

(Approximately 30 miles remain to be constructed.) During the early construction projects, it was discovered that the route of the proposed road was through very unstable terrain, resulting in the possibility of landslides, both during and after construction, and requiring more invasive engineering techniques than originally considered. In addition, a particular strata encountered (Anakeesta) will produce acidic drainage when disturbed if not properly handled and contained. Due to these environmental concerns and costs, construction was discontinued in 1972. In the succeeding years, several ideas and proposals were explored to recompense the state and county for the flooded lands and road, but no agreement was ever reached. An appropriation of \$16 million was included in the 2001 Department of Transportation budget "for construction of, and improvements to, North Shore Road in Swain County, North Carolina." The DOI is seeking to develop a plan that will discharge and settle any obligations that it is currently under as a result of the circumstances described here, fulfilling its obligations to the Park and public.

Recognizing that the National Environmental Policy Act (NEPA) requires the consideration of a reasonable range of alternatives that will address the purpose and need, the EIS will include a range of alternatives for detailed study. The alternatives will consist of a no-action alternative, as well as a variety of build and no-build alternatives that meet the purpose and need for the action. These alternatives will be developed, screened, and subjected to detailed analysis in the draft EIS based on their ability to address the purpose and need, while attempting to avoid known and sensitive resources.

Letters describing the proposed NEPA study and soliciting input will be sent to the appropriate federal, state and local agencies, which have expressed or are known to have an interest or legal role in this proposal. It is anticipated that a formal scoping meeting will be held as part of the NEPA process to facilitate local, state, and federal agency involvement. Private organizations, citizens, and interest groups will also have an opportunity to provide input into the development of the EIS and identify issues that should be addressed at the public scoping meetings. A comprehensive public participation program will be developed to involve the public throughout the project development process. This will include public meetings at key stages during the process, including the review of the

draft EIS. The draft EIS will be available for public and agency review and comment prior to the public meetings/hearings. Its availability will be announced by **Federal Register** notice, regional and local media, Web site, and direct mailing to all those on the formal mailing list developed during the NEPA/Public Involvement Process. At this time, the draft North Shore Road EIS is anticipated to be available for public review in late 2004.

To ensure that the full range of issues related to this proposed action are identified and taken into account, comments and suggestions are invited from all interested parties. Comments and questions concerning this notice of proposed action, and when the draft environmental impact statement is available, should be directed to the NPS at the addresses provided under the caption **FOR FURTHER INFORMATION CONTACT**.

The public is advised that individual names and addresses may be included as part of the public record. Names and addresses will be available for public review during regular business hours. There are circumstances in which a person prefers to have their name and other information withheld from the public record. Any person wishing to do this must state this prominently at the beginning of any correspondence or comment, and the request will be honored to the extent allowable by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be placed on the public record and will be made available for public inspection in their entirety.

Dated: December 13, 2002.

Patricia A. Hooks,

Acting Regional Director, National Park Service.

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INTERNATIONAL TRADE COMMISSION

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

Allura Red Coloring From India

Determinations

On the basis of the record¹ developed in the subject investigations, the United

States International Trade Commission (Commission) determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a)) (the Act), that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that 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, that are alleged to be subsidized by the Government of India. The Commission also determines, pursuant to section 733(a) of the Act (19 U.S.C. 1673b(a)), that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the subject imports from India that are also alleged to be sold in the United States at less than fair value (LTFV).

Background

On March 4, 2003, a petition was filed with the Commission and Commerce by Sensient Technologies Corporation, Milwaukee, WI, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized and LTFV imports of allura red coloring from India. Accordingly, effective March 4, 2003, the Commission instituted countervailing duty investigation No. 701-TA-433 (Preliminary) and antidumping duty investigation No. 731-TA-1029 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of March 11, 2003 (68 FR 11579). The conference was held in Washington, DC, on March 25, 2003, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on April 18, 2003. The views of the Commission are contained in USITC Publication 3595 (April 2003), entitled Allura Red Coloring from India: Investigations Nos. 701-TA-433 (Preliminary) and 731-TA-1029 (Preliminary).

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).