

Individual respondents may request that we withhold their home address from the administrative record. We will honor such requests to the extent allowable by law. There may also be other circumstances in which we would withhold from the administrative record a respondent's identity, as allowable by law. If you wish us to withhold your name and address, you must state this prominently at the beginning of your comments. We will not, however, consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

The Florida scrub-jay (scrub-jay) is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The scrub-jay is found exclusively in peninsular Florida and is restricted to xeric uplands (predominately in oak-dominated scrub). Increasing urban and agricultural development has resulted in habitat loss and fragmentation which has adversely affected the distribution and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals.

Residential construction for Catlow would take place within section 05, Township 29 South, Range 37 East, Palm Bay, Brevard County, Florida on lot 17, Block 307. Residential construction for Markieh would take place within section 05, Township 29 South, Range 37 East, Palm Bay, Brevard County, Florida on lot 01, Block 357. Residential construction for Stone would take place within Section 05, Township 29 South, Range 37 East, Palm Bay, Brevard County, Florida on Lot 15, Block 352. Residential construction for Knudsen would take place within section 05, Township 29 South, Range 37 East, Palm Bay, Brevard County, Florida on Lot 06, Block 349. Residential construction for Intoccia would take place within Section 16, Township 29 South, Range 37 East, Palm Bay, Brevard County, Florida on Lot 7, Block 793. Each of these lots are within 438 feet of locations where scrub-jays were sighted during surveys for this species from 1999 to 2003.

Scrub-jays using the subject residential lots and adjacent properties are part of a larger complex of scrub-jays located in a matrix of urban and natural settings in areas of southern Brevard and northern Indian River counties. Within the City of Palm Bay, 20 families of scrub-jays persist in habitat fragmented by residential development.

Scrub-jays in urban areas are particularly vulnerable and typically do not successfully produce young that survive to adulthood. Persistent urban growth in this area will likely result in further reductions in the amount of suitable habitat for scrub-jays. Increasing urban pressures are also likely to result in the continued degradation of scrub-jay habitat as fire exclusion slowly results in vegetative overgrowth. Thus, over the long-term, scrub-jays within the City of Palm Bay are unlikely to persist, and conservation efforts for this species should target acquisition and management of large parcels of land outside the direct influence of urbanization.

The lots combined encompass about 1.21 acres and the footprint of the homes, infrastructure, and landscaping preclude retention of scrub-jay habitat. On-site minimization may not be a biologically viable alternative due to increasing negative demographic effects caused by urbanization. Therefore, no on-site minimization measures are proposed to reduce take of scrub-jays.

In combination, the Applicants propose to mitigate for the loss of 1.21 acres of scrub-jay habitat by contributing a total of \$17,024 (\$3,236 for Catlow, \$4,080 for Markieh, \$3,236 for Stone, \$3,236 for Knudsen, and \$3,236 for Intoccia) to the Florida Scrub-jay Conservation Fund administered by The Nature Conservancy. Funds in this account are ear-marked for use in the conservation and recovery of scrub-jays and may include habitat acquisition, restoration, and/or management. The \$17,024 is sufficient to acquire and perpetually manage 2.42 acres of suitable occupied scrub-jay habitat based on a replacement ratio of two mitigation acres per one impact acre. The cost is based on previous acquisitions of mitigation lands in southern Brevard County at an average \$5,700 per acre, plus a \$1,000 per acre management endowment necessary to ensure future management of acquired scrub-jay habitat. In addition, a 5 percent operating cost of \$335 per acre will be included.

The Service has determined that the Applicants' proposal, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). This preliminary information may be revised based on

our review of public comments that we receive in response to this notice. Low-effect HCPs are those involving: (1) Minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

The Service will evaluate the HCPs and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If it is determined that those requirements are met, the ITPs will be issued for incidental take of the Florida scrub-jay. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITPs comply with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITPs. This notice is provided pursuant to section 10 of the Endangered Species Act and National Environmental Policy Act regulations (40 CFR 1506.6).

Dated: July 12, 2006.

**Cynthia K. Dohner,**

*Acting Regional Director, Southeast Region.*

[FR Doc. E6-11802 Filed 7-24-06; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Izembek, Togiak, Tetlin, and Kanuti National Wildlife Refuges, Alaska

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Revised notice of intent to revise comprehensive conservation plans and to prepare environmental assessments; request for comments.

**SUMMARY:** With this notice, we, the Fish and Wildlife Service, revise our previously published notices of intent to revise comprehensive conservation plans (CCPs) for Togiak, Izembek, Kanuti, and Tetlin National Wildlife Refuges, all in Alaska. Our previous notices stated our intent to document decisions in these CCP revisions with environmental impact statements. However, we now believe that an environmental assessment is the appropriate level of National Environmental Policy Act (NEPA) compliance. We seek public comments.

**ADDRESSES:** Address comments, questions, and requests to Ken Rice, Planning Team Leader, by mail at U.S. Fish and Wildlife Service, 1011 East

Tudor Rd., MS-231, Anchorage, Alaska 99503, or by e-mail to [ken\\_w\\_rice@fws.gov](mailto:ken_w_rice@fws.gov).

**FOR FURTHER INFORMATION, CONTACT:** Ken Rice, Planning Team Leader, (907) 786-3502; or e-mail: [ken\\_w\\_rice@fws.gov](mailto:ken_w_rice@fws.gov). Additional information concerning the comprehensive conservation planning process can be found at <http://www.r7.fws.gov/nwr/planning/plans.htm>.

**SUPPLEMENTARY INFORMATION:** This notice revises the NOIs previously published by the U.S. Fish and Wildlife Service (Service) for the Togiak National Wildlife Refuge (May 13, 1999, 64 FR 25899), Izembek National Wildlife Refuge (November 26, 2003, 68 FR 66474), Kanuti National Wildlife Refuge (November 26, 2003, 68 FR 66475), and Tetlin National Wildlife Refuge (December 7, 2004, 69 FR 70704), all in Alaska. We furnish this notice in compliance with the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) (16 U.S.C. 668dd-667ee), and with Service planning policy. Previous notices stated our intent to document decisions in these plan revisions with EISs. Based on input from the public, from other agencies, and from within the Service, and the level of complexity and controversy anticipated, we believe that an EA is the appropriate level of NEPA compliance. Should an EA show that potential impacts of actions in these plans are significant, we will produce an EIS.

By Federal law, all lands within the National Wildlife Refuge System are to be managed in accordance with an approved CCP. Section 304(g) of the Alaska National Interest Lands Conservation Act (PL 96-487, 94 Stat. 2371) directs how CCPs in Alaska are prepared. The Plans guide management decisions and identify refuge goals, long-range objectives, and strategies for achieving refuge purposes. CCPs were developed for each of these Refuges in the 1980's. EISs were prepared in conjunction with those plans. The original notices of intent for the Izembek, Togiak, Tetlin, Kenai, and Kanuti National Wildlife Refuges identified our intent to revise the CCPs developed in the 1980s, and to prepare EISs in conjunction with the revised plans.

The Council on Environmental Quality regulations implementing NEPA direct Federal agencies to prepare EAs under procedures adopted by individual agencies (40 CFR 1501.3). The Fish and Wildlife Service planning policy (602

FW 1-3) requires that CCPs be prepared with an EIS or EA. At the time we prepared the NOIs for the revisions of these plans, we anticipated that new decisions may have significant impacts on the human environment and therefore an EIS was the appropriate NEPA document. We have conducted scoping activities, both internally and with the public, on all of these CCP revisions. Scoping information, together with preliminary alternative development, has not revealed any potentially significant impacts. Revisions to these plans center on the development of vision statements and management goals and objectives, as well as updating policy information and compatibility determinations. Therefore we will prepare EAs for these CCP revisions in accordance with procedures for implementing the NEPA. If at any stage in developing the revised CCPs and associated EAs, we find that new information comes to light that would indicate the need to prepare an EIS we will publish a new NOI and allow the public additional opportunity to provide comment.

Dated: June 30, 2006.

**Gary Edwards,**

*Acting Regional Director, U.S. Fish and Wildlife Service, Anchorage, Alaska.*

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**BILLING CODE 4310-55-P**

## **INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-519]

### **In the Matter of Certain Personal Computers, Monitors, and Components Thereof; Notice of Commission Decision To Terminate the Investigation in Its Entirety Based on a Settlement Agreement Between the Parties**

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to terminate this investigation based on a settlement agreement between the parties.

**FOR FURTHER INFORMATION CONTACT:** Steven Crabb, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5432. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<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>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted by the Commission on August 6, 2004, based on a complaint filed by Gateway, Inc. of Poway, California ("Gateway") under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, 69 FR 47956. The complainant alleged violations of section 337 in the importation and sale of certain personal computers, monitors, and components thereof, by reason of infringement of three U.S. patents. The complainant named Hewlett-Packard Company ("HP") of Palo Alto, California as a respondent. Claims 9-11 and 15-19 of U.S. Patent No. 5,192,999 ("the '999 patent") remain at issue in this investigation.

On October 6, 2005, the presiding administrative law judge ("ALJ") issued a final initial determination ("ID") finding no violation of section 337. On December 1, 2005, the Commission issued notice that it had determined to: (1) Review the ALJ's determination regarding induced infringement of claim 19 of the '999 patent and remand the issue to him for further factual findings and analysis; (2) review the ALJ's determination on obviousness solely for the purpose of clarifying the ID's discussion of *Sakraida v. AG Pro, Inc.*, 425 U.S. 273 (1976); (3) review the ALJ's determination on enablement; and (4) review the issue of inequitable conduct and remand the issue to him for further factual findings and analysis. The Commission did not review, and therefore adopted, the remainder of the ID. On January 12, 2006, the ALJ issued his findings on remand.

On June 2, 2006, Gateway and HP filed a joint motion to terminate the investigation based on a settlement agreement. On June 13, 2006, the IA filed a response in support of the joint motion to terminate the investigation.

The Commission has determined that termination of the investigation would not have an adverse impact on the public interest and that termination based on a settlement agreement is