

DEPARTMENT OF COMMERCE**International Trade Administration**

[C-122-848]

Hard Red Spring Wheat from Canada: Rescission of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce initiated an administrative review of the countervailing duty order on hard red spring wheat from Canada, covering the period January 1, 2004, through December 31, 2004. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 68535 (November 27, 2006). As a result of a timely withdrawal of the request for review by the Canadian Wheat Board, we are rescinding this review.

EFFECTIVE DATE: March 13, 2007.

FOR FURTHER INFORMATION CONTACT:

Audrey Twyman or Brandon Farlander, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3534 and (202) 482-0182, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On October 23, 2003, the Department of Commerce ("the Department") published a countervailing duty order on hard red spring wheat ("HRSW") from Canada. *See Notice of Countervailing Duty Order: Hard Red Spring Wheat from Canada*, 68 FR 60642 (October 23, 2003). On October 31, 2005, the Canadian Wheat Board ("CWB") requested an administrative review of the countervailing duty order on HRSW from Canada covering the period January 1, 2004, through December 31, 2004. At the same time, the CWB requested that the review be deferred for one year. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Reviews*, 70 FR 72107 (December 1, 2005). On November 27, 2006, we automatically initiated the deferred 2004 review. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 68535 (November 27, 2006). On February 26, 2007, the CWB withdrew its request for review.

Scope of the Countervailing Duty Order

Imports covered by this order are all varieties of HRSW from Canada. This includes, but is not limited to, varieties commonly referred to as Canada Western Red Spring, Canada Western Extra Strong, and Canada Prairie Spring Red. The merchandise subject to this order is currently classifiable under the following *Harmonized Tariff Schedule of the United States* ("HTSUS") subheadings: 1001.90.10.00, 1001.90.20.05, 1001.90.20.11, 1001.90.20.12, 1001.90.20.13, 1001.90.20.14, 1001.90.20.16, 1001.90.20.19, 1001.90.20.21, 1001.90.20.22, 1001.90.20.23, 1001.90.20.24, 1001.90.20.26, 1001.90.20.29, 1001.90.20.35, and 1001.90.20.96. This order does not cover imports of wheat that enter under the subheadings 1001.90.10.00 and 1001.90.20.96 that are not classifiable as HRSW. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Rescission of Review

The Department's regulations at 19 CFR 351.213(d)(1) provide that the Department will rescind an administrative review if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. The CWB withdrew its request for an administrative review on February 26, 2007, which is within the 90-day deadline. No other party requested a review of this order. Therefore, the Department is rescinding this administrative review.

The Court of International Trade issued a temporary restraining order, covering 10 days, effective March 1, 2007, instructing the Department not to liquidate CWB imports of the subject merchandise. As long as a temporary restraining order, or preliminary injunction, is in place pursuant to the ongoing litigation, the Department will not order liquidation of the relevant entries.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

with the regulations and the terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: March 6, 2007.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E7-4499 Filed 3-12-07; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 022807C]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application from the University of New Hampshire (UNH) for an exemption from Gulf of Maine (GOM) Rolling Closure Areas III and IV requirements of the Northeast (NE) Multispecies Fishery Management Plan (FMP), for the purpose of designing and testing a raised footrope haddock trawl, contains all of the required information and warrants further consideration. The EFP is intended to facilitate research that would lead to the development of a viable alternative to traditional fishing gear for landing haddock, while minimizing the impact on species of concern and other bycatch. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the FMP. However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to issue an EFP that would allow vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before April 12, 2007.

ADDRESSES: Comments on this notice may be submitted by e-mail. The mailbox address for providing e-mail comments is DA7012@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: "Comments on UNH Raised Footrope Trawl (DA7-012)." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on UNH Raised Footrope Trawl (DA7-012)." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Moira Kelly, Fishery Management Specialist, phone: 978-281-9218, fax: 978-281-9135.

SUPPLEMENTARY INFORMATION: A complete application for an EFP was submitted on January 5, 2007, by Dr. Pingguo He of the University of New Hampshire (UNH). This project is funded by the Northeast Consortium.

The project would be used to study the effectiveness of a raised footrope trawl in retaining haddock while excluding Atlantic cod and flounders, and comparing catch composition to a standard groundfish trawl. The intent is for this project to take place between May and June 2007, in GOM Rolling Closure Areas III and IV, when the researcher believes that the best mix of haddock, Atlantic cod, and flounders would be present. As a result, UNH has requested an exemption from the requirements of the GOM Rolling Closure Areas III and IV which would otherwise be closed. Undersized, or otherwise protected fish, would not be retained or landed. Legal sized fish would be landed and sold under a normal NE multispecies day-at-sea and other applicable regulations. The researcher anticipates that the overall fishing mortality of the experimental trawl would be approximately 30 percent of an average commercial fishing trawl.

Two vessels, working with UNH, would be involved in this research. The vessels would make alternating tows consisting of towing the raised footrope trawl and subsequently towing the same trawl with the footrope tied down to the sweep, as is standard practice. The researcher estimates that the two vessels

would perform two 1-hour tows with the standard net and two 1-hour tows with the experimental net, daily, over 25 fishing days, for a project total of 50 standard tows and 50 experimental tows. Overall, the total expected catch from both the experimental and commercial trawls would be:

| SPECIES | CATCH (LB) | CATCH (KG) |
|---------------------|------------|------------|
| Atlantic Cod | 5,000 | 2,268 |
| Atlantic Haddock | 10,000 | 4,563 |
| American Plaice | 2,500 | 1,134 |
| Yellowtail Flounder | 250 | 113 |
| Winter Flounder | 500 | 227 |
| Witch Flounder | 1,250 | 567 |
| Hake | 500 | 227 |
| Pollock | 10,000 | 4,563 |

The applicant may place requests for minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and result in only a minimal change in the scope or impact of the initially approved EFP request.

In accordance with NOAA Administrative Order 216-6, a Categorical Exclusion or other appropriate NEPA document would be completed prior to the issuance of the EFP. Further review and consultation may be necessary before a final determination is made to issue the EFP. After publication of this document in the **Federal Register**, the EFP, if approved, may become effective following the public comment period.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 7, 2007.

James P. Burgess,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 030107C]

Atlantic Highly Migratory Species; Exempted Fishing Permits

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

ACTION: Notice; request for an exempted fishing permit; request for comments.

SUMMARY: NMFS announces the receipt of a request for an exempted fishing

permit (EFP) to collect fisheries data from approximately 13 pelagic longline (PLL) vessels fishing in the East Florida Coast and Charleston Bump closed areas. At this time, given the nearly rebuilt status of north Atlantic swordfish and numerous management measures regulating target and bycatch species in the PLL fishery, NMFS is considering issuing the proposed EFP to evaluate bycatch measures in these areas. The applicant states that these data would provide information on circle hook performance, target and bycatch species composition, and allow comparative analysis with historical pelagic longline logbook and observer program data. The applicant states that the goals of these fishing activities are to determine if implementation of new pelagic longline fishing practices justify the resumption of PLL fishing in the selected areas and to catch more of the United States swordfish quota. The proposed activities would occur in Federal waters of the Atlantic Ocean off Florida and South Carolina from the date of issuance through April 2008. NMFS invites comments from interested parties on this EFP request.

DATES: Written comments on the application for an exempted fishing permit must be received by 5 p.m. on April 11, 2007.

ADDRESSES: You may submit comments by any of the following methods:

- Email: SF1.030107C@noaa.gov.

Include in the subject line the following identifier: I.D. 030107C.

- Mail: Michael Clark, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Please mark the outside of the envelope "Comments on EFP Application."
- Fax: (301)713-1917

FOR FURTHER INFORMATION CONTACT:

Michael Clark, by phone: (301) 713-2347; fax: (301)713-1917.

SUPPLEMENTARY INFORMATION: EFPs are requested and issued under the authority of the Atlantic Tunas Convention Act (ATCA) (16 U.S.C. 971 *et seq.*) and the Magnuson Stevens Fishery Conservation and Management Act (1601 U.S.C. 1801 *et seq.*), which regulate fishing activities of tunas, swordfish, sharks, and billfish. Regulations at 50 CFR Section 635.32 govern scientific research activity, exempted fishing, and exempted educational activity with respect to Atlantic Highly Migratory Species (HMS).

Blue Water Fishermen's Association (applicant) has requested an EFP to collect fisheries data in Federal waters of the Charleston Bump and East Florida