

Dated: December 3, 2007.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

## APPENDIX

Comments and Responses:

Issue 1: Amortization of Goodwill

Issue 2: Zeroing of Non-Dumping

Margins

[FR Doc. E7-24072 Filed 12-11-07; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE24

#### Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Program

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

**ACTION:** Notification of standard prices and fee percentage.

**SUMMARY:** NMFS publishes IFQ standard prices for the individual fishing quota (IFQ) cost recovery program in the halibut and sablefish fisheries of the North Pacific. This action is intended to provide holders of halibut and sablefish IFQ permits with the 2007 standard prices and fee percentage to calculate the required payment for IFQ cost recovery fees due by January 31, 2008.

**DATES:** Effective December 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Troie Zuniga, Fee Coordinator, 907-586-7231.

#### SUPPLEMENTARY INFORMATION:

##### Background

NMFS Alaska Region administers the halibut and sablefish IFQ programs in the North Pacific. The IFQ programs are limited access systems authorized by section 303(b) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act of 1982. Fishing under the IFQ programs began in March 1995. Regulations implementing the IFQ program are set forth at 50 CFR part 679.

In 1996, the Magnuson-Stevens Act was amended (by Public Law 104-297) to, among other things, require the Secretary of Commerce to “collect a fee to recover the actual costs directly related to the management and enforcement of any . . . individual quota program.” This requirement was further amended in 2006 (by Public Law 109-479) to include collection of the actual costs of data collection, and to replace the reference to individual quota program with a more general reference to “limited access privilege program” (section 304(d)(2)(A)). Section 304(d)(2) of the Magnuson-Stevens Act specifies an upper limit on these fees, when the fees must be collected, and where the fees must be deposited.

On March 20, 2000, NMFS published regulations implementing the IFQ cost recovery program (65 FR 14919), which are set forth at § 679.45. Under the regulations, an IFQ permit holder incurs a cost recovery fee liability for every pound of IFQ halibut and IFQ sablefish that is landed on his or her IFQ permit(s). The IFQ permit holder is responsible for self-collecting the fee liability for all IFQ halibut and IFQ sablefish landings on his or her permit(s). The IFQ permit holder is also responsible for submitting a fee liability payment to NMFS on or before the due date of January 31 following the year in which the IFQ landings were made. The dollar amount of the fee due is determined by multiplying the annual IFQ fee percentage (3 percent or less) by the ex-vessel value of each IFQ landing made on a permit and summing the totals of each permit (if more than one).

##### Standard Prices

The fee liability is based on the sum of all payments of monetary worth made to fishermen for the sale of the fish during the year. This includes any retro-payments (e.g., bonuses, delayed partial payments, post-season payments) made to the IFQ permit holder for previously landed IFQ halibut or sablefish.

For purposes of calculating IFQ cost recovery fees, NMFS distinguishes between two types of ex-vessel value: “actual” and “standard.” “Actual” ex-vessel value is the amount of all compensation, monetary or non-monetary, that an IFQ permit holder received as payment for his or her IFQ fish sold. “Standard” ex-vessel value is

the default value on which to base fee liability calculations. IFQ permit holders have the option of using actual ex-vessel value if they can satisfactorily document it, otherwise the “standard” ex-vessel value is used.

Regulations at § 679.45(c)(2)(i) require the Regional Administrator to publish IFQ standard prices during the last quarter of each calendar year. These standard prices are used, along with estimates of IFQ halibut and IFQ sablefish landings, to calculate standard values. The standard prices are described in U.S. dollars per IFQ equivalent pound for IFQ halibut and IFQ sablefish landings made during the year. IFQ equivalent pound(s) is the weight (in pounds) for an IFQ landing, calculated as the round weight for sablefish and headed and gutted net weight for halibut. NMFS calculates the standard prices to closely reflect the variations in the actual ex-vessel values of IFQ halibut and IFQ sablefish landings by month and port or port-group. The standard prices for IFQ halibut and IFQ sablefish are listed in the tables that follow the next section. Data from ports are combined as necessary to protect confidentiality.

##### Fee Percentage

Section 304(d)(2)(B) of the Magnuson-Stevens Act provides for a maximum fee of 3 percent of the ex-vessel value of fish harvested under an IFQ Program. NMFS annually sets a fee percentage for sablefish and halibut IFQ holders that is based on the actual annual costs associated with certain management and enforcement functions, as well as the standard ex-vessel value of the catch subject to the IFQ fee for the current year. The method used by NMFS to calculate the IFQ fee percentage is described at § 679.45(d)(2)(ii).

Regulations at § 679.45(d) require NMFS to publish the IFQ fee percentage for the halibut and sablefish IFQ fisheries in the **Federal Register** during or before the last quarter of each year. For the 2007 sablefish and halibut IFQ fishing season, an IFQ permit holder is to use a fee liability percentage of 1.2 percent to calculate his or her fee for landed IFQ in pounds. The IFQ permit holder is responsible for submitting the fee liability payment to NMFS on or before January 31, 2008.

## REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2007 IFQ SEASON

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX-VESSEL PRICE (\$)	SABLEFISH STANDARD EX-VESSEL PRICE (\$)
CORDOVA	February 28	–	–
	March 31	–	–
	April 30	\$4.05	\$2.54
	May 31	\$4.20	\$2.61
	June 30	–	–
	July 31	\$4.32	–
	August 31	\$4.55	–
	September 30	\$4.38	–
	October 31	\$4.38	–
	November 30	\$4.38	–
DUTCH HARBOR	February 28	–	–
	March 31	–	–
	April 30	–	–
	May 31	–	–
	June 30	–	–
	July 31	–	–
	August 31	\$4.22	–
	September 30	\$4.30	–
	October 31	\$4.30	–
	November 30	\$4.30	–
HOMER	February 28	–	–
	March 31	–	–
	April 30	–	–
	May 31	–	–
	June 30	\$4.80	–
	July 31	\$3.89	–
	August 31	–	–
	September 30	–	–
	October 31	–	–
	November 30	–	–
KETCHIKAN	February 28	–	–
	March 31	–	–
	April 30	–	–
	May 31	–	–
	June 30	–	–

REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2007 IFQ SEASON—  
Continued

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX-VESSEL PRICE (\$)	SABLEFISH STANDARD EX-VESSEL PRICE (\$)
	July 31	—	—
	August 31	—	—
	September 30	—	—
	October 31	—	—
	November 30	—	—
KODIAK	February 28	—	—
	March 31	\$4.25	\$2.68
	April 30	\$4.13	\$2.71
	May 31	\$4.01	\$2.53
	June 30	\$3.91	\$2.61
	July 31	\$4.18	\$2.42
	August 31	\$4.29	\$2.53
	September 30	\$4.16	\$2.47
	October 31	\$4.16	\$2.47
	November 30	\$4.16	\$2.47
PETERSBURG	February 28	—	—
	March 31	—	—
	April 30	\$4.06	—
	May 31	\$4.09	—
	June 30	\$4.28	—
	July 31	\$4.44	—
	August 31	\$4.46	—
	September 30	\$4.37	—
	October 31	\$4.37	—
	November 30	\$4.37	—
SEWARD	February 28	—	—
	March 31	—	—
	April 30	—	—
	May 31	—	—
	June 30	—	—
	July 31	—	—
	August 31	—	—
	September 30	—	—
	October 31	—	—

REGISTERED BUYER STANDARD EX-VESSEL PRICES BY LANDING LOCATION FOR 2007 IFQ SEASON—  
Continued

LANDING LOCATION	PERIOD ENDING	HALIBUT STANDARD EX-VESSEL PRICE (\$)	SABLEFISH STANDARD EX-VESSEL PRICE (\$)
	November 30	—	—
SITKA	February 28	—	—
	March 31	\$4.86	\$2.60
	April 30	\$4.02	\$2.51
	May 31	\$4.29	\$2.54
	June 30	\$4.46	\$2.62
	July 31	\$4.55	\$2.59
	August 31	\$4.52	\$2.76
	September 30	\$4.59	\$2.92
	October 31	\$4.59	\$2.92
	November 30	\$4.50	\$2.92
YAKUTAT	February 28	—	—
	March 31	—	—
	April 30	—	—
	May 31	\$4.20	—
	June 30	—	—
	July 31	—	—
	August 31	—	—
	September 30	—	—
	October 31	—	—
	November 30	—	—

## REGISTERED BUYER STANDARD EX-VESSEL PRICES BY PORT GROUP FOR 2007 IFQ SEASON

PORT GROUP	PERIOD ENDING	HALIBUT STANDARD EX-VESSEL PRICE (\$)	SABLEFISH STANDARD EX-VESSEL PRICE (\$)
BERING SEA <sup>1</sup>	February 28	—	—
	March 31	—	—
	April 30	—	\$2.28
	May 31	\$3.89	\$2.49
	June 30	\$4.05	\$2.96
	July 31	\$4.18	\$2.61
	August 31	\$4.19	\$2.60
	September 30	\$4.31	\$2.80

## REGISTERED BUYER STANDARD EX-VESSEL PRICES BY PORT GROUP FOR 2007 IFQ SEASON—Continued

PORT GROUP	PERIOD ENDING	HALIBUT STANDARD EX-VESSEL PRICE (\$)	SABLEFISH STANDARD EX-VESSEL PRICE (\$)
	October 31	\$4.31	\$2.80
	November 30	\$4.31	\$2.80
CENTRAL GULF OF ALASKA <sup>2</sup>	February 28	—	—
	March 31	\$4.37	\$2.61
	April 30	\$4.13	\$2.53
	May 31	\$4.04	\$2.54
	June 30	\$4.15	\$2.64
	July 31	\$4.28	\$2.70
	August 31	\$4.46	\$2.61
	September 30	\$4.33	\$3.19
	October 31	\$4.33	\$3.19
	November 30	\$4.33	\$3.19
SOUTHEAST ALASKA <sup>3</sup>	February 28	—	—
	March 31	\$4.77	\$2.60
	April 30	\$4.12	\$2.57
	May 31	\$4.20	\$2.66
	June 30	\$4.36	\$2.69
	July 31	\$4.42	\$2.88
	August 31	\$4.47	\$2.85
	September 30	\$4.47	\$2.87
	October 31	\$4.47	\$2.87
	November 30	\$4.47	\$2.87
ALL <sup>4</sup>	February 28	—	—
	March 31	\$4.52	\$2.60
	April 30	\$4.12	\$2.53
	May 31	\$4.09	\$2.57
	June 30	\$4.21	\$2.70
	July 31	\$4.28	\$2.71
	August 31	\$4.38	\$2.70
	September 30	\$4.37	\$2.95
	October 31	\$4.37	\$2.95
	November 30	\$4.37	\$2.95

<sup>1</sup> Landing Locations Within Port Group – Bering Sea: Adak, Akutan, Akutan Bay, Atka, Bristol Bay, Cheforak, Dillingham, Captains Bay, Dutch Harbor, Egegik, Ikatan Bay, Hooper Bay, King Cove, King Salmon, Kipnuk, Mekoryuk, Naknek, Nome, Quinhagak, Savoonga, St. George, St. Lawrence, St. Paul, Togiak, Toksook Bay, Tununak, Beaver Inlet, Ugadaga Bay, Unalaska

<sup>2</sup> Landing Locations Within Port Group – Central Gulf of Alaska: Anchor Point, Anchorage, Alitak, Chignik, Cordova, Eagle River, False Pass, West Anchor Cove, Girdwood, Chinitna Bay, Halibut Cove, Homer, Kasilof, Kenai, Kenai River, Kodiak, Port Bailey, Nikiski, Ninilchik, Old Harbor, Palmer, Sand Point, Seldovia, Resurrection Bay, Seward, Valdez, Whittier

<sup>3</sup> *Landing Locations Within Port Group – Southeast Alaska:* Angoon, Baranof Warm Springs, Craig, Edna Bay, Elfin Cove, Excursion Inlet, Gustavus, Haines, Hollis, Hoonah, Hyder, Auke Bay, Douglas, Tee Harbor, Juneau, Kake, Ketchikan, Klawock, Metlakatla, Pelican, Petersburg, Portage Bay, Port Alexander, Port Graham, Port Protection, Point Baker, Sitka, Skagway, Tenakee Springs, Thorne Bay, Wrangell, Yakutat

<sup>4</sup> *Landing Locations Within Port Group – All:* FOR ALASKA: All landing locations included in 1, 2, and 3. FOR CALIFORNIA: Eureka, Fort Bragg, Other California. FOR OREGON: Astoria, Aurora, Lincoln City, Newport, Warrenton, Other Oregon. FOR WASHINGTON: Anacortes, Bellevue, Bellingham, Nagai Island, Edmonds, Everett, Granite Falls, Ilwaco, La Conner, Port Angeles, Port Orchard, Port Townsend, Rainier, Fox Island, Mercer Island, Seattle, Standwood, Other Washington. FOR CANADA: Port Hardy, Port Edward, Prince Rupert, Vancouver, Haines Junction, Other Canada

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

Dated: December 5, 2007.

**Emily H. Menashes,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Publication of North American Datum of 1983 State Plane Coordinates in Feet in Maine

**AGENCY:** National Geodetic Survey (NGS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration.

**ACTION:** Notice.

**SUMMARY:** The National Geodetic Survey (NGS) will publish North American Datum of 1983 (NAD 83) State Plane Coordinate (SPC) grid values in both meters and U.S. Survey Feet (1 ft = 1200/3937 m) in Maine, for all well defined geodetic survey control monuments maintained by NGS in the National Spatial Reference System (NSRS) and computed from various geodetic positioning utilities. The adoption of this standard is implemented in accordance with NGS policy and a request from the Maine Department of Transportation, the Maine Society of Land Surveyors, and the Maine GIS Stakeholders.

**DATES:** Individuals or organizations wishing to submit comments on the Publication of North American Datum of 1983 State Plan Coordinates in feet in Maine, should do by January 11, 2008.

**ADDRESSES:** Written comments should be sent to the attention of David Doyle, Chief Geodetic Surveyor, Office of the National Geodetic Survey, National Ocean Service (N/NGS2) 1315 East-West Highway, Silver Spring, Maryland, 20910, fax 301-713-4324, or via e-mail [Dave.Doyle@noaa.gov](mailto:Dave.Doyle@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to David Doyle, Chief Geodetic Surveyor, National Geodetic Survey (N/NGS2), 1315 East-West

Highway, Silver Spring, MD, 20910; Phone: (301) 713-3178.

#### SUPPLEMENTARY INFORMATION:

##### Abstract

IN 1991, NGS adopted a policy that defines the conditions under which NAD 83 State Plane Coordinates (SPCs) would be published in feet in addition to meters. As outlined in that policy, each state or territory must adopt NAD 83 legislation (typically referenced as Codes, Laws or Statutes), which specifically defines a conversion to either U.S. Survey or International Feet as defined by the U.S. Bureau of Standards in **Federal Register** Notice 59-5442. To date, 48 states have adopted the NAD 83 legislation however, for various reasons, only 33 included a specific definition of the relationship between meters and feet. This lack of uniformity has led to confusion and misuse of SPCs as provided in various NGS products, services and tools, and created errors in mapping, charting and surveying programs in numerous states due to inconsistent coordinate conversions.

Dated: December 3, 2007.

**David B. Zilkoski,**

*Director, Office of National Geodetic Survey, National Ocean Service, National Oceanic and Atmospheric Administration.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary of Defense

#### Renewal of Department of Defense Federal Advisory Committees

**AGENCY:** DoD.

**ACTION:** Renewal of Federal Advisory Committee.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972, (5 U.S.C. Appendix, as amended), the Sunshine in the Government Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.65, the Department of Defense gives notice that it is renewing the charter for the Defense Business Board (hereafter referred to as the Board).

The Board is a discretionary Federal advisory committee established by the Secretary of Defense to provide the Department of Defense independent advice and recommendations on effective strategies for the implementation of best business practices of interest to the Department of Defense. The ultimate objective of this advice is to enhance the efficiency and effectiveness of organizational support to the nation's warfighters.

The Board shall be composed of approximately twenty members, who are eminent authorities in the fields of management, production, logistics, personnel leadership and defense industrial base. The chairpersons of the Defense Policy Advisory Board and the Defense Science Board shall be appointed as non-voting ex-officio members of the Defense Business Board and their appointment shall not count toward the Board's total membership.

Board Members appointed by the Secretary of Defense, who are not Federal officers or employees, shall serve as Special Government Employees under the authority of 5 U.S.C. 3109. Board Members shall be appointed on an annual basis by the Secretary of Defense, and with the exception of travel and per diem for official travel, they shall serve without compensation.

The Secretary of Defense may invite other distinguished Government officers to serve as non-voting Observers of the Board, and appoint consultants, with special expertise, to assist the Board on an ad hoc basis.

The Board shall be authorized to establish subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Sunshine in the Government Act of 1976 (5 U.S.C. 552b, as amended), and other appropriate Federal regulations.

Such subcommittees or workgroups shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any Federal