

Analysis of Comments Received

We gave interested parties an opportunity to comment on our Preliminary Results following the release of our verification reports for the GOI, Polyplex, and Jindal. The issues raised in all case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum for the 2004 Countervailing Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from India, from Stephen J. Claeys to David M. Spooner, dated February 5, 2007 (Issues and Decision Memorandum), which is hereby adopted by this notice. The Issues and Decision Memorandum also contains a complete analysis of the programs covered by this review and the

methodologies used to calculate the subsidy rates. A list of the comments raised in the briefs and addressed in the Issues and Decision Memorandum is appended to this notice. The Issues and Decision Memorandum is on file in the CRU, and can be accessed directly on the Web at <http://ia.ita.doc.gov>.

Changes Since the Preliminary Results

Based on our verification and analysis of comments received, we have made some adjustments in the methodology that was used in the Preliminary Results for calculating both Jindal's and Polyplex's subsidy rates under several programs, and adjusted the cash deposit rate to reflect the termination of the 80HHC Program. All changes are discussed in detail in the Issues and

Decision Memorandum. In addition, the Department finds that the 80HHC Tax Exemption program was terminated in accordance with the provisions of 19 CFR 351.526. Therefore, the Department will include the subsidy rate from the 80HHC Tax Exemption program in the assessment rate but exclude it from the cash deposit rate.

Final Results of Review

In accordance with sections 777A(e)(1) and 751(a)(I)(A) of the Act and 19 CFR 351.221(b)(5), we calculated individual ad valorem subsidy rates for the producers/exporters, Jindal and Polyplex, the only producers/exporters subject to this review for the calendar year 2004, which is the POR for this administrative review.

Manufacturer/Exporter	Net Subsidy Rate	Cash Deposit Rate
Jindal	14.28 %	13.99 %
Polyplex	9.20 %	7.60 %

Assessment and Cash Deposit Instructions

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of review. The Department will instruct CBP to collect cash deposits of estimated countervailing duties as detailed above, based upon the f.o.b. invoice price on all shipments of the subject merchandise from the producers/exporters under review, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

We will also instruct CBP to continue to collect cash deposits for non-reviewed companies at the most recent company-specific rate applicable to the company. Accordingly, the cash deposit rate that will be applied to non-reviewed companies covered by this order will be the rate for that company established in the investigation. See Notice of Final Affirmative Countervailing Duty Determination: Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) From India, 67 FR 34905 (May 16, 2002). The "all others" rate shall apply to all non-reviewed companies until a review of a company assigned this rate is requested.

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 return/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 administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 5, 2007.

David M. Spooner,
Assistant Secretary for Import Administration.

Appendix I

List Of Issues Addressed In The Issues And Decision Memorandum

Comment 1: Inclusion of Deemed Export Sales in the Total Value of Export Sales

Comment 2: Inclusion of Non-Subject Merchandise in the Subsidy Calculations

Comment 3: Countervailability of the Advance License Program (ALP)

Comment 4: Export Promotion Capital Goods Scheme Calculations

Comment 5: Sale of the DFRC License

Comment 6: Loans from Government-Owned Special Purpose Banks

Comment 7: State Sales Tax Incentive Programs

Comment 8: Target Plus Scheme (TPS) [FR Doc. E7-2367 Filed 2-9-07; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 013007B]

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NOAA Fisheries), National Oceanic and Atmospheric Administration (NOAA), U. S. Department of Commerce.

ACTION: Notice of receipt of a permit application; request for comments.

SUMMARY: Notice is hereby given that NOAA Fisheries has received an application for a permit to conduct research for scientific purposes from Freddy Otte, City of San Luis Obispo, California. The requested permit would affect the South Central California Coast Distinct Population Segment of threatened steelhead trout (*Oncorhynchus mykiss*). The public is hereby notified of the availability of the permit application for review and comment before NOAA Fisheries either approves or disapproves the application.

DATES: Written comments on the permit application must be received at the appropriate address or fax number (see **ADDRESSES**) on or before March 14, 2007.

ADDRESSES: Written comments on the permit application should be sent to Matt McGoogan, Protected Resources Division, NOAA Fisheries, 501 W.

Ocean Blvd., Suite 4200, Long Beach, California 90802. Comments may also be sent using email (FRNpermits.lb@noaa.gov) or fax (562.980.4027). The permit application is available for review, by appointment only, at the foregoing address.

FOR FURTHER INFORMATION CONTACT: Matt McGoogan at phone number (562) 980-4026 or e-mail:

matthew.mcgoogan@noaa.gov

SUPPLEMENTARY INFORMATION:

Authority

Issuance of permits, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531B1543) (ESA), is based on a finding that such permits: (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. Authority to take listed species is subject to conditions set forth in the permits. Permits are issued in accordance with and are subject to the ESA and NOAA Fisheries regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should provide the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NOAA Fisheries.

Permit Application Received

Freddy Otte has applied for a permit to take the South Central California Coast Distinct Population Segment of threatened steelhead trout (*Oncorhynchus mykiss*) and tissue collection from this species during a two-year study (2007 and 2008) of the abundance and distribution of juvenile steelhead in the San Luis Obispo Creek watershed, San Luis Obispo County, California. Freddy Otte proposes electrofishing and direct underwater observation using mask and snorkel as the methods for estimating abundance and distribution of juvenile steelhead, and has requested an annual non-lethal take of 1620 juvenile steelhead, and annual collection and possession of up to 100 juvenile steelhead tissue samples, with the total possession for both years not exceeding 200 tissue samples. The proposed research would conclude October 31, 2008.

Dated: February 6, 2007.

Angela Somma,

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

[FR Doc. E7-2339 Filed 2-9-07; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 013107E]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice of availability and request for comments.

SUMMARY: Notice is hereby given that the State of Washington through the Governor's Salmon Recovery Office (GSRO) has submitted a Habitat Restoration Program (HRP) pursuant to protective regulations promulgated under the Endangered Species Act (ESA). The HRP would affect ten Evolutionarily Significant Units (ESUs) of threatened salmonids in Washington State. This document serves to notify the public of the availability of the HRP for review and comment before a final approval or disapproval is made by NMFS.

DATES: Written comments on the draft HRP must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time March 14, 2007.

ADDRESSES: Written comments should be sent to Matthew Longenbaugh, Habitat Conservation Division, National Marine Fisheries Service, 510 Desmond Drive, Suite 103, Lacey, Washington 98503. Comments may also be faxed to 360-753-9517. Copies of the entire HRP are available on the <http://www.governor.wa.gov/gсро/> or from the address posted on that site. Comments will be accepted via email at HRP-WA-GSRO-comment@noaa.gov or the Internet.

FOR FURTHER INFORMATION CONTACT: Matthew Longenbaugh at phone number 360-753-7761, or e-mail: Matthew.Longenbaugh@noaa.gov.

SUPPLEMENTARY INFORMATION: This notice is relevant to the following ten threatened salmonid ESUs: Puget Sound, Lower Columbia River, and Snake River spring/summer Chinook salmon (*Oncorhynchus tshawytscha*);

Hood Canal summer-run and Columbia River chum salmon (*O. keta*); Lower Columbia River coho salmon (*O. kisutch*); Snake River Basin, Lower Columbia River, Middle Columbia River, and Upper Columbia River steelhead (*O. mykiss*).

Background

The GSRO submitted the HRP for habitat restoration activities that might affect certain salmonid ESUs listed as threatened in Washington State. The HRP was designed so that habitat restoration activities would be protective of salmonids and their habitat.

The HRP defines what activities are habitat restorations. These consist of restoration activities that are funded by the WA Salmon Recovery Funding Board (SRFB), specifically address a major limiting factor identified in a watershed-based salmon recovery plan, are consistent with approved Washington State technical guidance, are identified in a salmon recovery implementation plan, have proceeded through a process that ensures technical suitability and public participation, and would not result in significant negative effects.

Finally, the HRP is being analyzed by NMFS for possible biological effects of implementing habitat restoration activities. The biological opinion will analyze the effects of the HRP on listed salmonids and their habitat statewide. Before NMFS can decide whether to approve the HRP, the biological opinion must conclude that the identified habitat restoration activities conducted throughout Washington State under the HRP will not jeopardize listed salmonids or result in destruction or adverse modification of designated critical habitat. In addition, approval or disapproval of the HRP will depend on NMFS' findings after public review and comment.

As specified in the July 10, 2000, ESA 4(d) rule for salmon and steelhead (65 FR 42422), NMFS may approve a habitat restoration program of the state, provided that NMFS finds the activities to be consistent with the conservation of listed salmonids' habitat (50 CFR 223.203(b)(8)). Prior to final approval of a habitat restoration program, NMFS must publish notification in the **Federal Register** announcing the program's availability for public review and comment, hence this notice.

Authority

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as he deems necessary and advisable for the