestic system, which supplies treated drinking water; and (2) an industrial system, which supplies untreated "raw" water. Water for the domestic system is withdrawn using four Ranney collectors situated in the Mad River. These collectors withdraw subsurface water from 60 to 90 ft (18 to 27 m) below the surface of the river bed. Water for the industrial system is withdrawn using a surface diversion facility referred to as Station 6. The District also manages flow releases from Matthews Dam at Ruth Lake, a 48,000 acre-feet (592 million Hectoliter) reservoir located approximately 85 river miles (137 km) upstream from the mouth of the Mad River. The District releases water from Matthews Dam during the low flow summer months to meet its diversion needs at the Essex facilities and its in-stream flow obligations below the Essex facilities.

The District has developed the Plan, with technical assistance from NMFS, to obtain an ITP for their activities related to the diversion of water from the Mad River. Activities proposed for ITP coverage include: (1) Releasing flow from Matthews Dam; (2) maintaining adequate capacity in the Matthews Dam tailrace and spillway pools; (3) diverting water from the Mad River in the vicinity

of Essex (subsurface via Ranney collectors and surface via direct diversion facility (Station 6)); (4) gaining access to and maintaining Ranney collectors; (5) operation of Station 6 and its associated fish screens; (6) dredging the Station 6 forebay; (7) maintaining adequate flow to Station 6; (8) maintaining adequate water surface elevation at Station 6 during low flow months; (9) protecting banks and structures by repairing existing rock structures and/or revetments; and (10) bypassing flows below diversion facilities in the vicinity of Essex. The ITP and Plan will also cover required monitoring activities. The duration of the proposed ITP and Plan is 50 years.

The proposed ITP would authorize take, incidental to otherwise lawful activities, of fish in three evolutionarily significant units (ESUs) that are currently listed as threatened: the California Coastal chinook salmon (*Oncorhynchus tshawytscha*) ESU (CC chinook), the Southern Oregon/Northern California Coasts coho salmon (*O. kisutch*) ESU (SONCC coho), and the Northern California steelhead (*O. mykiss*) ESU (NC steelhead). NMFS anticipates implementation of the Plan may result in take of juvenile CC chinook, SONCC coho, and NC steelhead in the form of impingement or entrainment during diversion of surface flow and stranding, crushing, entombment, or modification of rearing habitat as a result of instream construction and operation of equipment.

NMFS prepared a draft Environmental Assessment concerning the proposed Plan and ITP and has made a preliminary determination that preparation of an Environmental Impact Statement is not necessary.

NMFS invites comment on the Plan, IA, and draft EA, the scope of alternatives and impacts to be considered, and effects to cultural and historic properties during the 30-day comment period which ends September 2, 2003. Comments should focus on the merits of the Plan, IA, and draft EA, ITP issuance requirements, the scope of alternatives and impacts to be considered, and effects to cultural and historic properties. Comments on other issues will be considered as beyond the scope of the decision associated with the ITP and Plan.

Hard bound copies of the ITP Application, Plan, IA, and draft EA are also available for viewing, or partial or complete duplication at the following libraries: (1) Eureka Main Library, 1313 Third Street, Eureka, CA; Telephone (707) 269-1900; (2) Fortuna Branch, Humboldt County Library; 775

Fourteenth Street, Fortuna, CA; Telephone (707) 725-3460; (3) Arcata Branch, Humboldt Library, 500 Seventh Street, Arcata, CA; Telephone (707) 822-5954; (4) Weaverville Branch, Trinity Library, 211 North Main St., Weaverville, CA; Telephone (530) 623-1373; (5) Hayfork Branch, Trinity Library, Hyampom Rd., Hayfork, CA; Telephone (530) 628-5427. These documents are also available on the Internet at <http://swr.nmfs.noaa.gov>.

This notice is provided pursuant to section 10(c) of the ESA, National Environmental Policy Act (NEPA) regulations, and National Historic Preservation Act (NHPA) regulations. NMFS will evaluate the ITP application, associated documents, and submitted comments to determine whether the ITP application and associated documents meet the requirements of the ESA, NMFS' regulations for implementing NEPA (40 CFR 1506.6), and NHPA section 106 regulations (36 CFR 800). NMFS is furnishing this notice to allow other agencies and the public an opportunity to review and comment on these documents, to scope alternatives and impacts to be considered, and comment on effects to cultural and historic properties. All comments received will be available for review pursuant to section 10(c) of the ESA. The final ITP decision will be made no sooner than 30 days after date of publication of this notice in the **Federal Register**.

July 28, 2003.

**Laurie K. Allen,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 03-19634 Filed 7-31-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 072503B]

#### Vessel Monitoring Systems (VMS); Pilot Program for Testing of VMS Unit for Certification in Northeast Fisheries

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

**ACTION:** Request for participants in a pilot program.

**SUMMARY:** NMFS' Northeast Office for Law Enforcement (OLE) is seeking potential participants for a voluntary, limited-duration pilot program to field test the Thrane & Thrane TT-3026M VMS unit currently being considered for

certification for use in Northeast fisheries that require the use of VMS units for reporting and monitoring of fishing activity.

**DATES:** Individuals interested in participating in this pilot program should apply by August 29, 2003.

**ADDRESSES:** Application information may be obtained from and applications should be submitted to: Northeast Office for Law Enforcement, National Marine Fisheries Service, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "VMS Pilot Program." Or, you may fax an application to: 978-281-9317.

**FOR FURTHER INFORMATION CONTACT:** Northeast Office for Law Enforcement, VMS Program, at 978-281-9213.

**SUPPLEMENTARY INFORMATION:** Regulations at 50 CFR 648.9 set forth VMS requirements for fisheries in the northeastern United States that require the use of VMS for fishery monitoring and/or reporting. Specifically, § 648.9(b) lists minimum VMS performance criteria that a VMS unit must meet in order to be certified for use. If and when a new or modified unit becomes available, the Administrator, Northeast Region, NMFS (Regional Administrator) may, under the provisions of § 648.9(a), certify that unit for use, if it meets the minimum performance criteria.

The Thrane & Thrane TT-3026M VMS unit is being evaluated for certification in Northeast fisheries that require the use of VMS. In order to provide field-testing information to the Regional Administrator, OLE has designed a voluntary pilot program. Specific focus of the pilot program will be the at-sea testing on the setting of the Days-at-Sea (DAS) activity codes using the freeform e-mail capability of the TT-3026M unit.

The pilot program duration will be from 30 to 60 days, and will utilize six vessels of various sizes and configurations in the Northeast multispecies (groundfish) and Atlantic sea scallop fisheries. One unit has already been installed and activated on a local groundfish vessel that will be included in the pilot program. Therefore, five additional vessels are being sought to participate in the pilot program. Participant selection will be based upon vessel length, mast configuration, available power sources, principal port, permit type, personal computer (PC) knowledge level of the operator, and the anticipated fishing activity during the pilot program period. Applicants for the pilot program may provide this information to OLE by requesting, completing and returning a single-page application (see **ADDRESSES**).

All expenses related to the installation and operation of the unit, within the scope of the pilot program, will be paid by OLE.

Once participant selection is finalized, the VMS units will be installed on selected vessels in accordance with the manufacturer's guidelines; using local marine electronic vendors. The installer will be required to make the appropriate connections to the PC onboard the vessel and to load the easyMail software, which comes with the TT-3026M. OLE will provide laptop PCs for those vessels that do not already have PCs on board. Once the VMS unit is installed and powered up, the installer will send a test message to OLE and then contact the OLE VMS staff to verify that the message was received and that the VMS unit is operating normally.

The vessel operator will be provided an information packet from OLE that contains instructions for communications with OLE via the VMS unit and step-by-step instructions for sending and receiving activity code changes via the easyMail program. OLE will also provide contact information, so that unforeseen difficulties with the VMS unit or software can be resolved in a timely manner. A test script will be provided to the pilot program vessels to test specific functionality of the system used by OLE to process DAS Activity Code changes. OLE will review the test results and perform any necessary system adjustments.

At the conclusion of the pilot program, interviews with the vessel operators will be conducted to solicit feedback and to obtain suggestions for system changes or enhancements. The VMS unit, along with any ancillary equipment, will be removed from the vessel. The vessel owner will have the option of retaining the control cable, if so desired; otherwise, it will be removed.

Dated: July 28, 2003.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D.102000B]

#### Endangered Species; Permit No. 1144

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