

the initiation of the planning process, meetings were held with representatives of the original sponsoring organizations to ascertain their interest and concerns regarding the Yellow River Watershed. Gwinnett County agreed to serve as "lead sponsor" being responsible for leading the planning process with assistance from NRCS. As lead sponsor they also agreed to provide non-federal cost-share, property rights, operation and maintenance, and public participation during, and beyond, the planning process. Meetings with the project sponsors were held throughout the planning process, and project sponsors provided representation at planning team, technical advisory, and public meetings.

An Interdisciplinary Planning Team provided for the "technical" administration of this project. Technical administration includes tasks pursuant to the NRCS nine-step planning process, and planning procedures outlined in the NRCS-National Planning Procedures Handbook. Examples of tasks completed by the Planning Team include, but are not limited to, Preliminary Investigations, Hydrologic Analysis, Reservoir Sedimentation Surveys, Economic Analysis, Formulating and Evaluating Alternatives, and Writing the Watershed Plan—Environmental Assessment. Data collected from partner agencies, databases, landowners, and others throughout the entire planning process, were evaluated at Planning Team meetings held on various dates throughout the planning process. Informal discussions amongst planning team members, partner agencies, and landowners were conducted throughout the entire planning period.

A Technical Advisory Group was developed to aid the Planning Team with the planning process.

The following agencies were involved in developing this plan and provided representation on the Technical Advisory Group:

- Gwinnett County Government;
- Gwinnett County Soil and Water Conservation Districts;
- Georgia Department of Natural Resources, Environmental Protection Division [EPD], Safe Dams Program;
- Georgia Department of Natural Resources, Wildlife Resources Division [WRD], Game and Fisheries Section;
- Georgia Soil and Water Conservation Commission;
- United States Environmental Protection Agency (EPA), Region IV;
- USDA, Natural Resources Conservation Service (NRCS);
- USDI, Fish and Wildlife Service (F&WS);
- US Army Corps of Engineers (COE).

A meeting and field tour with the Technical Advisory Group was held on February 27, 2002, to assess proposed measures and their potential impact on resources of concern. A review of National Environmental Policy Act (NEPA) concerns was initiated at this meeting. Effects of proposed measures on NEPA concerns reviewed were documented. Additional field tours were held with the COE on March 11, 2002, to determine the most efficient 404 permitting process.

Suzanne Kenyon, Cultural Resources Specialist with the NRCS-National Water Management Center, visited the project site in the fall of 2001. She provided a methodology for considering culturally significant resources, which was followed in this planning process. An inventory of the watershed, and associated downstream impacted area was completed with no culturally important or archaeological sites noted. The area of potential effect was provided to the Georgia State Historic Preservation Office with passive concurrence provided.

Public Participation: Public meetings were held on November 12, 2002, and November 14, 2002, to explain the NRCS Watershed Rehabilitation Program and to scope resource problems, issues, and concerns of local residents associated with the Y-15 and Y-17 project area. Potential alternative solutions to bring Y-15 and Y-17 into compliance with current dam safety criteria were also presented. Through a voting process, meeting participants provided input on issues and concerns to be considered in the planning process, and identified the most socially acceptable alternative solution.

A second round of public meetings was held on March 27, 2003, and April 3, 2003, to summarize planning accomplishments, convey results of the reservoir sedimentation survey, and present various structural alternatives. The roller compacted concrete alternative was identified as the most complete, acceptable, efficient, and effective plan for the watershed.

Conclusion

The Environmental Assessment summarized above indicates that this Federal action will not cause significant adverse local, regional, or national impacts on the environment. Therefore, based on the above findings, I have determined that an environmental impact statement for the recommended plan of action on Yellow River Watershed Structure No. 15 and No. 17 is not required.

Dated: June 13, 2003.

Leonard Jordan,

State Conservationist.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-848]

Freshwater Crawfish Tail Meat From the People's Republic of China: Rescission of Antidumping Duty New Shipper Review

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

SUMMARY: On November 1, 2002 the Department published the initiation of the four new shipper reviews of the

antidumping duty order on freshwater crawfish tail meat from the People's Republic of China covering the period September 1, 2001, through August 31, 2002. These new shipper reviews covered four exporters: Zhoushan Huading Seafood Co., Ltd.; Hubei Qianjiang Houhu Frozen & Processing Factory; Qingdao Jin Yong Xiang Aquatic Foods Co., Ltd.; and Siyang Foreign Trading Corporation (Siyang). *See Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of Antidumping New Shipper Reviews* (67 FR 67822) (*New Shipper Initiation*). For the reasons discussed below, we are rescinding the review of Siyang.

EFFECTIVE DATE: June 23, 2003.

FOR FURTHER INFORMATION CONTACT:

Sean Carey or Dana Mermelstein at (202) 482-3964 and (202) 482-1391, respectively; AD/CVD Enforcement, Office 7, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On September 30, 2002 the Department received a timely request for a new shipper review of the antidumping duty order on freshwater crawfish tail meat from the PRC from Siyang, an exporter of subject merchandise to the United States. In this request, Siyang identified Anhui Golden Bird Agricultural Products Development Co., Ltd. (Golden Bird) as the producer who supplied the subject merchandise to Siyang. Pursuant to section 351.214(b)(2)(ii)(B) of the Department's regulations, Siyang included, in addition to its own certifications, a certification from the general manager of Golden Bird stating that Golden Bird was the producer and certifying that Golden Bird did not export subject merchandise during the period of investigation (POI).

Furthermore, pursuant to sections 351.214(b)(2)(iii)(A) and (B) of the Department's regulations, Golden Bird also certified that it had never been affiliated with any other producer or exporter of subject merchandise to the United States during the POI, and that its activities are not controlled by the PRC central government. On November 1, 2002, the Department initiated this new shipper review covering the period September 1, 2001 through August 31, 2002. *See New Shipper Initiation.*

Siyang provided responses to the Department's original and supplemental questionnaires on January 6, and April

3, 2003, respectively. In a letter dated March 27, 2003, Siyang informed the Department that the correct company name of its producer of subject merchandise is Anhui Golden Bird Agricultural & Side-Line Products Development Co., Ltd., and noted that the words “& Side-Line” were inadvertently missing from the name of the producer that was used in previous submissions. In the Department’s memorandum to the file entitled *Siyang Foreign Trade Corporation’s New Shipper Review of Freshwater Crawfish Tail Meat from the People’s Republic of China: Intent to Rescind New Shipper Review (Intent to Rescind Memo)*, dated May 19, 2003, we stated our intention to rescind Siyang’s new shipper review because the initiation of this new shipper review was not based on complete and accurate information, thereby impairing the Department’s ability to properly analyze and investigate certain information contained in Siyang’s request for new shipper review. See *Intent to Rescind Memo* at 2.

On May 22, 2003, the Domestic Interested Parties¹ submitted a letter to the Department requesting that Siyang’s new shipper review be rescinded as soon as possible in order to prevent further shipments of subject merchandise to the United States from entering under bond using the Siyang/Golden Bird exporter/producer combination antidumping duty rate. This letter also requested the Department to notify the U.S. Bureau of Customs and Border Protection (Customs) forthwith of this action in order to prevent circumvention of the order by allowing shipments to enter under bond for a lengthy period of time.

Rescission of Review

Siyang did not provide the Department with the correct certifications required under section 351.214(b)(2) of the Department’s regulations for a new shipper review. Specifically, section 351.214(b)(2)(ii)(B) of the Department’s regulations states that, if the company requesting the review is the exporter but not the producer of the subject merchandise, then the request from this company must contain a certification stating that the producer did not export subject merchandise to the United States during the POI. In addition, section

351.214(b)(2)(iii)(A) of the Department’s regulations requires that the request for the new shipper review contain a certification that the producer has never been affiliated with any exporter or producer that exported subject merchandise to the United States during the POI. Moreover, section 351.214(b)(2)(iii)(B) of the Department’s regulations further specifies that in an antidumping proceeding involving imports from a nonmarket economy country, the request for a new shipper review must also contain a certification that the export activities of the exporter or producer are not controlled by the central government.

As noted above, Siyang failed to identify the correct name of the producer of the subject merchandise for purposes of its required certifications. Furthermore, an official of Golden Bird submitted certifications that did not accurately identify the company’s name. Therefore, we find it appropriate to rescind Siyang’s new shipper review based on its failure to provide the proper certifications pursuant to 19 CFR 351.214(b)(2).

Notification

The Department will notify Customs that bonding is no longer permitted to fulfill security requirements for shipments using the Siyang/Golden Bird exporter/producer combination antidumping duty rate for freshwater crawfish tail meat from the PRC entered, or withdrawn from warehouse, for consumption in the United States on or after the publication of this rescission notice in the **Federal Register**, and that a cash deposit of 223.01 percent *ad valorem* should be collected for any entries exported by Siyang.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO material or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanctions.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(2)(B) and 777(i) of the Act.

Dated: June 16, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552–801]

Notice of Final Antidumping Duty Determination of Sales at Less Than Fair Value and Affirmative Critical Circumstances: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam

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

ACTION: Notice of Final Antidumping Duty Determination of Sales at Less Than Fair Value and Affirmative Critical Circumstances.

EFFECTIVE DATE: June 23, 2003.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva or James C. Doyle, AD/CVD Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–3208, or (202) 482–0159, respectively.

THE APPLICABLE STATUTE:

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (“the Act”) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department’s regulations are to the regulations at 19 CFR 351 (2001).

SUPPLEMENTARY INFORMATION:

FINAL DETERMINATION

We determine that certain frozen fish fillets from the Socialist Republic of Vietnam are being, or are likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 733 of the Act. The estimated margins of sales at LTFV are shown in the “Suspension of Liquidation” section of this notice.

Case History

We published in the **Federal Register** the preliminary determination in this investigation on January 31, 2003. See *Notice of Preliminary Determination of Sales at Less Than Fair Value*,

¹ The term “Domestic Interested Parties” refers collectively to the following: the Crawfish Processors Alliance and its members as listed in the December 4, 2002 Application for Administrative Protective Order; the Louisiana Department of Agriculture and Forestry; and, Bob Odum, Commissioner.