

6. Termination of the Pre-Export DEPS and the Special Import License Scheme

7. Program-Wide Change in the Post-Export DEPS

8. Deemed Exports in Calculation of Export Subsidies

9. State of Maharashtra's Package Scheme of Incentives

10. Benefit of Sales Tax Incentives for Exports Under Section 4-B of the Uttar Pradesh Trade Tax Act

11. Specificity of Sales Tax Incentives Under Section 4-A of the Uttar Pradesh Trade Tax Act

#### Company-Specific Issues

12. Calculation of EPCGS Benefit for Ester  
13. Calculation of Pre- and Post-Shipment Financing for Ester

14. Correction of Ester's Clerical Errors

15. Application of Input Supplier Rule to Garware and Garware Chemicals

16. Ministerial Error in the Calculation of Garware's EPCGS Benefits

17. Benchmarks for Garware's Pre- and Post-Shipment Export Financing Loans

[FR Doc. 02-12294 Filed 5-15-02; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 050702B]

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

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

**ACTION:** Notice of availability and request for public comment on NMFS' evaluation and pending determination of a Tribal Resource Management Plan (Tribal Plan).

**SUMMARY:** Notice is hereby given that NMFS, by delegated authority from the Secretary of Commerce (Secretary), has evaluated and prepared its pending determination of a Tribal Plan submitted by the Northwest Indian Fisheries Commission, in cooperation with the Puget Sound Indian Tribes, pursuant to the protective regulations promulgated for threatened Hood Canal summer-run chum salmon under the Endangered Species Act (ESA). This document also includes a summary of the underlying biological analysis used in the pending determination.

**DATES:** Written comments on the pending determination must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Daylight Time on June 17, 2002.

**ADDRESSES:** Written comments and requests for copies of the evaluation and

pending determination should be sent to Leslie Schaeffer, Protected Resources Division, National Marine Fisheries Service, 525 NE Oregon Street, Portland, OR 97232-2737. The full text of the evaluation and pending determination is also available at <http://www.nwr.noaa.gov/>.

Comments may also be faxed to 503-230-5435.

Comments will not be accepted if submitted via e-mail or the Internet.

#### FOR FURTHER INFORMATION CONTACT:

Leslie Schaeffer at phone number 503-230-5433 or e-mail:

[leslie.schaeffer@noaa.gov](mailto:leslie.schaeffer@noaa.gov).

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the Hood Canal summer-run chum salmon (*Oncorhynchus keta*) Evolutionarily Significant Unit (ESU).

#### Background

The Northwest Indian Fisheries Commission submitted a Tribal Plan in cooperation with the Puget Sound Indian Tribes for scientific research and assessment activities within the range of the Hood Canal summer-run chum salmon ESU in the state of Washington. The Puget Sound Indian Tribes conduct, independently and in cooperation with Federal and state agencies, a variety of research and assessment projects that provide the technical basis for their fishery management, and for the conservation and restoration of salmon stocks and their habitat. The need for improved and more quantitative information regarding freshwater and early marine survival needs of salmon is the purpose of the current research activities. The Tribal Plan includes implementation, monitoring, and evaluation procedures designed to ensure that the research activities are consistent with these objectives. The research activities described in the Tribal Plan span a 5 year period beginning on January 1, 2002.

#### Authority

Under section 4(d) of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of the species listed as threatened. The ESA Tribal 4(d) rule (65 FR 42481, July 10, 2000) states that the ESA section 9 take prohibitions will not apply to Tribal Plans provided the Secretary determines that implementation of such Tribal Plan will not appreciably reduce the likelihood of survival and recovery of the listed salmonids.

Dated: May 10, 2002.

**Wanda L. Cain,**

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 02-12276 Filed 5-15-02; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 050702A]

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

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

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This notice advises the public that the Nez Perce Indian Tribe has submitted a Tribal resource management plan (Tribal Plan) to NMFS pursuant to the limitation on take prohibitions for actions conducted under Tribal Plans promulgated under the Endangered Species Act. The Tribal Plan specifies the management of recreational, ceremonial, and subsistence fisheries in 2002 in the Imnaha River basin in the State of Oregon that potentially affect Snake River spring/summer chinook salmon listed as threatened under the ESA. This document serves to notify the public of the availability for comment of the proposed evaluation of the Secretary of Commerce (Secretary) as to whether implementation of the Tribal Plan will appreciably reduce the likelihood of survival and recovery of Snake River salmon and steelhead.

**DATES:** Written comments on the Secretary's pending determination must be received no later than 5 p.m. Pacific Standard Time on June 17, 2002.

**ADDRESSES:** Written comments and requests for copies of the pending determination should be addressed to Herb Pollard, Sustainable Fisheries Division, 10215 W. Emerald St. Suite 180, Boise, ID 83704. Comments may also be sent via fax to 208/378-5699. The document is also available on the Internet at <http://www.nwr.noaa.gov/>. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Herb Pollard at phone number: 208/378-5614, or e-mail: [herbert.pollard@noaa.gov](mailto:herbert.pollard@noaa.gov).

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the Imnaha River

basin population of the Snake River Spring/Summer Chinook salmon (*Oncorhynchus tshawytscha*) and Snake River steelhead (*Oncorhynchus mykiss*) Evolutionarily Significant Units (ESU).

#### Background

The Nez Perce Tribe has submitted to NMFS a Tribal Plan for recreational, ceremonial, and subsistence fisheries in 2002 potentially affecting threatened Snake River spring/summer chinook salmon in the Imnaha River basin. The Tribal Plan includes recreational fisheries specified by the Oregon Department of Fish and Wildlife that take place in the same waters and in the same time frame as the tribal ceremonial and subsistence fisheries. The Nez Perce Tribe and the State of Oregon have co-manager responsibilities for spring chinook salmon within the Imnaha River sub-basin and manage this salmon population under cooperative agreements. The objective of the Tribal Plan is to harvest spring chinook in a manner that does not appreciably reduce the likelihood of survival and recovery of the ESU. Impact levels to the listed spring chinook populations in the ESU are specified in the Tribal Plan. Analysis of the predicted return of naturally and hatchery-produced spring chinook salmon to the Imnaha River basin in 2002 and the proposed harvest levels indicate that all hatchery brood stock and supplemental spawning and natural spawning escapement needs will be met after the proposed fisheries. A variety of monitoring and evaluation tasks to be conducted by the co-managers is specified in the Tribal Plan to assess the abundance of spring chinook and to determine fishery effort and catch of spring chinook. A comprehensive review of the Tribal Plan to evaluate whether the fisheries and listed spring chinook populations are performing as expected will be done within and at the end of the proposed 2002 season.

As required by the ESA 4(d) rule for Tribal Plans (65 FR 42481, July 10, 2000), the Secretary is seeking public comment on his pending determination as to whether the Tribal Plan for Imnaha River chinook salmon would appreciably reduce the likelihood of survival and recovery of the threatened Snake River spring/summer chinook salmon ESU.

Under section 4(d) of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. NMFS has issued a final ESA 4(d) Rule for Tribal Plans adopting regulations necessary and advisable to harmonize statutory

conservation requirements with tribal rights and the Federal trust responsibility to tribes (65 FR 42481, July 10, 2000). This 4(d) Rule for Tribal Plans applies the prohibitions enumerated in section 9(a)(1) of the ESA. NMFS did not find it necessary and advisable to apply the take prohibitions described in sections 9(a)(1)(B) and 9(a)(1)(C) to fishery harvest activities if the fisheries are managed in accordance with a Tribal Plan that has been approved by NMFS. As specified in the 4(d) Rule, before the Secretary makes a decision on the Tribal Plan, the public must have an opportunity to review and comment on the pending determination.

#### Authority

Under section 4 of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of the species listed as threatened. The ESA Tribal 4(d) Rule (65 FR 42481, July 10, 2000) states that the ESA section 9 take prohibitions will not apply to Tribal Plans that will not appreciably reduce the likelihood of survival and recovery for the listed species.

Dated: May 10, 2002.

**Wanda L. Cain,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 02-12277 Filed 5-15-02; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 051002F]

#### Gulf of Mexico 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 Gulf of Mexico Fishery Management Council (Council) will convene a public meeting of the Mackerel Stock Assessment Panel (MSAP).

**DATES:** This meeting will begin at 1:30 p.m. on Tuesday, May 28, 2002 and will conclude by 3 p.m. on Thursday, May 30, 2002.

**ADDRESSES:** The meeting will be held at NMFS Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL.

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard Leard, Senior Fishery Biologist, Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619; telephone: 813-228-2815.

**SUPPLEMENTARY INFORMATION:** The MSAP will convene to review a new stock assessment for Gulf group king mackerel and stock assessment updates for Gulf group Spanish mackerel and Atlantic group king and Spanish mackerel. The MSAP will consider available information, including but not limited to, commercial and recreational catches, natural and fishing mortality estimates, recruitment, fishery-dependent and fishery-independent data, bycatch and bycatch mortality, and data needs. These analyses will be used to determine the condition of the stocks and possibly the levels of acceptable biological catch (ABC) for the 2002-2003 fishing year. The MSAP may also review estimates/proxies for maximum sustainable yield (MSY), optimum yield (OY), as well as overfishing and overfished definitions for Gulf bluefish, cero, and little tunny.

Although non-emergency issues not contained in the agenda may come before the MSAP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), those issues may not be the subject of formal MSAP action during this meeting. MSAP action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305 (c) of the MSFCMA, provided the public has been notified of the Council's intent to take final action to address the emergency. A copy of the MSAP agenda can be obtained by calling (813) 228-2815.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by May 21, 2002.

Dated: May 13, 2002.

**Richard W. Surdi,**

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

[FR Doc. 02-12279 Filed 5-15-02; 8:45 am]

**BILLING CODE 3510-22-S**