

benefit to the Hawaiian stilt and Hawaiian coot.

Public Review and Comments:

Individuals wishing copies of the permit application, the Environmental Action Statement, and/or copies of the full text of the proposed Agreement, including a map of the proposed permit area, references, and legal descriptions of the proposed permit area, should contact the Service office in Honolulu (see **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT**). Documents also will be available for public inspection, by appointment, during normal business hours at this office.

We request comments from the public on the permit application, Agreement, and Environmental Action Statement. All comments received, including names and addresses, will become part of the Administrative record and may be released to the public. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

We will evaluate the permit application, the proposed Agreement, associated documents, and comments submitted thereon to determine whether or not the permit application meets the requirements of section 10(a) of the ESA and National Environmental Policy Act regulations. If the requirements are met, the Service will sign the proposed Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the ESA to Chevron for the incidental take of stilts and coots as a result of otherwise lawful activities in accordance with the terms of the Agreement. The Service will not make a final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

The Service provides this notice pursuant to section 10(c) of the ESA and pursuant to implementing regulations for the National Environmental Policy Act (40 CFR 1506.6).

Dated: July 12, 2004.

David J. Wesley,

Deputy Regional Director, Fish and Wildlife Service, Portland, Oregon.

[FR Doc. 04-19311 Filed 8-23-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Record of Decision for the Programmatic Environmental Impact Statement/Environmental Impact Report for the San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The Fish and Wildlife Service (Service) announces availability of the Record of Decision (ROD) for the Programmatic Environmental Impact Statement/Environmental Impact Report (EIS/R) for the San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program. The ROD is available to the public after publication of this Notice of Availability in the **Federal Register**. The Service and the California State Coastal Conservancy jointly prepared the EIS/R to address environmental impacts and benefits of alternatives for the *Spartina* Control Program and provide for early-stage public involvement, as required under the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). The *Spartina* Control Program's goal is to control or eradicate four species of non-native, invasive perennial cordgrass (genus *Spartina*) in the San Francisco Bay Estuary (Estuary), including the San Francisco Bay National Wildlife Refuge.

Requests for the ROD should be directed to Mr. Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, Room W-2605, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Littlefield, Sacramento Fish and Wildlife Office, (916) 414-6600.

SUPPLEMENTARY INFORMATION: The programmatic EIS/R analyzed potential effects of implementing *Spartina* control or eradication methods at a generalized, region-wide program level rather than a detailed, individual project level. The purpose of the *Spartina* Control Program is to arrest and reverse the spread of invasive, non-native cordgrasses (*S. alterniflora*, *S. anglica*, *S. densiflora*, and *S. patens*) in the Estuary to preserve and restore the ecological integrity of its intertidal habitats and estuarine ecosystem.

The Estuary supports a diverse array of native plants and animals, including several Federal and State listed species. Many nonnative species of plants and animals have been introduced into the

Estuary, and some now threaten to cause fundamental changes in the structure, function, and ecological value of the Estuary's tidal lands. In recent decades, populations of nonnative cordgrasses were introduced to the Estuary and rapidly began to spread. Although valuable in their native settings, these introduced cordgrasses are highly invasive in new environments and frequently become the dominant plant species. In particular, the non-native Atlantic smooth cordgrass (*S. alterniflora*) and its hybrids, formed when this species crosses with native Pacific cordgrass (*S. foliosa*), are now threatening the ecological balance of the Estuary. In the Estuary, Atlantic smooth cordgrass is likely to choke tidal creeks, dominate newly restored tidal marshes, impair thousands of acres of existing shorebird habitat, and eventually cause extinction of the native Pacific cordgrass.

Once established in the Estuary, nonnative invasive cordgrass could rapidly spread to other estuaries along the California coast through seed dispersal on the tides. Nonnative invasive cordgrasses are spreading rapidly in the Estuary and currently dominate 500 acres of mudflats and tidal marshes on State, Federal, municipal, and private lands. The *Spartina* Control Program implemented through the selected alternative will provide for a coordinated, region-wide eradication program, consisting of a number of on-the-ground treatment techniques to address this invasion. The *Spartina* Control Program focuses on the nearly 40,000 acres of tidal marsh and 29,000 acres of tidal flats that compose the shoreline areas of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma, and Sacramento counties.

The ROD provides: (1) The Service's decision; (2) the proposed action; (3) alternatives considered in the EIS/R, including the Environmentally Preferable Alternative (Selected Alternative); (4) the basis for the Service's decision; (5) associated impacts, mitigation and findings, providing all practicable means to avoid and minimize environmental harm; (6) public involvement, including an explanation of changes made between the draft and final EIS/R; (7) implementation guidelines; and (8) conclusion.

(Authority: National Environmental Policy Act (42 U.S.C. 4321 *et seq.*); Regulations for Implementing the Procedural Provisions of

the National Environmental Policy Act (40 CFR 1500–1508)).

D. Kenneth McDermond,

*Acting Manager, California/Nevada
Operations Office.*

[FR Doc. 04–19312 Filed 8–23–04; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–960–1420–BJ–TRST] ES–052133,
Group No. 166, Minnesota

Eastern States: Filing of Plat of Survey

AGENCY: Bureau of Land Management,
Interior.

ACTION: Notice of filing of plat of survey;
Minnesota.

SUMMARY: The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM–Eastern States, Springfield, Virginia, 30 calendar days from the date of the publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Bureau of Land Management, 7450
Boston Boulevard, Springfield, Virginia
22153. Attn: Cadastral Survey.

SUPPLEMENTARY INFORMATION: This
survey was requested by the Bureau of
Indian Affairs.

The lands we surveyed are:

Fifth Principal Meridian, Minnesota

T. 145 N., R. 39 W.

The plat of survey represents the
dependent resurvey of a portion of the north
and west boundaries, a portion of the
subdivisional lines, and the survey of the
subdivision of sections 5, 6, 11, 21, 27, and
29, Township 145 North, Range 39 West,
Fifth Principal Meridian, in the state of
Minnesota, and was accepted July 29, 2004.
We will place a copy of the plat we described
in the open files. It will be available to the
public as a matter of information.

If BLM receives a protest against this
survey, as shown on the plat, prior to
the date of the official filing, we will
stay the filing pending our
consideration of the protest. We will not
officially file the plat until the day after
we have accepted or dismissed all
protests and they have become final,
including decisions on appeals.

Dated: July 23, 2004.

Stephen D. Douglas,

Chief Cadastral Surveyor.

[FR Doc. 04–19344 Filed 8–23–04; 8:45 am]

BILLING CODE 4310–0J–M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–522]

Certain Ink Markers and Packaging Thereof; Notice of Investigation

AGENCY: International Trade
Commission.

ACTION: Institution of investigation
pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a
complaint was filed with the U.S.
International Trade Commission on July
20, 2004, under section 337 of the Tariff
Act of 1930, as amended, 19 U.S.C.
1337, on behalf of Sanford, L.P. of
Freeport, Illinois. A supplement to the
complaint was filed on August 10, 2004.
The complaint, as supplemented,
alleges violations of section 337 in the
importation into the United States, the
sale for importation, and the sale within
the United States after importation of
certain ink markers and packaging
thereof by reason of infringement of U.S.
Trademark Registration Nos. 807,818
and 2,721,523 and also by reason of
infringement of trade dress, the threat or
effect of which is to destroy or
substantially injure an industry in the
United States. The complaint also
alleges that there exists an industry in
the United States with respect to the
asserted intellectual property rights.

The complainant requests that the
Commission institute an investigation
and, after a hearing, issue a permanent
general exclusion order and permanent
cease and desist orders.

ADDRESSES: The complaint and
supplement, except for any confidential
information contained therein, are
available for inspection during official
business hours (8:45 a.m. to 5:15 p.m.)
in the Office of the Secretary, U.S.
International Trade Commission, 500 E
Street, SW., Room 112, Washington, DC
20436, telephone 202–205–2000.
Hearing-impaired individuals are
advised that information on this matter
can be obtained by contacting the
Commission's TDD terminal on 202–
205–1810. Persons with mobility
impairments who will need special
assistance in gaining access to the
Commission should contact the Office
of the Secretary at 202–205–2000.
General information concerning the
Commission may also be obtained by
accessing its Internet server at <http://www.usitc.gov>. The public record for
this investigation may be viewed on the
Commission's electronic docket (EDIS)
at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT:

Anne Goalwin, Esq., Office of Unfair

Import Investigations, U.S. International
Trade Commission, telephone 202–205–
2574.

Authority: The authority for institution of
this investigation is contained in section 337
of the Tariff Act of 1930, as amended, and
in section 210.10 of the Commission's Rules
of Practice and Procedure, 19 CFR 210.10
(2003).

Scope of Investigation: Having
considered the complaint, the U.S.
International Trade Commission, on
August 16, 2004, *ordered that—*

(1) Pursuant to subsection (b) of
section 337 of the Tariff Act of 1930, as
amended, an investigation be instituted
to determine:

(a) Whether there is a violation of
subsection (a)(1)(C) of section 337 in the
importation into the United States, the
sale for importation, or the sale within
the United States after importation of
certain ink markers and packaging
thereof by reason of infringement of U.S.
Trademark Registration Nos. 807,818
and 2,721,523, and whether an industry
in the United States exists as required
by subsection (a)(2) of section 337, or

(b) Whether there is a violation of
subsection (a)(1)(A) of section 337 in the
importation into the United States, the
sale for importation, or the sale within
the United States after importation of
certain ink markers and packaging
thereof by reason of infringement of
trade dress, the threat or effect of which
is to destroy or substantially injure an
industry in the United States.

(2) For the purpose of the
investigation so instituted, the following
are hereby named as parties upon which
this notice of investigation shall be
served:

(a) The complainant is—Sanford, L.P.,
29 East Stephenson Street, Freeport,
Illinois 61032.

(b) The respondents are the following
companies alleged to be in violation of
section 337, and are the parties upon
which the complaint is to be served:
Asia Global (HK) Ltd., Room M 3FI
Phase 3 Kaiser Est Hok Yuen St.,
HungHom, Kowloon, Hong Kong.
Bangkit USA, Inc., 4280 South
Maywood Avenue, Vernon, CA 90058.
Cixi City Heng Bao Pen Manufacturer,
No. 21 Er Fang Road, Dongqiao, Lijia
Village, Zhengqi Town, China. Cixi
Guancheng Yangtse River Pen
Company, Guancheng Town, Cixi City,
Zhejiang, China. Lineplus Corporation,
Koyang-City, Rm. 524, Samsun Midas
O/T 775–1, Janghang-Dong, Ilsan-Ku,
South Korea.

LiShui Laike Pen Co., Ltd., Guanqiao
Liancheng Town LiSHui, Zhejiang,
HuaiNan 323000, China. Luxor
International Pvt. Ltd., 17, Okhla