

**SUMMARY:** The Department of Commerce (the Department) is extending the time limits for the final results of the 2000–2001 administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Germany. This review covers one manufacturer/exporter of the subject merchandise to the United States and the period July 1, 2000 through June 30, 2001.

**EFFECTIVE DATE:** October 4, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Patricia Tran at (202) 482–1121 or Robert James at (202) 482–0649, Antidumping and Countervailing Duty Enforcement Group III, Office Eight, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** On August 7, 2002, we published the preliminary results of this administrative review. See *Stainless Steel Sheet and Strip in Coils from Germany; Notice of Preliminary Results of Antidumping Duty Administrative Review* 67 FR 51199 (August 7, 2002). Currently, the final results in this administrative review are due on December 5, 2002. Pursuant to section 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of an administrative review if it determines that it is not practicable to complete the final results of the review within the normal statutory time limit. Because petitioners' and respondent's case and rebuttal briefs raise complicated issues, such as major inputs from affiliated and unaffiliated suppliers, downstream home market sales, and application of facts available, the Department determines it is not practicable to complete this review within the normal statutory time limit. Therefore, the Department is extending the time limits for completion of the final results until February 3, 2003, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended.

Dated: September 27, 2002.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Import Administration, Group III.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 092402B ]

**Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Reopening of comment period; Notice of Availability and request for comments.

**SUMMARY:** Notice is hereby given that NMFS is reopening the comment period for a proposed evaluation and pending determination of the Secretary of Commerce (Secretary) as to how a Resource Management Plan (RMP) addresses Endangered Species Act (ESA) criteria. The RMP was submitted jointly by the Makah Indian Tribe and the Washington Department of Fish and Wildlife as the co-managing fisheries resource manager, pursuant to the ESA protective regulations promulgated for the Ozette Lake Sockeye Salmon Evolutionary Significant Unit (ESU). NMFS also is reopening the public comment period for a draft Environmental Assessment (EA) of the pending determination. The comment period is being reopened in response to requests for additional review time by the public. This document serves to notify the public of the extended availability of the proposed evaluation and draft EA for review and comment before NMFS makes its final National Environmental Policy Act (NEPA) and RMP determinations.

**DATES:** Written comments on the Secretary's proposed evaluation and draft EA must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on October 21, 2002.

**ADDRESSES:** Written comments and requests for copies of the proposed evaluation and draft environmental assessment should be addressed to Tim Tynan, Sustainable Fisheries Division, National Marine Fisheries Service, 510 Desmond Drive, Suite 103, Olympia, WA 98503. Comments may also be sent via fax to 360/753–9517. The documents are also available on the Internet at <http://www.nwr.noaa.gov/>, Sustainable Fisheries Division site. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Tim Tynan at phone number: 360/753–9579, or e-mail: [Tim.Tynan@noaa.gov](mailto:Tim.Tynan@noaa.gov) regarding the RMP.

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the Ozette Lake Sockeye Salmon (*Oncorhynchus nerka*) ESU.

**Background**

The Makah Indian Tribe, and the Washington Department of Fish and Wildlife as the co-managing resource management agency under the *United States v. Washington* fisheries management framework, have provided a joint RMP in the form of a Hatchery and Genetic Management Plan (HGMP) for Ozette Lake sockeye salmon. The RMP encompasses artificial propagation, research, and monitoring and evaluation activities within the range of the Ozette Lake sockeye salmon ESU. The range of the ESU is the Ozette River, Ozette Lake, and Ozette Lake tributaries accessible to anadromous salmon. Performance objectives specified in the RMP include establishment of self-sustaining, tributary-spawning sockeye aggregations to increase natural spawning fish abundance levels in the Ozette Lake Basin. The RMP also includes research, monitoring, and evaluation actions designed to identify life history characteristics of the listed beach spawning sockeye salmon population, and factors limiting the productivity of the listed sockeye salmon ESU. Monitoring and evaluation programs are also used to ensure that the proposed artificial propagation measures are consistent with listed sockeye salmon conservation objectives.

As required by section 223.203 (b)(6) of the ESA 4(d) rule, the Secretary must determine whether the RMP for Ozette Lake sockeye salmon would appreciably reduce the likelihood of survival and recovery of the Ozette Lake sockeye salmon and other affected threatened ESUs, pursuant to government-to-government processes described in 50 CFR 223.203. The Secretary must take comments on how the RMP addresses the criteria in 223.203(b)(5) in making that determination. NMFS will not complete the final NEPA and RMP determinations until after the end of the extended comment period, and NMFS will fully consider all public comments received during the comment period. NMFS will publish a record of its final action in the **Federal Register**.

**Authority**

Under section 4 of the ESA, NMFS, by delegated authority from the Secretary of Commerce, is required to adopt such regulations deemed necessary and advisable for the conservation of the species listed as threatened. The ESA salmon and steelhead 4(d) Rule (65 FR

42422, July 10, 2000) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to actions undertaken in compliance with an RMP developed jointly by the Tribes and the State of Washington (joint plan) and determined by the Secretary to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000).

Dated: October 1, 2002.

**Chris Mobley,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 061202A]

#### Endangered and Threatened Species; Notice of Availability for the Final Recovery Plan for Johnson's Seagrass

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

**ACTION:** Notice of Availability.

**SUMMARY:** NMFS announces the availability of the final recovery plan for Johnson's seagrass (*Halophila johnsonii* Eiseman) as required by the Endangered Species Act.

**ADDRESSES:** Requests for a copy of the final recovery plan should be addressed to: David Bernhart, NMFS, Southeast Regional Office, Protected Resources Division, 9721 Executive Center Drive North, St. Petersburg, FL 33702. A copy of the Final Recovery Plan can also be downloaded from the following web address: [http://www.nmfs.noaa.gov/prot\\_res/PR3/recovery.html](http://www.nmfs.noaa.gov/prot_res/PR3/recovery.html).

**FOR FURTHER INFORMATION CONTACT:** David Bernhart, (727) 570-5312 or David O'Brien, (301) 713-1401.

#### SUPPLEMENTARY INFORMATION:

##### Background

Johnson's seagrass, *Halophila johnsonii*, is a marine plant species found growing in lagoonal waters along approximately 200 km of coastline in southeastern Florida between Sebastian Inlet and north Biscayne Bay. The species often grows in a patchy, non-contiguous distribution at water depths extending from the intertidal down to 3

meters. *Halophila johnsonii* is rare, has a limited reproductive capacity, and is vulnerable to a number of anthropogenic and natural disturbances. Johnson's seagrass is listed as threatened under the Endangered Species Act of 1973, as amended, 16 USC 1531 *et seq.* (ESA) and is the first marine plant to be listed under the ESA. Principal threats to the species' survival include: (1) habitat degradation and destruction from dredging and filling, construction and shading from in- and overwater structures, prop scarring, altered water quality, and siltation; (2) inadequacy of existing regulatory mechanisms to protect seagrasses; and (3) stochastic storm events.

The recovery plan contains a synopsis of the biology and distribution of Johnson's seagrass, a description of factors affecting species recovery, an outline of actions needed to recover the species, and an implementation schedule for completing the recovery tasks. The recovery plan for Johnson's seagrass, prepared for NMFS by an eight-member recovery team, provides a framework for addressing a multitude of biological concerns and outlines Federal agency responsibilities under the ESA with the sole purpose of insuring long-term survival of the species. NMFS published a notice of availability of the draft recovery plan for Johnson's seagrass in the **Federal Register** on June 26, 2000 (65 FR 39369). Comments were received from nine parties during the 60-day comment period. The majority of the comments were editorial and were incorporated as received. More substantive comments from the reviewers and NMFS' responses to these comments are summarized here.

#### Comments and Responses

*Comment 1:* One commenter suggested the use of historic ecological parameters to compare with existing ecological conditions in order to evaluate the extent of perturbations on Johnson's seagrass and its habitat within the current ecosystem.

*Response:* NMFS agrees with this commenter and the value of comparing historical and existing ecological conditions; however, only limited historical data of this type exists for Johnson's seagrass. With the implementation of the plan's recovery tasks, including the establishment of long-term monitoring sites and the evaluation of ecological parameters, a historical database for Johnson's seagrass will be developed and available for comparative use.

*Comment 2:* A few reviewers questioned the accuracy of previous

research results that were discussed and referenced in the recovery plan.

*Response:* The recovery plan cites previous research considered relevant to the understanding and recovery of Johnson's seagrass. The information and research results used in the development of the plan represent the best scientific and commercial data available at the time the plan was written. The recovery plan's research review describes what is currently known about Johnson's seagrass and helps identify research needs for the species. NMFS refers any reviewers with questions or comments concerning results or conclusions expressed in a specific reference directly to the author of that citation.

*Comment 3:* One commenter stated that *H. johnsonii* is regularly found in areas that would not appear to be conducive to seagrasses, such as in finger canals and portions of the Lake Worth Lagoon near the C-51 canal. Based on these observations, *H. johnsonii* is considered by the commenter to be much more widespread than indicated in the recovery plan.

*Response:* Johnson's seagrass is known to be patchily distributed in lagoons along approximately 200 km of coastline in southeastern Florida. As stated in the final critical habitat designation (65 FR 17786; April 5, 2000), an abundant core of *Halophila* species, including Johnson's seagrass, has been documented in the middle of its range (Lake Worth Lagoon, Palm Beach County). The species is known to occur in euryhaline areas and has been observed growing perennially near the mouths of freshwater discharge canals (Gallegos and Kenworthy, 1996). Johnson's seagrass uses the niche available to it, often occurring in areas that are generally not conducive to the growth of larger seagrasses. The recovery team is aware of documented observations of *H. johnsonii* in finger canals within the species' range. NMFS is interested in all reports or sightings of Johnson's seagrass. All verified sightings or surveys of Johnson's seagrass are added to a database documenting the species' abundance, distribution, and ecological parameters.

*Comment 4:* One reviewer commented on the need to identify the Florida Fish and Wildlife Conservation Commission (FWC), Division of Marine Resources (DMR), as an active agency in the Conservation Measures of the plan and to address the critical role that this state agency plays in the management, enforcement, and conservation of seagrass and marine habitat.