

Department of Archives and History, Historic Preservation Division, P.O. Box 571, Jackson, MS 39205, telephone (601) 576-6940, before July 20, 2005. Repatriation of the human remains and associated funerary objects to the Chickasaw Nation, Oklahoma may proceed after that date if no additional claimants come forward.

The Mississippi Department of Archives and History, Historic Preservation Division is responsible for notifying the Chickasaw Nation, Oklahoma that this notice has been published.

Dated: May 31, 2005.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 05-12029 Filed 6-17-05; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Lower Yuba River Accord, Yuba County, CA

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) and to hold public scoping meetings.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) proposes to participate and serve as the lead agency under NEPA in the preparation of a joint EIS/EIR on the Lower Yuba River Accord (Yuba Accord). The Yuba County Water Agency (YCWA), a local public water agency, is proposing the project and will serve as the lead agency under the California Environmental Quality Act (CEQA). The purpose of the Yuba Accord is to resolve instream flow issues associated with operation of the Yuba River Development Project (Yuba Project) in a way that protects and enhances lower Yuba River fisheries and local water-supply reliability, while providing revenues for local flood-control and water-supply projects, water for the CALFED Program to use for protection and restoration of Sacramento-San Joaquin Delta (Delta) fisheries, and improvements in state-wide water supply management, including supplemental water for the Central Valley Project (CVP) and the State Water Project (SWP).

This notice is published in accordance with NEPA regulations found in 40 CFR 1501.7. The purpose of this notice is to obtain suggestions and

information from other agencies and the public on the scope of issues to be addressed in the EIS/EIR. A similar notice is being published by YCWA in accordance with CEQA. Comments and participation in the scoping process are encouraged.

**DATES:** Four public scoping meetings will be held on the following dates:

- July 19, 2005-1 p.m., Sacramento, CA
- July 19, 2005-6:30 p.m., Sacramento, CA
- July 20, 2005-1 p.m., Marysville, CA
- July 20, 2005-6:30 p.m., Marysville, CA

**ADDRESSES:** The public scoping meeting locations are:

- Sacramento—Doubletree Hotel, 2001 Point West Way, Sacramento, CA
- Marysville—Yuba County Government Center, 915 8th Street, Marysville, CA

Written comments on the scope of the Yuba Accord or issues to be addressed in the EIR/EIS must be received no later than August 4, 2005. Send written comments to Mary Grim, Bureau of Reclamation, 2800 Cottage Way, MP-400, Sacramento, CA 95825. Grim, Bureau of Reclamation, 2800 Cottage Way, MP-400, Sacramento, CA 95825.

**FOR FURTHER INFORMATION CONTACT:**

Mary Grim, Environmental Specialist, Reclamation, at the above address; telephone number 916-978-5204.

**SUPPLEMENTARY INFORMATION:** YCWA is a public agency created and existing pursuant to the provisions of the Yuba County Water Agency Act of 1959. YCWA owns and operates the Yuba Project, which includes New Bullards Bar Dam and Reservoir on the North Yuba River. YCWA operates the Yuba Project in accordance with a Federal Energy Regulatory Commission License, flood control rules promulgated by the U.S. Army Corps of Engineers, state water rights permit terms, and an agreement with the California Department of Fish and Game (CDFG) for instream flows.

In March of 1991, CDFG released a "Lower Yuba River Fisheries Management Plan", which contained recommendations regarding fishery protection and enhancement measures in the lower 24-mile section of the Yuba River. CDFG requested that the State Water Resources Control Board (SWRCB) consider modifying YCWA's water rights permits to implement the recommendations contained in CDFG's Plan. Based on CDFG's request, and to address various allegations raised by a coalition of non-governmental fisheries organizations (NGOs) against several

water agencies in 1989 filings, the SWRCB initiated a proceeding to consider fishery protection and water right issues on the lower Yuba River in early 1992.

The SWRCB held hearings on these issues in 1992 and 2000. The SWRCB adopted Water Rights Decision 1644 (D-1644) on March 1, 2001. D-1644 established new instream flow requirements for the lower Yuba River in YCWA's water right permits, required YCWA to take actions to address potential concerns regarding water temperatures for Chinook salmon and steelhead, and required studies and consultation on various other issues.

YCWA, several local water districts in Yuba County, and a collective of fisheries NGOs all initiated legal actions challenging D-1644 on a variety of issues. After considering some new evidence, the court remanded D-1644 to the SWRCB for reconsideration in light of the new evidence. After a brief hearing in 2003, the SWRCB issued Revised Water Rights Decision 1644 (RD-1644), which contains only minor changes from D-1644. The same parties that had challenged D-1644 then initiated new legal proceedings challenging RD-1644 on most of the same issues.

Since RD-1644 was issued, the parties to the litigation and the state and Federal fisheries agencies have been engaged in a collaborative, interest-based initiative to try to resolve the flow and other fisheries issues on the lower Yuba River. The potential settlement has become known as the Yuba Accord. If implemented, the Yuba Accord would resolve issues associated with operation of the Yuba Project in a way that would protect and enhance lower Yuba River fisheries, protect local water supply reliability, provide revenues for local flood-control and water-supply projects, provide water for protection and restoration of Delta fisheries, and increase state-wide water supplies.

The Yuba Accord would include three major elements:

- The first element would be an agreement (Yuba Accord Fisheries Agreement) between YCWA, CDFG and the collective of NGOs, with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration, National Marine Fisheries Service supporting the agreement. Under the Yuba Accord Fisheries Agreement, YCWA would revise the operation of the Yuba Project to provide higher flows in the lower Yuba River to protect and enhance fisheries and to increase downstream water supplies.

- The second element of the Yuba Accord would be an agreement between YCWA and water districts within Yuba County (Yuba Accord Conjunctive Use Agreement) for the implementation of a comprehensive program of conjunctive use of surface water and groundwater supplies and actions to improve water use efficiencies.

- The third element would be an agreement between YCWA and the California Department of Water Resources (DWR) and Reclamation (Yuba Accord Transfer Agreement), which would put water released from the Yuba Project to beneficial uses through the Environmental Water Account and in the CVP and SWP service areas.

All three of these agreements would need to be in place for the Yuba Accord to be implemented.

The draft EIS/EIR will analyze the adverse and beneficial effects of implementing the Yuba Accord on surface water hydrology, groundwater hydrology, water supply, hydropower, flood control, water quality, fisheries, wildlife, vegetation, special-status species, recreation, visual, cultural and Indian Trust Assets, air quality, land use, socioeconomic, growth inducement, and environmental justice resources and conditions. Alternatives to be evaluated in the draft EIS/EIR include the No Action Alternative, Proposed Action Alternative, and others as appropriate. In addition, the draft EIS/EIR will address the cumulative impacts of implementation of the Yuba Accord in conjunction with other past, present, and reasonably foreseeable actions.

Our practice is to make comments on a Notice of Intent, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home addresses from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. 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 disclosure in their entirety.

Dated: June 10, 2005.

**Frank Michny,**

*Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. 05-11975 Filed 6-17-05; 8:45 am]

**BILLING CODE 4310-MN-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-542]

### In the Matter of Certain DVD/CD Players and Recorders, Color Television Receivers and Monitors, and Components Thereof; Notice of Investigation

**AGENCY:** U.S. 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 May 17, 2005, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of BenQ Corporation of Taiwan and BenQ America Corporation of Irvine, California. The complaint 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 DVD/CD players and recorders, color television receivers and monitors, and components thereof, by reason of infringement of claims 7-11 and 13-15 of U.S. Patent No. 5,270,821 and claims 1, 2, 4, and 5 of U.S. Patent No. 6,683,842. The complaint further alleges that an industry in the United States exists as required by subsection (a)(3) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and a cease and desist order.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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 impairment 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 be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be reviewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2579.

**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 Procedures, 19 CFR 210.10(2004).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on June 13, 2005, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) 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 DVD/CD players or recorders, color television receivers or monitors, or components thereof, by reason of infringement of one or more of claims 7-11 and 13-15 of U.S. Patent No. 5,270,821, or claims 1, 2, 4, or 5 of U.S. Patent No. 6,683,842, and whether an industry in the United States exists as required by subsection (a)(3) of section 337.

(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 complainants are—  
BenQ Corporation, 157 Shan-Ying Rd, Gueishan, Taoyuan 333, Taiwan.  
BenQ Corporation, 53 Discovery, Irvine, California 92618.

(b) The respondent is the following company alleged to be in violation of section 337, and is the party upon which the complaint is to be served:  
Thomson Inc., 10330 N. Meridian Street, Indianapolis, IN 46290-1024.

(c) Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

For the investigation so instituted, the Honorable Robert L. Barton, Jr. is designated as the presiding administrative law judge.

A response to the complaint and the notice of investigation must be