

above, we may delist a species only if the best scientific and commercial data available substantiate that it is neither endangered nor threatened. The petitioner provided no scientific or commercial data to substantiate that the southern sea otter is extinct, has recovered, or that the original data used to classify the southern sea otter as threatened were in error.

Information in our files, and other information available to us, does not support a finding that delisting of the southern sea otter should be considered at this time. We recently published a final revised recovery plan for the southern sea otter (Service 2003), which reviews the current status of the species. Continuing threats to the southern sea otter include disease, exposure to environmental contaminants, intentional take (shooting), and potential entanglement in fishing gear. Oil spills, which could occur at any time, threaten the southern sea otter with catastrophic decimation or localized extinction (Service 2003). The recovery plan gives recovery criteria for the southern sea otter and states that the species will be considered for delisting under the ESA when the average population level over a 3-year period exceeds 3,090 animals. The most recent spring survey recorded 2,505 southern sea otters (U.S. Geological Survey, unpublished data), and the latest available 3-year running average (for 2002) is only 2,268 animals.

#### Finding

We have reviewed the petition and its supporting documentation, information in our files, and other available information. We find that there is not substantial information indicating that delisting of the southern sea otter may be warranted.

#### Information Solicited

When we find that there is not substantial information indicating that the petitioned action may be warranted, initiation of a status review is not required by the ESA. However, we regularly assess the status of species listed as threatened or endangered and welcome any information concerning the status of the southern sea otter. You may submit any information at any time to the Field Supervisor, Ventura Fish and Wildlife Office (*see ADDRESSES*).

#### References Cited

Riedman, M.L. and J.A. Estes. 1990. The sea otter (*Enhydra lutris*): behavior, ecology, and natural history. U.S. Fish and Wildlife Service, Biol. Rep. 90(14). 126 pp.  
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Sea Otter (*Enhydra lutris nereis*). Portland, Oregon. xi + 165 pp.  
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Memorandum from B. Hatfield dated 9 June 2003.  
Wilson, D. E., M. A. Bogan, R. L. Brownell, Jr., A. M. Burdin, and M. K. Maminov. 1991. Geographic variation in sea otters, *Enhydra lutris*. J. Mamm., 72(1):22-36.

#### Author

The primary author of this document is Lilian Carswell, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office (*see ADDRESSES* section).

**Authority:** The authority for this action is the Endangered Species Act of 1973 as amended (16 U.S.C. 1531 *et seq.*).

Dated: November 14, 2003.

**Steve Williams,**

*Director, Fish and Wildlife Service.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,890]

#### Arrow Terminals, Allquipp, PA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 29, 2004, in response to a petition filed by the United Steelworkers of America on behalf of workers at Arrow Terminals, Allquipp, Pennsylvania.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 12th day of January, 2004.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-2613 Filed 2-5-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,781]

#### Bes-Tex Fabrics, Inc., New York, NY; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an

investigation was initiated on December 11, 2003 in response to a petition filed by a company official on behalf of workers of Bes-Tex Fabrics, Inc., New York, New York.

The investigation revealed that the subject firm did not separate or threaten to separate a significant number or proportion of workers as required by section 222 of the Trade Act of 1974. Significant number or proportion of the workers means that at least three workers in a firm with a workforce of fewer than 50 workers would have to be affected. Separations by the subject firm did not meet this threshold level; consequently the investigation has been terminated.

Signed at Washington, DC this 12th day of January 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-2601 Filed 2-5-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,927]

#### Dixie Chips, Inc., Evergreen, AL; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on January 2, 2004 in response to a worker petition filed by a company official on behalf of workers at Dixie Chips, Inc., Evergreen, Alabama.

The petitioning group of workers is covered by an earlier petition filed on December 29, 2003 (TA-W-53,906) that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC, this 8th day of January, 2004.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-2598 Filed 2-5-04; 8:45 am]

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