Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. 01–007–1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at http://www.aphis.usda.gov/ppd/rad/webrepor.html.

FOR FURTHER INFORMATION CONTACT: For information on domestic quarantine regulations, contact Mr. Robert G. Spaide, Assistant Director, Invasive Species and Pest Management, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–8247. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734–7477.

SUPPLEMENTARY INFORMATION:

Title: Domestic Quarantines.

OMB Number: 0579–0088.

Expiration Date of Approval: August 31, 2000.

Type of Request: Reinstatement of an expired information collection.

Abstract: The United States Department of Agriculture (USDA) is responsible for, among other things, the control and eradication of plant pests. The Plant Protection Act authorizes the Department to carry out this mission.

The Plant Protection and Quarantine (PPQ) program of USDA's Animal and Plant Health Inspection Service (APHIS) is responsible for implementing the provisions of the Act and does so through the enforcement of its domestic quarantine regulations in 7 CFR part 301 and its Hawaiian and territorial quarantine regulations in 7 CFR part 318.

Those regulations prohibit or restrict the movement of certain articles from infested areas to noninfested areas. For example, if an area of the United States has been placed under quarantine due to witchweed, then certain plants, plant products, or soil that may present a risk of spreading witchweed (regulated articles) can be moved from the quarantined area only under certain conditions (i.e., after having been treated and inspected). In this way, we prevent witchweed from spreading from quarantined areas to noninfested areas of the United States.

Implementing our various domestic quarantines often requires us to collect information from a variety of individuals who are involved in growing, packing, handling, transporting, and exporting plants and plant products. The information we collect serves as the supporting documentation required for the issuance of PPQ forms and documents that authorize the movement of regulated articles and is vital to helping us ensure that injurious plant diseases and insect pests do not spread within the United States.

Collecting this information requires us to use a number of forms and documents, including certificates, limited permits, transit permits, and outdoor household article documents.

We are asking the Office of Management and Budget (OMB) to approve these forms for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 3 minutes per response.

Respondents: State plant health protection authorities, State cooperators, and individuals involved in growing, packing, handling, transporting, and exporting plants and plant products.

Estimated annual number of respondents: 180,000.

Estimated annual number of responses per respondent: 10.

Estimated annual number of responses: 1,800,000.

Estimated total annual burden on respondents: 90,000 hours.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 16th day of March 2001.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01–7111 Filed 3–21–01; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 01–013–1]

Protection of Sunflowers From Red-Winged Blackbirds in North Dakota, South Dakota, and Minnesota; Request for Public Involvement

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: The Animal and Plant Health Inspection Service's Wildlife Services program is soliciting public involvement in the development of issues necessary to complete an analysis of the environmental impacts of reducing red-winged blackbird damage to ripening sunflowers in North Dakota, South Dakota, and Minnesota. The information received in response to this notice will be considered during the development of an environmental assessment that will be prepared in accordance with the National Environmental Policy Act.

DATES: We invite you to comment on this notice. We will consider all comments that we receive by April 23, 2001.

ADDRESSES: Please send four copies of your comment (an original and three copies) to: Docket No. 01–013–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Please state that your comment refers to Docket No. 01–013–1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at http://www.aphis.usda.gov/ppd/rad/webrepor.html.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Mastrangelo, State Director, Wildlife Services, APHIS, USDA, 2110 Mariam Circle, Suite A, Bismarck, ND 58501–2502; phone: (701) 250–4405.

SUPPLEMENTARY INFORMATION: Wildlife Services (WS) of the Animal and Plant Health Inspection Service (APHIS) provides technical and operational assistance to growers who request assistance in managing blackbird damage to sunflower crops. WS loans damage abatement equipment (e.g., propane cannons, pyrotechnics) to growers, conducts training workshops, provides informational leaflets on bird damage management and sources of damage abatement tools, and conducts roost management programs to control blackbird populations near sunflower producing areas.

WS previously proposed a blackbird damage management research project for the protection of sunflowers. The environmental assessment was reviewed and several private organizations and State and Federal agencies opposed various aspects of the project, including referring to the project as a research project instead of an operational project. Comments in opposition to the project generally focused on the lack of scientific basis, its potential effect on endangered species, and the likelihood that program would be ineffective in reducing damage caused by blackbirds.

Approximately 80 percent of sunflower production in the United States occurs in North Dakota, South Dakota, and Minnesota. Sunflower production in these States has increased from 1 million kg in the early 1960's to about 1.5 billion kg, valued at $315 million, in 1999. However, increased production of sunflowers has been hampered by blackbird damage. Wildlife biologists have been unable to adequately reduce blackbird damage to economically acceptable levels for certain growers.

Sunflower seeds are an ideal food for birds because the seeds contain proteins and fats necessary for growth, molt, fat storage, and weight maintenance. Sunflowers ripen in the fall after the birds' breeding season and provide a source of high-energy food needed for molt and fat storage before the birds' fall migration. Esophageal contents of red-winged blackbirds collected in late summer and fall reveal that 93 percent of the males and 86 percent of the females had eaten sunflower seeds, which comprised 69 percent and 57 percent of the male and female diets, respectively.

Blackbirds damage unharvested sunflowers from early maturation to harvest, but damage is greatest within 18 days of anthesis (i.e., the flowers' blooming period). Damage surveys of sunflower producing areas in North Dakota, South Dakota, and Minnesota indicate that overall loss is generally 1 to 2 percent of the crop. If all producers received less than 2 percent damage, there would be little concern for damage caused by blackbirds. However, damage is not equally distributed, can be severe for some producers, and is fairly consistent from year-to-year within a locality. Research has been conducted throughout the northern Great Plains to estimate the amount of damage birds have caused to ripening sunflower crops. Sunflower damage assessments for North Dakota, South Dakota, and Minnesota showed an estimated loss of $5.1 million in 1979 and $7.9 million in 1980. More recent quantitative bird damage surveys were conducted from 1996 to 1998 in Stutsman and Pierce Counties in North Dakota and Brown and Clark Counties in South Dakota. Assuming damage in these four counties is representative of the damage in all the primary sunflower growing areas in North Dakota, South Dakota, and Minnesota, sunflower producers in these States lost about $8.26 million annually to blackbirds.

Sunflower growers and Government agencies have used both lethal and nonlethal techniques to reduce red-winged blackbird damage to ripening sunflowers. The goal of nonlethal methods is to decrease the availability or attractiveness of the crop to blackbirds or to disperse the birds so that damage is not concentrated in any given area. Examples of nonlethal methods include altering farming practices, using audio and visual frightening devices, growing bird-resistant sunflowers, increasing weed control in fields, and growing decoy crops. Additionally, research has shown that managing dense cattail stands, which are traditional roost sites for blackbirds, aids in dispersing blackbirds from nearby sunflower crops. To date, nonlethal blackbird damage management initiatives have been somewhat effective in reducing blackbird damage to unharvested sunflowers, but have not alleviated the problem in certain areas.

Proposed Program

WS is proposing to use Federal funds authorized by Congress to implement an integrated red-winged blackbird damage management program on private lands when requested by resource owners/managers in North Dakota, South Dakota, or Minnesota. The integrated approach would employ the use of nonlethal and lethal techniques to reduce red-winged blackbird damage to sunflowers.

Nonlethal Techniques

Under the proposed program, WS would continue to employ the use of nonlethal control methods described earlier in this document. WS would also continue to conduct roost management programs to control red-winged blackbird populations near sunflower producing areas. Roost management activities involve the treatment of cattail stands larger than 10 acres with glyphosate herbicide. Effective management of such cattail stands can eliminate a traditional roosting site for blackbirds that is often in close proximity to sunflower crops.

Lethal Techniques

Sources estimate that 39 million red-winged blackbirds migrate through North Dakota and South Dakota annually. Studies indicate that 86 percent of male red-winged blackbirds using spring roosts in the central United States migrate in a northwesterly direction and are likely to breed in the northern Great Plains sunflower growing areas.

Given the apparently successful use in the past of the avicide DRC–1339 for reducing red-winged blackbird damage to rice, a two-pronged research strategy was implemented using DRC–1339 to reduce red-winged blackbird damage to sunflowers. One strategy was to bait spring-migrating red-winged blackbirds as they migrate north to nesting areas. A second strategy was to bait red-winged blackbirds in and around ripening sunflower fields as they migrate south in late summer. Research results showed that late-summer baiting with DRC–1339 was ineffective in reducing red-winged blackbird damage to unharvested sunflowers, likely because of the availability of other food sources, especially sunflower seeds, at that time of the year. The spring baiting strategy was effective for precisely the opposite reason: Due to the lack of other food sources available to blackbirds in the spring, the birds took the bait.

Under the proposed program, WS would employ the use of 2 percent DRC–1339-treated brown rice at red-

winged blackbird staging areas in the spring to reduce breeding populations and subsequent damage to ripening sunflowers in the fall. DRC–1339 baiting would occur on not more than 50 acres in harvested fields near red-winged blackbird staging areas in east-central South Dakota and target not more than 2 million red-winged blackbirds annually. The baiting areas would be determined based on the most current red-winged blackbird roost site distribution and the areas where red-winged blackbirds stage. A baiting dilution rate of one treated rice grain to 25 untreated grains proved to be the most efficient in reducing red-winged blackbird populations in Louisiana. The same ratio would be used to protect sunflowers and reduce the risks to nontarget granivorous birds. Baiting areas and sites would be determined through field observations by trained personnel, and DRC–1339-treated bait would not be distributed until risks to nontarget species were evaluated and red-winged blackbirds readily accept the untreated rice.

Nontarget Effects of DRC–1339

Scientists from North Dakota State University, South Dakota State University, and the National Wildlife Research Center's Great Plains Field Station carried out a baiting strategies research program designed to evaluate nontarget effects associated with the use of DRC–1339 treated rice baits.

DRC–1339 was selected for reducing red-winged blackbird damage because of its high toxicity to blackbirds and low toxicity to most mammals, sparrows, finches, and other nontarget species. Red-winged blackbirds likely die as a result of uremic poisoning. The LD_{50} values for European starlings, other blackbirds, and black-billed magpies range from 1 to 5 mg/kg. DRC–1339 is toxic to doves, pigeons, quails, chickens, ducks, and geese at ≥5.6 mg/kg. In cage trials, 2 percent DRC–1339-treated rice baits did not kill savannah sparrows. Gallinaceous birds and waterfowl may be more resistant to DRC–1339 than blackbirds, and their large size may reduce the chances of ingesting a lethal dose of toxicant.

Whooping cranes (*Grus americana*) are the only endangered granivorous birds in the northern Great Plains that could potentially be affected by the consumption of DRC–1339 rice baits; however, they feed in large open areas. If whooping cranes are detected in treatment areas, the baiting program would be stopped with minimal risk to the birds. The U.S. Fish and Wildlife Service (FWS), located in Pierre, SD, has reviewed environmental assessments related to the use of DRC–1339 rice baits to reduce red-winged blackbird damage in South Dakota. Although two FWS biological opinions on research projects stated the DRC–1339-treated rice baits were not likely to jeopardize endangered species in South Dakota, a new opinion will be sought.

The potential effects of DRC–1339-treated rice baits on ring-necked pheasants is of special concern for wildlife managers. Thus, in 1994 through 1997, the behavior of pheasants in relation to bait sites was studied in South Dakota. The data suggested that pheasants did not favor plots treated with rice over reference (untreated) plots. However, pheasants were observed feeding through the rice-baited plots on a number of occasions. In addition to field studies, scientists of South Dakota State University conducted independent laboratory studies that showed DRC–1339 did not significantly affect normal pheasant egg-laying, egg hatching, chick survival, or adult survivorship until the bird was near death. In early 1995, small cage and large enclosure studies were conducted to determine female pheasant's preference for brown rice. These studies indicated that some female pheasants prefer cracked corn and sorghum over rice.

DRC–1339 is rapidly metabolized and excreted by birds that ingest treated baits, and it does not bioaccumulate, which probably accounts for its low secondary hazard profile. For example, cats, owls, and magpies would be at risk only after exclusively eating DRC–1339-poisoned starlings for 30 continuous days. Studies using the American kestrel as a surrogate species show that secondary hazards to raptors are minimal, and these birds are not put at risk by DRC–1339 baiting. DRC–1339 also degrades rapidly by ultraviolet light and heat and has a half-life of less than 2 days.

Prior EPA-Authorized Use of DRC–1339

The avian toxicant DRC–1339 (3–Chloro-*p*-toluidine hydrochloride) has been used to reduce blackbird populations causing agricultural damage in Louisiana, North Dakota, South Dakota, and Texas under section 24C of the Federal Insecticide, Fungicide, and Rodenticide Act. In February 1995, the Environmental Protection Agency (EPA) granted a section 3 label for ''Compound DRC–1339 Concentrate-Staging Areas'' for bird control in noncrop staging areas associated with red-winged blackbird roosts. The section 24C label for ''Compound DRC–1339 Concentrate—ND and SD'' is still in effect for North Dakota because this label allows a broader use pattern, including baiting within ripening sunflower fields during late summer.

Public Involvement

We are encouraging members of the public and interested agencies and organizations to assist in the planning of this program and the development of an environmental assessment by answering the following questions:

- What issues or concerns about the proposed sunflower protection program should we analyze?
- What alternatives to the proposed action should we analyze?
- Do you have additional information (i.e., scientific data or studies) that we should consider in the analysis?

Information received will be considered in an environmental assessment (EA) prepared in accordance with the National Environmental Policy Act to determine if an environmental impact statement is necessary. Several issues have already been identified as areas of concern for consideration in the EA:

- Cumulative effects of the proposed damage management program on red-winged blackbird populations.
- Safety concerns regarding the potential effects of the proposed damage management program on the public, domestic pets, and nontarget species, including threatened and endangered species.
- Efficacy of DRC–1339 spring baiting in reducing damage to unharvested sunflowers.
- Public concern about WS' use of chemicals.
- DRC–1339 spring baiting effects on biodiversity.

Other issues may also be included in the analysis and will be identified based on comments submitted by the public and other agencies.

Several alternatives that have been identified for consideration are:

- No involvement by WS in sunflower protection.
- Continue the current WS blackbird damage management program.
- Continue the current WS blackbird damage management program, plus implement a DRC–1339 baiting program of spring-migrating red-winged blackbirds in eastern South Dakota (proposed action).

Other alternatives may also be included in the analysis and will be identified based on comments submitted by the public and other agencies.

Done in Washington, DC, this 16th day of March 2001.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01–7108 Filed 3–21–01; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 98–085–4]

Aquaculture; Public Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: We are issuing this notice to inform the aquaculture industries, interested parties, and the general public that a public meeting will be held to discuss how and to what extent the Animal and Plant Health Inspection Service should regulate aquatic species and to discuss any other issues concerning possible regulation of aquaculture by the Agency.

DATES: The public meeting will be held on Thursday, April 5, 2001, from 5 p.m. to 8:30 p.m.

ADDRESSES: The public meeting will be held at the University of Maine at Machias, Kimbal Hall, Science Room 102, 9 O'Brien Avenue, Machias, ME, in conjunction with the 9th Annual New England Farmed Fish Health Management Workshop.

FOR FURTHER INFORMATION CONTACT: For information about the APHIS public meeting, contact Dr. Otis Miller, Jr., National Aquaculture Coordinator, Center for Planning, Certification, and Monitoring, VS, APHIS, 4700 River Road Unit 46, Riverdale, MD 20737–1231, (301) 734–6188.

For information regarding the 9th Annual New England Farmed Fish Health Management Workshop, contact Ms. Susan MacDonald or Dr. Mike Optiz, 5735 Hitchner Hall, Room 332, Orono, ME 04469–5735; phone (207) 581–2788 or fax (207) 581–4430. Information is also available online at http://www.umaine.edu/livestock/NE%20Fish/findex_Machias.htm.

SUPPLEMENTARY INFORMATION: On May 4, 1999, the Animal and Plant Health Inspection Service (APHIS) published an advance notice of proposed rulemaking (ANPR) titled ''Aquaculture: Farm-Raised Fin Fish'' in the **Federal Register** (64 FR 23795–23796, Docket No. 98–085–1). We published this ANPR after receiving petitions [1] asking us to regulate aquaculture in various ways. Many petitioners asked us to define farmed aquatic animals as livestock. In general, the petitioners seemed to be interested in receiving the same services that domestic producers of livestock receive for animals moving in interstate and foreign commerce. However, based on the petitions alone, it was difficult for us to determine what segments of the industry want services and exactly what services they want. It was also difficult to determine the objectives sought by the petitioners who were requesting Federal regulation. We published the ANPR in an attempt to clarify the industry's needs, the nature of the services sought, and the concerns the petitioners had with regard to such regulations.

We received 55 comments [2] in response to the ANPR. A majority of the commenters supported the idea of APHIS regulation of cultured fin fish. Unfortunately, the commenters generally did not clearly distinguish between fin fish raised for food and ornamental fin fish. Commenters who wanted regulation were, however, very clear that they want programs to prevent and control disease and to support increased commerce, both domestic and export.

The commenters also suggested that any rulemaking initiated by APHIS be a negotiated rulemaking. In negotiated rulemaking, industry representatives and other interested persons meet with APHIS officials and draft proposed regulations together. The proposed regulations are then published for public comment. Negotiated rulemaking is designed to ensure that all interested persons are involved together from the start in the development of regulations.

Unfortunately, negotiated rulemaking is not suitable for all situations. It works well when there is a small number of interested parties and the parties are easy to identify. This is not the case with aquaculture. Because the aquaculture industry is large and diverse, we would have difficulty identifying everyone who should be represented in a negotiated rulemaking. In addition, many parties outside of aquaculture would have a substantial interest in such a rulemaking. In our view, the number of people who would need to participate in a negotiated rulemaking would be too large and would suggest that negotiated rulemaking is not appropriate. Furthermore, a negotiated rulemaking would be expensive, and APHIS does not have adequate funds. Therefore, we have concluded that it would not be appropriate to pursue an aquaculture negotiated rulemaking.

However, we have not decided whether to pursue aquaculture rulemaking by other means. Before we make that decision, we want to have as much information as possible from all interested persons, and we want to provide you with as much opportunity as possible to discuss with us and inform us regarding the relevant issues.

Therefore, we are holding a series of public meetings. Public meetings allow all interested parties—industry representatives, producers, consumers, and others—to present their views and to exchange information among themselves and with APHIS.

There are no set agendas for the meetings. Any issues and concerns related to aquaculture and possible APHIS regulatory action can be discussed. However, we would like more information on three specific issues. These are issues that the people and organizations who commented on our ANPR either did not address or were unclear about. Specifically, if APHIS does propose regulations: (1) Should our program be mandatory or voluntary; (2) should we cover shell fish; and (3) should we cover ornamental fin fish?

Information elicited at the meetings could result in a new APHIS regulatory program or in changes to aquaculture-related services currently provided by APHIS.

We have scheduled this public meeting, the third meeting in our series, for Thursday, April 5, 2001, at the University of Maine at Machias, ME. If you wish to speak at the meeting, please register in advance by calling the Regulatory Analysis and Development voice mail at (301) 734–8139. Leave a message with your name, telephone number, organization, if any, and an estimate of the time you need to speak. You may also register at the meeting. Please register at the meeting room between 9 a.m. and 9:30 a.m., 12 noon

[1] All the petitions and comments we received are a part of the rulemaking record for Docket No. 98–085–1. You may read the petitions and comments in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

[2] All the petitions and comments we received are a part of the rulemaking record for Docket No. 98–085–1. You may read the petitions and comments in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.