

of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 355.34(d). Failure to comply is a violation of the APO.

This determination is published pursuant to section 777(i) of the Act.

Dated: March 19, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-7527 Filed 3-26-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-351-406]

Certain Agricultural Tillage Tools From Brazil; Rescission of Countervailing Duty Administrative Review

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

ACTION: Notice of rescission of countervailing duty administrative review.

SUMMARY: On November 30, 1998 (63 FR 65748), in response to a request from Marchesan Implementos e Máquinas Argícolas ("Marchesan") (respondent), the Department of Commerce (the Department) initiated an administrative review of the countervailing duty order on certain agricultural tillage tools from Brazil, for the period January 1, 1997 through December 31, 1997. In accordance with 19 CFR 351.213(d)(1), the Department is now rescinding this review because the respondent has withdrawn the request for review.

EFFECTIVE DATE: March 29, 1999.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore, (202) 482-3692, or Tipten Troidl, (202) 482-1767, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (URAA) effective January 1, 1995 (the Act). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations as codified at 19 CFR Part 351 (1998).

Background

On October 29, 1998, the Department received a request to conduct an administrative review of the countervailing duty order from the respondent for the period January 1, 1997, through December 31, 1997. No other interested party requested a review of this countervailing duty order. On November 30, 1998, the Department published in the **Federal Register** (63 FR 65748) a notice of "Initiation of Countervailing Duty Administrative Review" initiating the administrative review of the respondent for that period. On March 1, 1999, respondent withdrew the request for review.

Section 19 CFR 351.213(d)(1) of the Department's regulations stipulates that the Secretary may permit a party that requests a review to withdraw the request not later than 90 days after the date of publication of the notice of initiation of the requested review. In this case, respondent has withdrawn the request for review within the 90-day period. No other interested party requested a review and we have received no other submissions regarding respondent's withdrawal of the request for review. Therefore, we are rescinding the review of the countervailing duty order on certain agricultural tillage tools from Brazil.

This notice is published in accordance with section 751 of the Act and section 19 CFR 351.213(d)(1).

Dated: March 19, 1999.

Holly A. Kuga,

Acting Deputy Assistant Secretary for AD/CVD Enforcement Group II.

[FR Doc. 99-7520 Filed 3-26-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-122-404]

Live Swine From Canada: Extension of Time Limit for Preliminary Results of Five-Year Review

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

ACTION: Notice of extension of time limit for preliminary results of five-year ("sunset") review

SUMMARY: The Department of Commerce ("the Department") is extending the time limit for the preliminary results of the sunset review on the countervailing duty order on live swine from Canada. Based on adequate responses from domestic and respondent interested

parties, the Department is conducting a full sunset review to determine whether revocation of the order would be likely to lead to continuation or recurrence of a countervailable subsidy. As a result of this extension, the Department intends to issue its preliminary results not later than June 21, 1999.

EFFECTIVE DATE: March 29, 1999.

FOR FURTHER INFORMATION CONTACT:

Scott E. Smith or Melissa G. Skinner, Import Administration, International Trade Administration, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street, NW., Washington, DC 20230; telephone: (202) 482-6397, or (202) 482-1560 respectively.

Extension of Preliminary Results

The Department has determined that the sunset review of the countervailing duty order on live swine from Canada is extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). See section 751(c)(6)(C) of the Act. The Department is extending the time limit for completion of the preliminary results of this review until not later than June 21, 1999, in accordance with section 751(c)(5)(B) of the Act. The final results of this review will, therefore, be due not later than October 28, 1999.

Dated: March 22, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 110298A]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Essential Fish Habitat Generic Amendment to the Fishery Management Plans of the U.S. Caribbean

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

ACTION: Notice of agency decision.

SUMMARY: NMFS announces the partial approval of the Essential Fish Habitat (EFH) Generic Amendment to the Fishery Management Plans (FMPs) of the U.S. Caribbean (Generic EFH

Amendment), as submitted by the Caribbean Fishery Management Council (Council).

ADDRESSES: Requests for copies of the Generic EFH Amendment (two volumes), which includes an environmental assessment, should be sent to the Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918-2577, Phone: 787-766-5926; FAX: 787-766-6239.

FOR FURTHER INFORMATION CONTACT: Georgia Cranmore, 727-570-5305.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit any FMP or amendment to NMFS for review and approval, disapproval, or partial approval.

NMFS published guidelines to assist the regional fishery management councils in the description and identification of EFH in FMPs, including identification of adverse impacts from both fishing and non-fishing activities on EFH and identification of actions required to conserve and enhance EFH (62 FR 66531, December 19, 1997).

On November 20, 1998, NMFS published a notice of public availability of the Generic EFH amendment, and requested comments (63 FR 64463). A 60-day public comment period on the amendment ended on January 19, 1999. No regulations were published for this amendment. A summary of the comments received and NMFS' responses are provided below.

Agency Decision

After considering the Council's Generic EFH Amendment and the public comments received, NMFS advised the Council on February 18, 1999, that it had partially approved the amendment. Specifically, NMFS advised that the amendment was approved for its 17 selected species and corals but that EFH designations were lacking for the remaining managed species and approval of these designations was deferred to a subsequent amendment. NMFS advised the Council that as soon as possible it should identify and describe EFH for the remaining species or, alternatively, identify ecological relationships between the selected species and the remaining species in the FMPs' fishery management units in order to justify using the selected species as representatives. NMFS indicated that it would work with the Council to obtain necessary additional scientific

information (and noted efforts underway) that will assist the Council in its completion of these EFH designations in the near future.

Comments and Responses

During the comment period on the Generic EFH Amendment, NMFS received two written comments.

Comment: Because a number of the species affected by the Generic EFH Amendment, including queen conch, are distributed both inside and outside U.S. waters in the Caribbean, cooperation with other governments in that region will be necessary to achieve effective conservation and management.

Response: NMFS agrees with this statement and plans to continue to assist in efforts to develop Caribbean-wide management plans for these species.

Comment: A commenter recommended disapproval of the fishing gear impact sections of the amendment. Although the commenter recognized that additional research is needed to fully evaluate effects of fishing gear on EFH, the commenter believes action must be taken now to mitigate adverse impacts on coral and other habitats. The commenter provided specific recommendations for action on limiting the use of traps and nets for the reef fish, spiny lobster and coral FMPs.

Response: NMFS believes that the Council could not have completed the biological and socioeconomic analyses needed to support management measures to limit fishing gear and still meet the mandated time frame of the EFH amendment. NMFS notes that the Council plans to address gear effects during 1999 and is preparing background documents for options regarding a trap reduction program for the reef fish and spiny lobster fisheries.

NMFS believes that the Council's EFH amendment adequately addresses fishing impacts on EFH and provides the basis for future actions when more information is available.

Comment: A commenter requested that the non-fishing related impact portion of the EFH amendment be disapproved because it does not include procedures for evaluating potential impacts of state and Federal permit applicants on a case-by-case basis. The commenter provided recommendations on procedures for consultations with other agencies on EFH, including the need for thorough public review of the process and its conclusions.

Response: The Magnuson-Stevens Act does not require the Councils to develop consultation procedures. NMFS has published procedures for Federal and state agencies and the Councils to use to coordinate, consult, or provide

recommendations on Federal or state activities that may adversely impact EFH (50 CFR Part 600, Subpart K). Councils are encouraged to develop their own internal procedures for the development of Council recommendations but this is not a required element of their EFH amendments.

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

Dated: March 23, 1999.

Andrew A. Rosenberg,
Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.

[FR Doc. 99-7652 Filed 3-26-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 031899A]

IFQ Halibut Fisheries Off Alaska; Fisheries of the Exclusive Economic Zone Off Alaska; Application for an Experimental Fishing Permit

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

ACTION: Notice of receipt of an experimental fishing permit.

SUMMARY: This notice announces receipt of an application from the Washington Sea Grant Program for an Experimental Fishing Permit (EFP). If awarded, this permit would be used to test the effectiveness of seabird avoidance measures in the hook-and-line groundfish fisheries of the Bering Sea and Aleutian Islands Area (BSAI) and the Gulf of Alaska (GOA) and in the Individual Fishing Quota (IFQ) Pacific halibut fishery off Alaska. It is intended to promote the objectives of the North Pacific Fishery Management Council (Council).

ADDRESSES: Copies of the EFP application are available by writing to Steven Pennoyer, Administrator, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

FOR FURTHER INFORMATION CONTACT: Kim S. Rivera, 907-586-7424.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for Groundfish of the GOA and the Fishery Management Plan for the Groundfish Fishery of the BSAI and the implementing regulations at 50 CFR 679.6 and 600.745(b) authorize issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for