

may adopt a different life history strategy when faced with changing environmental conditions. However, because we currently have very little information addressing the life history and behavioral patterns of other burbot populations throughout the nearctic region, and specifically the relative importance of the adfluvial life history strategy, we do not know if these behaviors are unique to the species as a whole.

On the basis of available information, we determined that the life history and behavioral characteristics of lower Kootenai River burbot do make it discrete from other burbot populations in the local area, but, pursuant to our DPS policy, do not make it significant to the remainder of the taxon, as we have little information to indicate these characteristics are unique to the rest of the taxon.

Consequently, following a review of the available information, we conclude that the population segment of lower Kootenai River burbot is not significant to the remainder of the taxon. We made this determination because there is no evidence that: (1) This population segment persists in an ecological setting that is unique for the taxon; (2) the loss would result in a significant gap in the range of the taxon; or (3) this population segment differs markedly from other populations of the species in its genetic characteristics. Further, we do not have sufficient information to indicate that the life history and behavioral characteristics of this population segment are unique to the taxon. Furthermore, we acknowledge that, while the precise biological and ecological importance of a discrete population segment is likely to vary considerably from case to case, we were unable to identify any additional classes of information that might bear on the biological and ecological importance of this discrete population segment.

#### Finding

We have assessed the best scientific and commercial information available regarding the discreteness and significance of lower Kootenai River burbot. We reviewed the petition, information available in our files, and other published and unpublished information submitted to us during the public comment period following our 90-day petition finding, and we consulted with recognized burbot experts and other Federal and State resource agencies. On the basis of the best scientific and commercial information available, we conclude that the lower Kootenai River burbot does not represent a DPS, and is therefore not

a listable entity. Our review did indicate that the lower Kootenai River burbot is discrete from other burbot populations, but was not significant to the remainder of the taxon. This finding is primarily based on a lack of sufficient evidence to demonstrate that lower Kootenai River burbot have marked genetic, ecological, or behavioral differences when compared with the remainder of the nearctic subspecies. As such, we find that the petitioned action is not warranted.

#### References Cited

A complete list of all references cited herein is available on request from the Upper Columbia Fish and Wildlife Office (*see ADDRESSES*).

#### Author

The primary author of this document is Scott Deeds (*see ADDRESSES*).

#### Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: March 3, 2003.

Steve Williams,

Director, Fish and Wildlife Service.

[FR Doc. 03-5737 Filed 3-10-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Baca National Wildlife Refuge

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice.

**SUMMARY:** The Director intends to accept the transfer of 3,315 acres of land from the Bureau of Reclamation on April 8, 2003, to establish the Baca National Wildlife Refuge in Alamosa County, Colorado.

**DATES:** This action will be effective on April 8, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Michael Blenden, Project Leader, Alamosa/Monte Vista National Wildlife Refuge Complex, 9383 El Rancho Lane, Alamosa, Colorado 81101; telephone: 719/589-4021, fax: 719/587-0595, e-mail: [mike\\_blenden@fws.gov](mailto:mike_blenden@fws.gov).

**SUPPLEMENTARY INFORMATION:** The Director of the U.S. Fish and Wildlife Service has determined that sufficient land is available to establish the Baca National Wildlife Refuge. The Refuge will be administered in accordance with the National Wildlife Refuge Administration Act of 1966 and the Act of September 28, 1962 commonly

known as the Refuge Recreation Act. The establishment of the Refuge will protect water resources; protect and maintain water rights for the protection of monument, park, preserve, and refuge resources and uses; and minimize, to the extent consistent with the protection of national wildlife resources, adverse impacts on other water users.

**Authority:** This notice is published under the authority of the Great Sand Dunes National Park and Preserve Act of 2000, Pub. L. 106-530, and the National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C., 668dd-668ee).

Dated: February 21, 2003.

John A. Blankenship,

Regional Director, Region 6, Denver, Colorado.

[FR Doc. 03-5701 Filed 3-10-03; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-433 (Preliminary) and 731-TA-1029 (Preliminary)]

### Allura Red Coloring From India

**AGENCY:** International Trade Commission.

**ACTION:** Institution of countervailing duty and antidumping investigations and scheduling of preliminary phase investigations.

**SUMMARY:** The Commission hereby gives notice of the institution of investigations and commencement of preliminary phase countervailing duty and antidumping duty investigations Nos. 701-TA-433 (Preliminary) and 731-TA-1029 (Preliminary) under sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 19 U.S.C. 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from India of allura red coloring, provided for in subheading 3204.12.50 of the Harmonized Tariff Schedule of the United States,<sup>1</sup> that are alleged to be subsidized by the Government of India and that are alleged to be sold in the United States at less than fair value. Unless the Department of Commerce extends the time for initiation pursuant to sections 702(c)(1)(B) and 732(c)(1)(B) of the Act (19 U.S.C. 1671a(c)(1)(B) and 19 U.S.C.

<sup>1</sup> The subject product is described for tariff purposes as FD&C Red No. 40.