

headwater stream conditions, (2) determine the effects land use activities have on the biological productivity of small, fishless streams in the upper watersheds, (3) relate that information to downstream habitats, and (4) determine whether upper watershed food web productivity is a key determinant of downstream fish community health. The research would benefit the fish by helping managers understand the relationship between upper-watershed food productivity and fish health in downstream areas. It would also serve as a new tool to help managers monitor watershed condition and the effectiveness of various restoration techniques in low-order streams.

The USFS intends to capture the fish using seines, baited minnow traps, and possibly some electrofishing. Most of the sampling would take place at the very upper limit of the fishes' range. Once captured, the fish would be measured, weighed, allowed to recover, and released. A subset of the captured fish would be marked with an elastomer tag, and another subset would undergo gastric lavage. The USFS does not intend to kill any of the fish being taken, but a small percentage may die as an unintended result of the activities.

#### *Permit 1504*

The Pacific Shellfish Institute (PSI) is requesting a 3-year research permit to annually capture, handle, and release juvenile PS chinook salmon and HC chum salmon. The research would take place in Puget Sound, Washington. The purpose of the research is to determine fish usage of shellfish aquaculture sites. The PSI intends collect information to assist them in determining the best shellfish production methods while protecting estuarine environments. The research would benefit the fish by providing information intended to reduce the impact shellfish aquaculture has on listed fish. The PSI proposes to capture the fish using pop-up nets. The captured fish would be counted, checked for tags and marks, measured, and released. The PSI does not intend to kill any of the fish being captured, but a small percentage may die as an unintended result of the activities.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the applications, associated documents, and comments submitted to determine whether the applications meet the requirements of section 10(a) of the ESA and Federal regulations. The final permit decisions will not be made until after the end of the 30-day comment period. NMFS will publish

notice of its final action in the **Federal Register**.

Dated: August 31, 2004.

**Phil Williams,**

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

[FR Doc. 04-20237 Filed 9-3-04; 8:45 am]

**BILLING CODE 3510-22-S**

## **DEPARTMENT OF COMMERCE**

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

[I.D. 083104K]

#### **Mid-Atlantic Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's (MAFMC) Dogfish Monitoring Committee will hold a public meeting.

**DATES:** The meeting will be held on Friday, September 24, 2004, from 10 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Radisson Hotel Manchester, 700 Elm Street, Manchester, NH; telephone: (603) 625-1000.

*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331, ext. 19.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is to develop management measures including quotas and trip limits to recommend to the Councils for the 2005-06 specifications setting for spiny dogfish.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the MAFMC's intent to take final action to address the emergency.

#### **Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for

sign language interpretation or other auxiliary aids should be directed to Debbie Donnangelo at the Mid-Atlantic Council Office (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: September 1, 2004.

**Alan D. Risenhoover,**

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

[FR Doc. E4-2074 Filed 9-3-04; 8:45 am]

**BILLING CODE 3510-22-S**

## **DEPARTMENT OF COMMERCE**

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

[I.D. 083104H]

#### **Pacific Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Ad Hoc Groundfish Trawl Individual Quota Independent Experts Panel (Experts Panel) will hold a working meeting which is open to the public.

**DATES:** The Experts Panel working meeting will begin Wednesday, September 22, 2004 at 8:30 a.m. and may go into the evening if necessary to complete business for the day. The meeting will reconvene the next day at 8:30 a.m. and continue until business for the day is completed.

**ADDRESSES:** The meeting will be held at the Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, West Conference Room, Portland, OR 97220-1384; telephone: 503-820-2280.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Seger, Staff Officer (Economist); telephone: 503-820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of the Experts Panel meeting is to review the scoping information document and comments received during the recently completed National Environmental Policy Act public scoping period, in order to determine whether there are significant options and impacts that have not yet been identified which, in the Experts Panel's view, should be considered by the Council.

Although non-emergency issues not contained in the Experts Panel meeting agenda may come before the group for discussion, those issues may not be the subject of formal action during these

meetings. Experts Panel action will be restricted to those issues specifically listed in this notice and to any issues arising after publication of this notice requiring emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the group's intent to take final action to address the emergency.

### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: September 1, 2004.

**Alan D. Risenhoover,**

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

[FR Doc. E4-2073 Filed 9-3-04; 8:45 am]

**BILLING CODE 3510-22-S**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Determination and Non-Designation under the Textile and Apparel Commercial Availability Provisions of the United States-Caribbean Basin Trade Partnership Act

August 31, 2004.

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

**ACTION:** Committee decision not to revoke its prior designation regarding certain coated fusible interlining fabrics.

**SUMMARY:** The Committee received a petition alleging that certain coated, fusible interlining fabrics, which had been determined by the Committee not to be available in commercial quantities in a timely manner, were in fact available from the domestic industry. The petition requested that the Committee revoke its previous designation making apparel from such fabric eligible for duty-free treatment under the commercial availability provision of the CBTPA. Subsequently, the Committee determined that the subject fabrics, detailed below, both classified under item 5903.90.2500 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in apparel articles, can be supplied by the domestic industry in commercial quantities in a timely manner. However, the Committee has determined that revoking the designation of these fabrics under the commercial availability provision of the CBTPA would have an

adverse impact on a significant component of the U.S. textile industry. Therefore, the Committee has decided not to revoke the previous designation regarding these fabrics, and apparel from such fabric will continue to be eligible for duty-free treatment under the commercial availability provision of the CBTPA.

### FOR FURTHER INFORMATION CONTACT:

Richard P. Stetson, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

### SUPPLEMENTARY INFORMATION:

**Authority:** Section 211 of the Caribbean Basin Trade Partnership Act (CBTPA), amending Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act (CBERA); Presidential Proclamation 7351 of October 2, 2000; Executive Order No. 13191 of January 17, 2001.

### Background

The commercial availability provision of the CBTPA provides for duty-free and quota-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary CBTPA country from fabric or yarn that is not formed in the United States or a beneficiary CBTPA country if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamation 7351, the President proclaimed that this treatment would apply to apparel articles from fabrics or yarn designated by the appropriate U.S. government authority in the **Federal Register**.

In Executive Order 13191, the President authorized the Committee to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner.

On April 22, 2003, following a determination that certain coated, fusible interlinings, detailed in the Annex to this notice, could not be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA, the Committee designated apparel from these fabrics as eligible for duty-free treatment under the CBTPA (68 FR 19788).

On April 16, 2004, the Chairman of the Committee received a petition from Hodgson Russ Attorneys, LLP, on behalf of Narroflex, alleging that these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner, and requesting that the Committee revoke its previous designation regarding these fabrics. On April 21, 2004, the Committee requested

public comments on the petition (67 FR 244). On May 9, 2004, the Committee and the U.S. Trade Representative (USTR) sought the advice of the Industry Trade Advisory Committee for Textiles and Clothing and the Industry Trade Advisory Committee for Distribution Services regarding the proposed action.

On May 24, 2004, the Committee and USTR offered to hold consultations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (Congressional Committees) regarding the proposed action. On May 28, 2004, the U.S. International Trade Commission provided advice regarding the proposed action. Based on the information and advice received and its understanding of the industry, the Committee determined that the fabrics set forth in the petition can be supplied by the domestic industry in commercial quantities in a timely manner.

On June 16, 2004, as required by the CBTPA, the Committee and USTR submitted a report to the Congressional Committees that set forth the action proposed, the reasons for such action, and the advice obtained. A period of 60 calendar days since this report was submitted has expired and during this period the House Ways and Means Committee provided additional advice. On August 4, the Committee received a letter from Chairman William M. Thomas and Ranking Democrat Charles B. Rangel of the Committee on Ways and Means expressing strong concern about revocation, noting the adverse affects such a decision could have on U.S. textile manufacturers and on the economy of the Dominican Republic. The letter also drew the Committee's attention to the Committee on Ways and Means' reports on the United States - Australia Free Trade Agreement Implementation Act and the United States Morocco Free Trade Agreement Implementation Act; in both reports, the Committee on Ways and Means expressed its view that "once an item is designated as being in short supply under trade preference programs, the item is permanently designated as such unless otherwise provided for by the statute implementing the trade preference program."

Based on the advice from a broad spectrum of the domestic industry and the House Ways and Means Committee, the Committee has decided not to revoke its April 22, 2003 designation. Such a revocation would, as a result of the reliance on the Committee's prior designation, have an adverse impact on a significant component of the U.S. textile industry. The Committee will not