DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service


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–2005, 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

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 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 the Service will sign the proposed Agreement and issue an enhancement of...
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, 5500 E Street, SW., Room 112, Washington, DC 20434, 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.


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 Hk 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, Sansun Midas O/T 775–1, Janghong-Dong, Ilsan-Ku, South Korea. LiShui Laike Pen Co., Ltd., Guangqiao Liancheng Town LiShui, Zhejiang, HuaNan 323000, China. Luxor International Pvt. Ltd., 17, Okhla...