

individual rate, which is 2.11 percent. The cash deposit rates will remain unchanged for those companies whose cash deposit rates since the original investigation have been superseded by administrative reviews.

This Section 129 Determination is issued and published in accordance with section 129(c)(2)(A) of the URAA. See 19 U.S.C. 3538(c)(2)(A).

Dated: September 20, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

#### **Appendix I—Issues Raised in the Issues and Decision Memorandum**

Comment 1: Clerical Error Allegations.

Comment 2: Whether the Department Has the Authority to Implement the WTO Appellate Body Decision.

Comment 3: The Court of International Trade Remand.

[FR Doc. E7–18991 Filed 9–25–07; 8:45 am]

**BILLING CODE 3510–DS–P**

### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

#### **Federal Consistency Appeal by Mill River Pipeline, LLC**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Notice of appeal.

**SUMMARY:** This announcement provides notice that Mill River Pipeline, LLC (Mill River) has filed an administrative appeal with the Department of Commerce asking that the Secretary override the Commonwealth of Massachusetts' objection to Mill River's proposed natural gas pipeline, which is part of a proposed liquefied natural gas terminal to be constructed in Fall River, Massachusetts.

**ADDRESSES:** Materials from the appeal record will be available at the NOAA Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 and on the following Web site: <http://www.ogc.doc.gov/czma.htm>.

**FOR FURTHER INFORMATION CONTACT:** Brett Grosko, Attorney-Advisor, NOAA Office of General Counsel, 301–713–7384.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Notice of Appeal**

Mill River Pipeline, LLC (Mill River) filed a notice of appeal with the Secretary of Commerce pursuant to the Coastal Zone Management Act of 1972

(CZMA), 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. Mill River appealed an objection raised by the Commonwealth of Massachusetts, relative to the proposed construction of a liquefied natural gas pipeline, which is part of a proposed liquefied natural gas terminal to be constructed in Fall River, Massachusetts.

Under the CZMA, the Secretary may override Massachusetts' objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or necessary in the interest of national security. To make the determination that the proposed activity is "consistent with the objectives or purposes" of the CZMA, the Secretary must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the adverse effects of the proposed activity do not outweigh its contribution to the national interest, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the activity to be conducted in a manner consistent with the enforceable policies of Massachusetts' coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is "necessary in the interest of national security," the Secretary must find that a national defense or other national security interest would be significantly impaired were the proposed activity not permitted to go forward as proposed. 15 CFR 930.122.

##### **II. Appeal Documents**

NOAA intends to provide the public with access to all publicly available materials and related documents comprising the appeal record during business hours, at the NOAA Office of General Counsel for Ocean Services.

For additional information about this appeal contact Brett Grosko, 301–713–7384.

[Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.]

Dated: September 21, 2007.

**Joel La Bissonniere,**

*Assistant General Counsel for Ocean Services.*

[FR Doc. E7–19047 Filed 9–25–07; 8:45 am]

**BILLING CODE 3510–08–P**

### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

#### **Federal Consistency Appeal by Weaver's Cove Energy, LLC**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Notice of appeal.

**SUMMARY:** This announcement provides notice that Weaver's Cove Energy, LLC (Weaver's Cove) has filed an administrative appeal with the Department of Commerce asking that the Secretary override the Commonwealth of Massachusetts' objection to Weaver's Cove's proposed liquefied natural gas terminal in Fall River, Massachusetts.

**ADDRESSES:** Materials from the appeal record will be available at the NOAA Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 and on the following Web site: <http://www.ogc.doc.gov/czma.htm>.

**FOR FURTHER INFORMATION CONTACT:** Brett Grosko, Attorney-Advisor, NOAA Office of the General Counsel, 301–713–7384.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Notice of Appeal**

Weaver's Cove Energy, LLC (Weaver's Cove) filed a notice of appeal with the Secretary of Commerce pursuant to the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. Weaver's Cove appealed an objection raised by the Commonwealth of Massachusetts, relative to the proposed construction of a liquefied natural gas terminal in Fall River, Massachusetts.

Under the CZMA, the Secretary may override Massachusetts' objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or necessary in the interest of national security. To make the determination that the proposed activity is "consistent with the objectives or purposes" of the CZMA, the Secretary must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the adverse effects of the proposed activity do not outweigh its contribution to the national interest, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the activity to be

conducted in a manner consistent with enforceable policies of Massachusetts' coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is "necessary in the interest of national security," the Secretary must find that a national defense or other national security interest would be significantly impaired were the proposed activity not permitted to go forward as proposed. 15 CFR 930.122.

## II. Appeal Documents

NOAA intends to provide the public with access to all publicly available materials and related documents comprising the appeal record during business hours, at the NOAA Office of General Counsel for Ocean Services.

For additional information about this appeal contact Brett Grosko, 301-713-7384.

[Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.]

Dated: September 21, 2007.

**Joel La Bissonniere,**

*Assistant General Counsel for Ocean Services.*

[FR Doc. E7-19049 Filed 9-25-07; 8:45 am]

BILLING CODE 3510-08-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC85

#### Endangered Species; File No. 1614

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that the NOAA Fisheries Northeast Region, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930, has applied in due form for a permit to take dead shortnose sturgeon for purposes of scientific research and enhancement.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 26, 2007.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394; and

Southeast Region, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1614.

**FOR FURTHER INFORMATION CONTACT:**

Brandy Hutnak or Jennifer Skidmore, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant proposes to collect, necropsy, sample, and salvage dead shortnose sturgeon (*Acipenser brevirostrum*) found beached, sunken, floating etc., or taken legally during other authorized activities, for the purposes of education and scientific research. The purpose of the proposed research is to use the collected sturgeon to support past, ongoing, and anticipated research including, but not limited to, morphology, genetics, histopathology, contaminants, age and growth, food habits, and human impact/anthropogenic mortality. Additionally, this work would help promote the conservation of shortnose sturgeon by enabling educators to receive and maintain parts from deceased sturgeon. The number of fish collected annually would vary, but likely would not exceed 100 per year, unless there was a catastrophic event (e.g. oil spill, fish kill). Carcasses would be collected opportunistically throughout their range

(east coast and rivers of the United States in the northeast and southeast regions) for a period of five years.

Dated: September 19, 2007.

**Tammy C. Adams,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E7-18974 Filed 9-25-07; 8:45 am]

BILLING CODE 3510-22-S

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Determination under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR Agreement)

September 19, 2007.

**AGENCY:** The Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

**EFFECTIVE DATE:** September 26, 2007.

**SUMMARY:** The Committee for the Implementation of Textile Agreements (CITA) has determined that certain two-way stretch woven fabric of polyester, rayon, and elastomeric yarns, as specified below, are not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

**FOR FURTHER INFORMATION CONTACT:** Richard Stetson, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482 2582.

**FOR FURTHER INFORMATION ONLINE:** <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf>. Reference number: 34.2007.08.20.Fabric.Alston&BirdforGlenRiverTrading.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (CAFTA-DR Act); the Statement of Administrative Action (SAA), accompanying the CAFTA-DR Act; Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

**BACKGROUND:**

The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a