

community development, located approximately 30 miles north of Houston, Montgomery County, Texas. The current population of The Woodlands is approximately 63,000 residents. At build-out, the total population is expected to reach 110,000 residents. This action may result in the abandonment of the nest site. The Permittee proposes to compensate for this incidental take by agreeing to provide buffers between forested areas and development as well as funding a bald eagle research project.

Pursuant to the June 10, 2004, order in *Spirit of the Sage Council v. Norton*, Civil Action No. 98-1873 (D. D.C.), the Service is enjoined from approving new section 10(a)(1)(B) permits or related documents containing "No Surprises" assurances until such time as the Service adopts new permit revocation rules specifically applicable to section 10(a)(1)(B) permits in compliance with public notice and comment requirements of the Administrative Procedure Act. This notice concerns a step in the review and processing of a section 10(a)(1)(B) permit and any subsequent permit issuance will be in accordance with the Court's order. Until such time as the Service's authority to issue permits with "No Surprises" assurances has been reinstated, the Service will not approve any incidental take permits or related documents containing "No Surprises" assurances.

**Stuart C. Leon,**

*Acting Regional Director, Southwest Region, Albuquerque, New Mexico.*

[FR Doc. 04-18102 Filed 8-6-04; 8:45 am]

**BILLING CODE 4510-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AK-932-1430-ET; AA-58198]

#### Public Land Order No. 7607; Revocation of Secretarial Order Dated January 24, 1941, as Modified; Alaska

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes in its entirety a Secretarial Order as it affects 14.12 acres of public land withdrawn for Air Navigation Site No. 151 at Cache Creek, Alaska. The land is no longer needed for the purpose for which it was withdrawn.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Robbie J. Havens, Bureau of Land Management, Alaska State Office, 222

W. 7th Avenue, No. 13, Anchorage, Alaska 99513-7599, 907-271-5477.

**SUPPLEMENTARY INFORMATION:** The location of Air Navigation Site No. 151 is within a Mineral Survey that has been conveyed out of Federal ownership.

#### Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000) it is ordered as follows:

The Secretarial Order dated January 24, 1941, as modified, which withdrew public land for air navigation purposes, is hereby revoked in its entirety as it affects the following described land:

#### Seward Meridian

U.S. Survey No. 9708, located within T. 28 N., R. 9 W.

The area described contains 14.12 acres.

Dated: July 7, 2004.

**Rebecca W. Watson,**

*Assistant Secretary—Land and Minerals Management.*

[FR Doc. 04-18134 Filed 8-6-04; 8:45 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AK-932-1410-HY; A-031764]

#### Public Land Order No. 7609; Partial Revocation of Public Land Order No. 1949; Alaska

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes a Public Land Order insofar as it affects approximately 74,248 acres of public lands withdrawn for military purposes for the Department of the Navy at Adak, Alaska. The lands are no longer needed for military purposes have been identified as excess to the needs of the Department of Defense pursuant to the Defense Base Closure and Realignment Act of 1990.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Robbie J. Havens, Bureau of Land Management, Alaska State Office, 222 W. 7th Avenue, No. 13, Anchorage, Alaska 99513-7599, 907-271-5477.

**SUPPLEMENTARY INFORMATION:** All of the lands being retained by the Department of the Navy, and approximately 26,977 acres included in this revocation are within the Alaska Maritime National Wildlife Refuge. The remaining 47,271 acres have been conveyed out of Federal

ownership pursuant to Public Law 107-239. This revocation is for record-clearing purposes.

#### Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

Public Land Order No. 1949, which withdrew public lands for use by the Department of Navy for military purposes, is hereby revoked insofar as it affects the following described lands:

#### Seward Meridian

That part of Adak Island east of the Bay of Island and north of Latitude 51°47'15" except for the following described lands (approximately 5,624 acres) retained by the Department of the Navy:

T. 95 S., R. 195 W., (unsurveyed),

Sec. 9, S<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>;

Secs. 10 and 11;

Sec. 12, W<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>, W<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>, and W<sup>1</sup>/<sub>2</sub>;

Secs. 14, 15, and 16;

Sec. 17, E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>;

Sec. 20, E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, and SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;

Secs. 21 and 22;

Sec. 23, W<sup>1</sup>/<sub>2</sub>;

Sec. 26, NW<sup>1</sup>/<sub>4</sub>, that portion of W<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub> west of Andrew Lake, SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, and S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;

Sec. 27, N<sup>1</sup>/<sub>2</sub>;

Sec. 28, N<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub>, and W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>;

Sec. 29, E<sup>1</sup>/<sub>2</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>,

N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, and N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>;

Sec. 30, SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, and

N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;

Sec. 32, N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>;

Sec. 33, N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> and N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>.

The area described contains approximately 74,248 acres.

Dated: July 7, 2004.

**Rebecca W. Watson,**

*Assistant Secretary—Land and Minerals Management.*

[FR Doc. 04-18135 Filed 8-6-04; 8:45 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-958-1430-ET; HAG-04-0047; WAOR-56583]

#### Public Land Order No. 7608; Transfer of Jurisdiction, Chief Joseph Dam Additional Units Project; Washington

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order transfers jurisdiction over 400.27 acres of land to the United States Department of Army, Corp of Engineers, and withdraws the

lands from surface entry and mining for a period of 20 years for the Chief Joseph Dam Additional Units Project.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Claire K. Wilson, Seattle District, COE, 206-764-6088, or Charles R. Roy, BLM Oregon/Washington State Office, 503-808-6189.

**SUPPLEMENTARY INFORMATION:**

Management of grazing, wildlife habitat and mitigation areas, recreation, fire protection, public access, cultural resources, and realty actions on the withdrawn lands will be under terms and conditions that have been agreed upon between the Corps of Engineers and the Bureau of Land Management and which may be revised by consent of both parties.

**Order**

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. Ch. 2 (2000)), and jurisdiction is transferred to the United States Department of Army, Corps of Engineers, and reserved for uses in support of the Chief Joseph Dam Additional Units Project:

**Willamette Meridian**

- T. 29 N., R. 26 E.,  
 Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 30, lot 2.  
 T. 30 N., R. 26 E.,  
 Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 30 N., R. 27 E.,  
 Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 30 N., R. 28 E.,  
 Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The areas described aggregate 400.27 acres in Douglas County.

2. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (2000), the Secretary determines that the withdrawal shall be extended.

Dated: July 7, 2004.

**Rebecca W. Watson,**

*Assistant Secretary—Land and Minerals Management.*

[FR Doc. 04-18136 Filed 8-6-04; 8:45 am]

**BILLING CODE 4310-33-P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

**Oregon State Plan: Request for Public Comment on Oregon State Standards**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for comment on Oregon State standards for Fall Protection, Forest Activities and Steel Erection.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) invites public comment on three standards promulgated by the Oregon Occupational Safety and Health Division (OR-OSHA) of the Department of Consumer and Business Services pursuant to its OSHA-approved State plan: Fall Protection, Forest Activities, and Steel Erection. Oregon's Fall Protection standard for construction is comparable to the Federal OSHA Fall Protection standard, as published in the **Federal Register** on August 9, 1994, and amended through January 18, 2001. The State's Forest Activities standard is comparable to the Federal Logging Operations standard as published in the **Federal Register** on October 12, 1994, and amended through March 7, 1996. Oregon's Steel Erection standard for construction is comparable to the Federal Steel Erection standard as published in the **Federal Register** on January 18, 2001, and amended through July 17, 2001.

Where a State standard adopted pursuant to an OSHA-approved State plan differs significantly from a comparable Federal standard or is a State-initiated standard that contains significant differences, the Occupational Safety and Health Act of 1970 (the Act) requires that the State standard be "at least as effective" in providing safe and healthful employment and places of employment. In addition, if the standard is applicable to a product distributed or used in interstate commerce, it must be required by compelling local conditions and not pose any undue burden on interstate commerce. OSHA, therefore, seeks public comment as to whether these Oregon State standards meet the above requirements.

**DATES:** Written comments should be submitted by September 8, 2004.

**ADDRESSES:** Written comments should be submitted to the Regional Administrator, Region X, Occupational Safety and Health Administration, 1111 Third Avenue, Suite 715, Seattle, Washington 98101-3212, by mail, telefax (206-553-6499), or e-mail ([terry.richard@dol.gov](mailto:terry.richard@dol.gov)).

**FOR FURTHER INFORMATION CONTACT:** For general information and press inquiries, contact Mike Shimizu, Director, Office of Public Affairs, U.S. Department of Labor, 1111 Third Avenue, Suite 930, Seattle, Washington 98101-3212, Telephone: (206) 553-7620. For technical inquiries, contact the Region X Office of Technical Support, OSHA, U.S. Department of Labor, 1111 Third Avenue, Suite 715, Seattle, Washington 98101-3212, Telephone: (206) 553-5930. Oregon's referenced standards and program directives may be accessed on the State's Web page at <http://www.cbs.state.or.us/external/osha/rules>. Electronic copies of this **Federal Register** notice, as well as referenced Federal OSHA standards and directives, are available on OSHA's Web page at <http://www.osha.gov>.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

*A. Background*

The requirements for adoption and enforcement of safety and health standards by a State with a State plan approved under section 18(b) of the Act (29 U.S.C. 667) are set forth in section 18(c)(2) of the Act and in 29 CFR 1902, 1952.7, 1953.4, 1953.5 and 1953.6. OSHA regulations require that States respond to the adoption of new or revised permanent Federal standards by State promulgation of comparable standards within six months of OSHA publication in the **Federal Register** (29 CFR 1953.5(a)). Independent State standards must be submitted for OSHA review and approval. Newly adopted State standards must be submitted for OSHA review and approval under procedures set forth in 29 CFR Part 1953, but, as they are adopted under authority of State law, they are enforceable by the State upon adoption and prior to Federal review and approval.

Section 18(c)(2) of the Act provides that if State standards which are not identical to Federal standards are applicable to products which are distributed or used in interstate commerce, such standards must be required by compelling local conditions and must not unduly burden interstate commerce. (This latter requirement is commonly referred to as the "product clause").