

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act, (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish advance notice in the **Federal Register** whenever new recreation fee areas are established. The National Forest in North Carolina presently manages two overnight recreation fee sites on the Grandfather Ranger District. Recreation fees for overnight use range from \$3.00 per single campsite to \$20.00 per large group site based on the type and condition of amenities offered. Curtis Creek Campground will offer vault toilet facilities, potable water, developed campsites with picnic table, fire ring, lantern posts, tent pad, trash receptacle, vehicle/camping trailer parking space and access to trails and stream fishing.

Dated: January 25, 2006.

Marisue Hilliard,

*National Forests in North Carolina
Supervisor.*

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DEPARTMENT OF AGRICULTURE

Forest Service

Notice of New Recreation Fee Site; Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108-447)

AGENCY: National Forests in North Carolina, USDA Forest Service.

ACTION: Notice of New Recreation Fee Site.

SUMMARY: The National Forests in North Carolina will begin charging a \$5.00 daily special recreation permit trail fee per Off Highway Vehicle (OHV) and \$30.00 per OHV for a season pass for use of the Black Swamp OHV trail system. Construction of the site was completed in 2005. This new trail system replaces a system that existed until 2005. The trail system was moved to protect environmental sites and will facilitate continued OHV use within the National Forests in North Carolina on the Croatan Ranger District. Fee revenue will support operations and maintenance of the trail system and trailhead and future site improvements.

DATES: Black Swamp OHV Area is scheduled to open for public use in 2006.

FOR FURTHER INFORMATION CONTACT: David H. Wright, Recreation Fee Coordinator, 828-257-4256, National Forests in North Carolina, PO Box 2750, Asheville, NC 28802.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish advance notice in the **Federal Register** whenever new recreation fee areas are established. The National Forests in North Carolina presently manages four OHV fee sites in North Carolina. Recreation fees are \$5.00 per OHV per day and \$30.00 per OHV per season pass. Black Swamp OHV Area will offer vault toilet facilities, improved parking area, information kiosk, and access to twelve miles of OHV trails.

Dated: January 25, 2006.

Marisue Hilliard,

*National Forests in North Carolina
Supervisor.*

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-122-848; A-122-847]

Antidumping Duty Investigation and Countervailing Duty Investigation of Hard Red Spring Wheat from Canada: NAFTA Panel Decision

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

SUMMARY: On June 7, 2005, a North American Free Trade Agreement United States-Canada Binational Panel reviewing the International Trade Commission's finding that an industry in the United States was materially injured by reason of imports of hard red spring wheat from Canada, remanded the case to the International Trade Commission. On October 5, 2005, the International Trade Commission determined on remand that the domestic industry is neither materially injured by reason of the subject imports nor threatened with such injury. By decision issued on December 12, 2005, the Panel affirmed in full the International Trade Commission's determination on remand. Consistent with the decision of the United States Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department of Commerce is notifying the public that the International Trade Commission's remand determination for hard red spring wheat from Canada and the Notice of Final Panel Action issued by the Panel reviewing the International Trade Commission's determination, discussed below, are not "in harmony"

with the International Trade Commission's original results.

EFFECTIVE DATE: January 31, 2006.

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

SUPPLEMENTARY INFORMATION:

Background

On October 16, 2003, the International Trade Commission ("ITC") determined that an industry in the United States is materially injured by reason of imports of hard red spring wheat from Canada found to be subsidized and sold in the United States at less than fair value. Hard Red Spring Wheat from Canada, Inv. Nos. 701-TA-430B and 731-TA-1019B (Final), USITC Pub. 3639 (October 2003) ("*Final Injury Determination*"); 68 FR 60707 (October 23, 2003). Respondent parties subsequently challenged the ITC's *Final Injury Determination* before the United States-Canada Binational Panel ("Panel"), pursuant to Article 1904 of the North American Free Trade Agreement ("NAFTA"). The parties briefed and argued the case before the Panel, and on June 7, 2005, the Panel issued its decision, remanding in full the ITC's determination. Hard Red Spring Wheat from Canada, USA-CDA-2003-1904-06, Decision of the Panel (June 7, 2005).

On October 5, 2005, the ITC determined on remand that the domestic industry is neither materially injured by reason of the subject imports nor threatened with material injury. By decision issued on December 12, 2005, the Panel affirmed in full the ITC's determination on remand. Hard Red Spring Wheat from Canada, USA-CDA-2003-1904-06, Decision of the Panel on the Remand Determination of the U.S. International Trade Commission (December 12, 2005). On December 12, 2005, the Panel directed the NAFTA Secretariat to issue a Notice of Final Panel Action on the 11th day following the December 12, 2005, panel decision. Decision of the Panel, 70 FR 75792 (December 21, 2005). The Notice of Final Panel Action was issued on December 23, 2005.

Timken Notice

In the United States Court of Appeals for the Federal Circuit ("Federal Circuit") decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the Federal Circuit