

education activities, scientific research projects, boundary marking, and enforcement of existing regulations. There would be no manipulation of the marsh other than emergency, safety-related, or limited improvements or maintenance actions. The destabilized marsh would continue to erode at an accelerated rate.

**Alternative B: Hydrologic Restoration and Minimal Wetland Restoration**—Under alternative B, the focus is on the most essential actions to reestablish hydrologic conditions that shield the marsh from erosive currents and protect the Hog Island Gut channel and channel wall. A breakwater structure would be constructed on the south end of the marsh, in alignment with the northernmost extent of the historic promontory, and wetlands would be restored to strategic areas where the water is less than 4 feet deep. This alternative also includes fill of some deep channel areas near the breakwater. The final element of this alternative is the reestablishment of hydrologic connections to the inland side of the Haul Road to restore bottomland swamp forest areas that were cut off when the Haul Road was constructed.

Approximately 30 acres west of the Haul Road could be influenced by tidal flows as a result. These actions would not necessarily happen in any particular order, and may be dictated by available funds. However, it is assumed that the breakwater would be constructed first. This alternative would create approximately 70 acres of various new wetland habitats and allow the continued natural accretion of soils and establishment of wetlands given the new hydrologic conditions.

**Alternative C: Hydrologic Restoration and Fullest Possible Extent of Wetland Restoration (NPS Preferred Alternative)**—Under alternative C, the marsh would be restored in a phased approach up to the historic boundary of the marsh and other adjacent areas within NPS jurisdictional boundaries. Phased restoration would continue until a sustainable marsh is achieved and the overall goals of the project are met. The historic boundaries lie between the historic promontory and Dyke Island, the triangular island off the end of the Haul Road. The outer edges of the containment cell structures would be placed at the park boundary in the river.

The initial phase of this alternative would first establish a breakwater structure at the southern alignment of the historic promontory to provide immediate protection to Dyke Marsh from erosion. After the breakwater is established, the deep channel areas north of the historic promontory would

be filled within the NPS boundary, and the marsh would be restored to the 4-foot contour at strategic locations to further reduce the risk of erosion and storm surges and promote sedimentation within the existing marsh. Afterwards, two cells would be constructed along the northern edge of the breakwater, restoring the original extent of the promontory's land mass.

All subsequent phases would establish containment cells out no further than the historic marsh boundary. The location of these cells would be prioritized based on the most benefits the specific locations could provide to the existing marsh. The timing of these subsequent phases and the size and number of cells built during these phases would be dependent upon available funds and materials.

In addition to the construction of containment cells, tidal guts would be cut into the restored marsh area that would be similar to the historical flow channels of the original marsh.

This alternative, like Alternative B, would also introduce breaks in the Haul Road, returning tidal flows to approximately 30 acres west of the Haul Road, which would help to re-establish the historic swamp forest originally found on the site.

Additional wetland may be restored south of the new breakwater to fill out the southernmost historic extent of the marsh. This area would not be protected from storms, and would be one of the last features implemented. In addition, the marsh restoration would extend north of Dyke Island, and tidal guts would be created. This alternative contains an optional restoration cell in the area currently serving as a mooring area for the marina. Such an option would only be implemented should the marina concession no longer be economically viable for the current concessioner, and then only if no other concessioner expresses interest in taking over the business, which would eliminate the need for the mooring field. In total, under this alternative, approximately 245 acres of various wetland habitats could be created.

Dated: October 21, 2013.

**Stephen E. Whitesell,**

*Regional Director, National Park Service,  
National Capital Region.*

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**BILLING CODE 4310-DL-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

[14XR0680A1, RX.00236101.0021000, RR04313000]

#### Notice of Intent To Prepare an Environmental Impact Statement and Announcement of Public Scoping Meetings for Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, New Mexico and Texas

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

**ACTION:** Notice of intent.

**SUMMARY:** The Bureau of Reclamation is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for the proposed continued implementation of the 2008 Operating Agreement over its entire remaining term (through 2050) for the Rio Grande Project in New Mexico and Texas. The Operating Agreement is a written detailed description of how Reclamation allocates, releases from storage, and delivers Rio Grande Project water to users within the Elephant Butte Irrigation District (EBID) in New Mexico, the El Paso County Water Improvement District No. 1 (EPCWID) in Texas, and to users covered by the 1906 international treaty with Mexico. In addition, this EIS proposes to evaluate the environmental effects of renewing San Juan Chama Project storage contracts under authority of the Act of December 29, 1981, Pub. L. 97-140, 95 Stat. 1717, providing for storage in Elephant Butte Reservoir.

**DATES:** Comments on the scope of the EIS must be received by February 14, 2014.

Three public scoping meetings will be held to solicit public input on the scope of the EIS, potential alternatives, and issues to be addressed in the EIS. See the **SUPPLEMENTARY INFORMATION** section for meeting dates.

**ADDRESSES:** Written comments regarding the scope and content of the EIS should be sent to Ms. Rhea Graham, Bureau of Reclamation, Albuquerque Area Office, 555 Broadway NE., Suite 100, Mail Stop ALB-103, Albuquerque, New Mexico 87102, or provided via email at [rgraham@usbr.gov](mailto:rgraham@usbr.gov).

Those not desiring to submit comments or suggestions at this time, but who would like to receive a copy of the EIS, should contact Ms. Graham using the information cited above. See the **SUPPLEMENTARY INFORMATION** section for locations of public scoping meetings. **FOR FURTHER INFORMATION CONTACT:** Ms. Rhea Graham, Bureau of Reclamation;

telephone 505-462-3560; email at [rgraham@usbr.gov](mailto:rgraham@usbr.gov). Individuals who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact Ms. Graham during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with Ms. Graham. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** Pursuant to the National Environmental Policy Act, Reclamation will serve as the lead federal agency for preparation of the EIS on the continued implementation of the Operating Agreement for the Rio Grande Project, New Mexico and Texas. The responsible official for this action is Reclamation's Upper Colorado Regional Director.

### Background

The Rio Grande Project includes Elephant Butte and Caballo dams and reservoirs, a power generating plant, and five diversion dams (Percha, Leasburg, Mesilla, American, and International) located on the Rio Grande in New Mexico and Texas. The Rio Grande Project was authorized by Congress under the authority of the Reclamation Act of 1902 and the Rio Grande Project Act of February 25, 1905. The Rio Grande Project Operating Agreement was signed in 2008 to allocate Rio Grande Project water, which includes water stored in Elephant Butte and Caballo reservoirs and return flows to the Rio Grande between the EBID in the Rincon and Mesilla valleys of New Mexico and the EPCWID in the Mesilla and El Paso valleys of Texas and Mexico. The Rio Grande Project also provides water to Mexico under the 1906 international treaty. Rio Grande Project water is provided by Reclamation to irrigate a variety of crops and for municipal and industrial water uses.

### Purpose and Need for Action

The purpose and need for action is to meet contractual obligations to EBID and EPCWID to implement a written set of criteria and procedures for allocating, delivering, and accounting for Rio Grande Project water to both districts consistent with their rights under applicable law each year in compliance with various court decrees, settlement agreements, and contracts. These include the 2008 Compromise and Settlement Agreement among Reclamation, EBID, and EPCWID, and contracts between the United States and the EBID and EPCWID. The purpose and need of an ancillary but potentially similar action is to implement the

provisions of the Act of December 29, 1981, to allow the storage of San Juan-Chama project water acquired by contract with the Secretary of the Interior pursuant to Public Law 87-483 in Elephant Butte Reservoir.

### Proposed Action

The proposed federal action is to continue to implement the 2008 Operating Agreement for the Rio Grande Project over the remaining term (through 2050), and a potentially similar action under 40 CFR 1508.25, to implement long-term contracts for storage of San Juan-Chama water in the Rio Grande Project.

### Scoping Process

This notice initiates the scoping process which guides the development of the EIS. To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Reclamation using the contact information provided above. To be most effective, written comments should be received prior to the close of the comment period and should clearly articulate the commentor's concerns.

### Dates and Addresses of Public Scoping Meetings

The scoping meeting dates and addresses are:

- Thursday, January 30, 2014, 3:00 p.m. to 5:00 p.m., Bureau of Reclamation, Albuquerque Area Office, 555 Broadway NE., Suite 100, Albuquerque, New Mexico 87102
- Friday, January 31, 2014, 6:00 p.m. to 8:00 p.m., Elephant Butte Irrigation District, 530 South Melendres Street, Las Cruces, New Mexico 88005
- Saturday, February 1, 2014, 9:00 a.m. to 11:00 a.m., Bureau of Reclamation, El Paso Field Division, 10737 Gateway West, Suite 350, El Paso, Texas 79935

### Special Assistance for Public Scoping Meetings

If special assistance is required at the scoping meetings, please contact Ms. Graham at 505-462-3560 or email at [rgraham@usbr.gov](mailto:rgraham@usbr.gov). Please notify Ms. Graham at least two weeks in advance of the meeting to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified.

### Public Disclosure

Before including your address, phone number, email address, or other

personal identifying information in your comment, please be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: November 5, 2013.

### Brent Rhees,

*Deputy Regional Director—Upper Colorado Region, Bureau of Reclamation.*

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BILLING CODE 4310-MN-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-904]

### Certain Acousto-Magnetic Electronic Article Surveillance Systems, Components Thereof, and Products Containing Same; Institution of Investigation Pursuant to 19 U.S.C. 1337

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on December 11, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Tyco Fire & Security GmbH of Switzerland; Sensormatic Electronics, LLC of Boca Raton, Florida; and Tyco Integrated Security, LLC of Boca Raton, Florida. A letter supplementing the complaint was filed on December 23, 2013. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain acousto-magnetic electronic article surveillance systems, components thereof, and products containing same by reason of infringement of U.S. Patent No. 5,729,200 ("the '200 patent'") and U.S. Patent No. 6,181,245 ("the '245 patent'"). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

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

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection