

comments received, including names and addresses, will become part of the administrative record and may be made available to the public.

**DATES:** Written comments on the HCP, EA, and IA should be received on or before December 8, 1995.

**ADDRESSES:** Comments should be addressed to Ms. Diane Noda, Field Supervisor, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. Written comments may also be sent by facsimile to (805) 644-3958. Please refer to permit no. PRT-808240 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Catherine McCalvin, Fish and Wildlife Biologist, at the above address (805-644-1766).

**SUPPLEMENTARY INFORMATION:**

Availability of Documents

Individuals wishing copies of the documents should immediately contact the Ventura Field Office at the above referenced address and telephone. Documents will also be available for public inspection, by appointment, during normal business hours at the above address.

Background

D.B.O. Development Company proposes to develop a 33-acre site known as the North of Playa Redevelopment project site in Sand City, Monterey County, California. This site is known to support populations of the endangered Smith's blue butterfly, the endangered sand gilia, and the threatened Monterey spineflower. The site also supports populations of the black legless lizard, proposed for listing as an endangered species, and the sandmat manzanita and Monterey ceanothus, candidates for listing.

Listed animal species are protected pursuant to section 9 of the Act against take; that is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect the species, or attempt to engage in such conduct (16 USC 1538). The Service, however, may issue permits to take listed animal species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered and threatened species are at 50 CFR 17.22 and 17.32. Although no incidental take authorization is required for listed plant species, impacts to these species must be addressed in the intra-Service consultation required pursuant to section 7(a) of the Act.

The EA considers the environmental consequences of four alternatives: proposed action, no action, reduced

intensity development, and no development. The reduced intensity and no development alternatives were found infeasible because they are inconsistent with Sand City's development goals and because they would not substantially benefit the species discussed above.

The proposed action would result in the loss of approximately 6 acres of coastal dune scrub habitat and ruderal vegetation. This action could directly and indirectly affect the species described above. The Service would issue an incidental take permit to the applicant for the take of the endangered Smith's blue butterfly. In addition, the applicant seeks Federal assurances that no additional land restrictions or financial compensation would be required for species adequately covered by the HCP. To accomplish this, all species covered in the HCP would be included in the incidental take permit on the condition that avoidance, minimization, and reserve management measures identified for these species in the HCP are implemented.

The proposed Federal action would authorize the incidental take of all Smith's blue butterflies on approximately five clusters of host plants (*Eriogonum parvifolium* and *E. latifolium*) on approximately 0.5 acre that historically supported varying numbers of the Smith's blue butterfly. Issuance of the permit would also result in the loss of 6 acres of relatively low quality habitat for the black legless lizard. Between 10 and 59 individual black legless lizards could occur in this portion of the site. In addition, three of the four existing colonies of sand gilia documented on the site, and all Monterey spineflowers would be removed. In 1995, approximately 1,000 and 1,200 individuals, respectively, of these annual species were detected on-site. Issuance of the permit would result in the removal of all of the sandmat manzanita (approximately 262 plants) and Monterey ceanothus (approximately 203 plants) currently identified on the project site.

The proposed action would establish and provide management for a mitigation area of approximately 4.6 acres where coastal dune scrub vegetation and associated special status species would be restored, enhanced, and protected in perpetuity. Included in this mitigation area would be approximately 1.5 acres of existing Smith's blue butterfly habitat which is proposed to be expanded through establishment of additional buckwheat foodplants and removal of non-native invasive vegetation. The black legless lizard and special status plant species would be salvaged from the project site

and relocated to the mitigation site. Funds for relocation, restoration, and monitoring for 5 years would be provided by the applicant. Long-term maintenance of the area would be the responsibility of Sand City, which would receive and administer annual project-assessment fees specifically for maintenance of the habitat area.

The no action or no permit alternative would result in buildout of the project site as approved by Sand City with avoidance of and setbacks from the Smith's blue butterfly foodplants. Approximately 600 sand gilia plants would be removed under this alternative. Impacts to the other species would be similar to the proposed action alternative. However, none of the mitigation measures proposed under the proposed action alternative for these species, including restoration and protection of the mitigation area, would occur.

This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act (NEPA) regulations (40 CFR 1506.6). The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of NEPA regulations and section 10(a) of the Act. If the Service determines that the requirements are met, an incidental take permit will be issued for covered species. The final NEPA and permit determinations will be made no sooner than 30 days from the date of this notice.

Dated: November 1, 1995.  
David L. McMullen,  
Acting Deputy Regional Director, Region 1,  
Portland, Oregon.  
[FR Doc. 95-27644 Filed 11-7-95; 8:45 am]  
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**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 731-TA-738 (Preliminary)]

**Foam Extruded PVC and Polystyrene Framing Stock From the United Kingdom**

Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

in the United States is threatened with material injury<sup>2</sup> by reason of imports from the United Kingdom of foam extruded PVC and polystyrene framing stock,<sup>3</sup> provided for in subheadings 3924.90.20, 3926.90.90, 3926.90.95, and 3926.90.98 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

#### Background

On September 8, 1995, a petition was filed with the Commission and the Department of Commerce by Marley Mouldings, Inc., Marion, VA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of foam extruded PVC and polystyrene framing stock from the United Kingdom. Accordingly, effective September 8, 1995, the Commission instituted antidumping investigation No. 731-TA-738 (Preliminary). The petition in this investigation was filed subsequent to the effective date of the Uruguay Round Agreements Act ("URRA"). This investigation, thus, is subject to the substantive and procedural rules of the law as modified by the URAA. See Public Law 103-465, approved Dec. 8, 1994, Stat 4809, at § 291.

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the Federal Register of September 18, 1995 (60 F.R. 48167). The conference was held in Washington, DC, on September 29, 1995, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on October 23, 1995. The views of the Commission are contained in USITC Publication 2930 (October 1995), entitled "Foam Extruded PVC and Polystyrene Framing Stock from the United Kingdom:

<sup>2</sup> Commissioner Carol T. Crawford and Commissioner Lynn M. Bragg find that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from the United Kingdom of foam extruded PVC and polystyrene framing stock that are alleged to be sold in the United States at LTFV.

<sup>3</sup> For purposes of this investigation, the subject product consists of all extruded PVC and polystyrene framing stock regardless of color, finish, width or length. Finished frames assembled from foam extruded PVC and polystyrene framing stock are excluded.

Investigation No. 731-TA-738 (Preliminary)."

Issued: October 25, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 95-27689 Filed 11-7-95; 8:45 am]

BILLING CODE 7020-02-P

#### [Investigation No. 337-TA-371]

#### Certain Memory Devices With Increased Capacitance and Products Containing Same; Notice

Notice is hereby given that the prehearing conference and hearing in this matter scheduled to commence at 10:00 a.m. on November 6, 1995, in Courtroom A (Room 100), U.S. International Trade Commission Building, 500 E St. S.W., Washington, D.C., is cancelled.

The Secretary shall publish this notice in the Federal Register.

Issued: November 2, 1995.

Sidney Harris,

Administrative Law Judge.

[FR Doc. 95-27688 Filed 11-7-95; 8:45 am]

BILLING CODE 7020-02-P

#### [Investigation No. 753-TA-33]

#### Roses From Israel; Import Investigation

##### Determination

Pursuant to section 753(b)(4) of the Tariff Act of 1930 (19 U.S.C. § 1675b(b)(4)) (the Act), the Commission hereby determines that an industry in the United States is not likely to be materially injured by reason of imports from Israel of roses if the countervailing duty order on such merchandise were to be revoked.

##### Background

Section 753(a) of the Act provides that, in the case of a countervailing duty order issued under section 303 of the Act with respect to which the requirement of an affirmative determination of material injury under section 303(a)(2) was not applicable at the time the order was issued, interested parties may request the Commission to initiate an investigation to determine whether an industry in the United States is likely to be materially injured by reason of imports of the subject merchandise if the order is revoked. Further, section 753(a)(3) requires that such requests must be filed with the Commission within 6 months of the date on which the country from which the subject merchandise originates

became a signatory to the Agreement on Subsidies and Countervailing Measures (the Subsidies Agreement), as referred to in section 101(d)(12) of the Uruguay Round Agreements Act.

On May 26, 1995, the Department of Commerce (Commerce) published in the Federal Register notice of opportunity to request injury investigation(s) under section 753 of the Act (60 F.R. 27963, May 26, 1995). In that notice, Commerce stated that, for those countries becoming signatories to the Subsidies Agreement on January 1, 1995, requests for injury investigations must be filed with the Commission no later than June 30, 1995. In addition, Commerce noted that in the case of Israel, that country became a signatory to the Subsidies Agreement on April 21, 1995.

Section 753(b)(4) of the Act provides that, if a request for an injury investigation is not made within 6 months of the time the country of origin of the subject merchandise became a signatory to the Subsidies Agreement, the Commission shall notify the administering authority that it has made a negative determination with regard to the question of the likelihood of material injury by reason of imports of the subject merchandise if the order is revoked. As of October 23, 1995, the Commission had not received a request for investigation under section 753(a) with regard to the outstanding countervailing duty order on roses from Israel. Accordingly, pursuant to section 753(b)(4) of the Act, the Commission hereby notifies Commerce of its negative injury determination with regard to the outstanding countervailing duty order on roses from Israel.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Seiger (202-205-3183) or Vera Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street S.W., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810.

##### Authority

This determination is being made under authority of the Tariff Act of 1930, title VII, as amended by the URAA. This notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: October 30, 1995.

Donna R. Koehnke,

Secretary.

[FR Doc. 95-27687 Filed 11-7-95; 8:45 am]

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