Notices

Federal Register
Vol. 71, No. 94
Tuesday, May 16, 2006

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

May 11, 2006.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) 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; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Foreign Agricultural Service

Title: Foreign Market Development Cooperator Program and the Market Access Program.

OMB Control Number: 0551–0026.

Summary of Collection: The authority for the Foreign Market Development Cooperator Program and the Market Access Program (MAP) is contained in Title VII and section 203 of the Agricultural Trade Act of 1978, U.S.C. 5721, *et seq*. The primary objective of the Foreign Market Development Cooperator Program and the Market Access Program is to encourage and aid in the creation, maintenance and expansion of commercial export markets for U.S. agricultural products through cost-share assistance to eligible trade organizations. The programs are a cooperative effort between the Commodity Credit Corporation and the eligible trade organizations. Personnel of the Foreign Agricultural Service (FAS) administer the programs. Prior to initiating program activities, each Cooperator or MAP participant must submit a detailed application to FAS.

Need and Use of the Information: The information collected will be used by FAS to manage, plan, evaluate, and account for government resources. Without the submission of information, the programs could not be implemented.

Description of Respondents: Not-for-profit institutions; State, local, or tribal government.

Number of Respondents: 71.

Frequency of Responses: Recordkeeping; Reporting: Annually.

Total Burden Hours: 91,070.

Foreign Agricultural Service

Title: Technical Assistance for Specialty Crops Program.

OMB Control Number: 0551–0038.

Summary of Collection: The Technical Assistance for Specialty Crops (TASC) program is authorized by section 3205 of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107–171). This section provides that the Secretary of Agriculture shall establish a program to address unique barriers that prohibit or threaten the export of U.S. specialty crops. The Foreign Agricultural Service (FAS) administers the program for the Commodity Credit Corporation. The TASC is designed to assist U.S. organizations by providing funding for projects that address sanitary, phytosanitary, and technical barriers that prohibit or threaten the export of U.S. specialty crops.

Need and Use of the Information: FAS collects data for fund allocation, program management, planning and evaluation. FAS will collect information from applicant desiring to receive grants under the program to determine the viability of requests for funds. The program could not be implemented without the submission of project proposals, which provide the necessary information upon which funding decisions are based.

Description of Respondents: Not-for-profit; Business or other for-profit; Federal Government; State, Local or Tribal Government.

Number of Respondents: 50.

Frequency of Responses: Recordkeeping; Reporting: On occasion; Annually.

Total Burden Hours: 1600.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. E6–7457 Filed 5–15–06; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2006–0084]

U.S. Department of Agriculture, Agricultural Research Service; Availability of Petition and Environmental Assessment for Determination of Nonregulated Status for Plum Genetically Engineered for Resistance to Plum Pox

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has received a petition from the U.S. Department of Agriculture's Agricultural Research Service seeking a determination of nonregulated status for plum designated as transformation event C5, which has been genetically engineered to resist infection by plum pox virus (PPV). The petition has been submitted in

accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. In accordance with those regulations, we are soliciting public comments on whether this plum presents a plant pest risk. We are also making available for public comment an environmental assessment for the proposed determination of nonregulated status.

DATES: We will consider all comments we receive on or before July 17, 2006.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov* and, in the lower ''Search Regulations and Federal Actions'' box, select ''Animal and Plant Health Inspection Service'' from the agency drop-down menu, then click on ''Submit.'' In the Docket ID column, select APHIS–2006–0084 to submit or view public comments and to view supporting and related materials available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''User Tips'' link.
- Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. APHIS–2006–0084, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. APHIS–2006–0084.

Reading Room: You may read the petition, the environmental assessment, and any comments that we receive 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.

Other Information: Additional information about APHIS and its programs is available on the Internet at *http://www.aphis.usda.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Michael Watson, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 734–0486. To obtain copies of the petition or the environmental assessment (EA), contact Ms. Ingrid Berlanger at (301) 734–4885; e-mail: *ingrid.e.berlanger@aphis.usda.gov*. The petition and the EA are also available on the Internet at: *http://www.aphis.usda.gov/brs/aphisdocs/04_26401p.pdf* and *http://www.aphis.usda.gov/brs/aphisdocs/04_26401p.ea.pdf,* respectively.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6 describe the form that a petition for a determination of nonregulated status must take and the information that must be included in the petition.

On September 9, 2004, APHIS received a petition (APHIS Petition Number 04–264–01p) from the U.S. Department of Agriculture (USDA), Agricultural Research Service (ARS), Appalachian Fruit Research Station in Kearneysville, WV, requesting a determination of nonregulated status under 7 CFR part 340 for plum (*Prunus domestica* L.) designated as transformation event ARS–PLMC5–6 (C5) which has been genetically engineered to resist infection by *plum pox virus* (PPV). The ARS petition states that the subject plum should not be regulated by APHIS because it does not present a plant pest risk.

As described in the petition, the C5 plum has been genetically engineered with a sequence from the PPV. This sequence was derived from the viral coat protein gene. The resistance to plum pox infection appears to be conferred through post transcriptional gene silencing. As a result of this mechanism, no detectable viral coat protein is found in the subject plum.

Event C5 has been considered a regulated article under the regulations in 7 CFR part 340 because it was originally engineered with sequences derived from plant pathogens. This plum event has been field tested since 1995 in the United States under APHIS permits. It has also been field tested in Poland, Romania, and Spain, where plum pox virus is present in the environment. In the process of reviewing the permits for field trials of the subject plum, APHIS determined that the permit conditions provided for appropriate confinement and would not present a risk of plant pest introduction or dissemination.

In § 403 of the Plant Protection Act (7 U.S.C. 7701–7772), plant pest is defined as any living stage of any of the following that can directly or indirectly injure, cause damage to, or cause disease in any plant or plant product: A protozoan, a nonhuman animal, a parasitic plant, a bacterium, a fungus, a virus or viroid, an infectious agent or other pathogen, or any article similar to or allied with any of the foregoing. APHIS views this definition very broadly. The definition covers direct or indirect injury, disease, or damage not just to agricultural crops, but also to plants in general, for example, native species, as well as to organisms that may be beneficial to plants, for example, honeybees, rhizobia, etc.

The Food and Drug Administration (FDA) published a statement of policy on foods derived from new plant varieties in the **Federal Register** on May 29, 1992 (57 FR 22984–23005). The FDA statement of policy includes a discussion of FDA's authority for ensuring food safety under the Federal Food, Drug, and Cosmetic Act and provides guidance to industry on the scientific considerations associated with the development of foods derived from new plant varieties, including those plants developed through the techniques of genetic engineering. ARS is consulting with FDA on the subject plum line.

To provide the public with documentation of APHIS' review and analysis of the environmental impacts and plant pest risk associated with a proposed determination of nonregulated status for ARS–PLMC5–6 plum, an environmental assessment (EA) has been prepared. The EA was prepared in accordance with (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

In accordance with § 340.6(d) of the regulations, we are publishing this notice to inform the public that APHIS will accept written comments regarding

the petition for a determination of nonregulated status from interested persons for a period of 60 days from the date of this notice. We are also soliciting written comments from interested persons on the EA prepared to examine any environmental impacts of the proposed determination for the subject plum event. The petition, the EA, and any comments we receive are available for public review on the Regulations.gov Web site or in our reading room (instructions for accessing Regulations.gov and information on the location and hours of the reading room are provided under the heading **ADDRESSES** at the beginning of this notice). Copies of the petitions and the EA are also available as indicated in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

After the comment period closes, APHIS will review the data submitted by the petitioner, all written comments received during the comment period, and any other relevant information. After reviewing and evaluating the comments on the petition and the EA and other data and information, APHIS will furnish a response to the petitioner, either approving the petition in whole or in part, or denying the petition. APHIS will then publish a notice in the **Federal Register** announcing the regulatory status of ARS–PLMC5–6 plum and the availability of APHIS' written decision.

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 10th day of May 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E6–7402 Filed 5–15–06; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Big Creek Vegetation Treatment Project, Wasatch-Cache National Forest, Rich County, UT

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Forest Supervisor of the Wasatch-Chache National Forest gives notice of the agency's intent to prepare an environmental impact statement on a proposal for vegetation treatment over approximately 4,000 acres of vegetation in the 21,000 acre Big Creek project area in the Bear River Range in northeastern Utah. The project area is approximately 50 miles northeast of Ogden, Utah and is located at the headwaters of the Big Creek watershed. The vegetation types to be treated include aspen-conifer, conifer, and sagebrush communities that are not in properly functioning condition. Methods include prescribed fire, timber harvest, mechanical treatment, and herbicide application.

DATES: Comments concerning the scope of the analysis must be received by June 15, 2006. The draft environmental impact statement is expected in November, 2006 and the final environmental impact statement is expected April, 2007.

ADDRESSES: Send written comments to District Ranger, Ogden Ranger District, 507 25th Street, Suite 103, Ogden, Utah 84401, Attn: Big Creek Project. Or, e-mail comments to: *comments-intermtn-wasatch-chache-ogden@fs.fed.us.*

FOR FURTHER INFORMATION CONTACT: Chip Sibbernsen, Ogden Ranger District, 507 25th Street, Suite 103, Ogden, UT 84401, (801) 625–5112.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The purpose and need for this project is three-fold: (1) To develop variation in vegetation age and type across the landscape, consistent with the properly functioning condition as described in the Revised Forest Plan; (2) to enhance ecosystem resiliency and maintain desired fuel levels with fire operating within historical fire regimes as described in the Revised Forest Plan; and, (3) to provide commercial timber that contributes to a sustainable level of goods and services consistent with the Revised Forest Plan.

Proposed Action

The proposed project includes treatment of approximately 4,000 acres of aspen-conifer, conifer, and sagebrush communities within the Big Creek project area. This would include the following: (1) About 700 acres (primarily aspen-conifer communities) would be treated with prescribed fire in a mosaic pattern; (2) approximately 1,300 acres of sagebrush would be treated by prescribed fire, mechanical means, or application of herbicides, depending on specific site characteristics and desired results; (3) timber harvest would be the method of treatment over approximately 1,000 acres of the conifer type, including partial and selective cutting scattered over about 850 acres of Engelmann spruce/subalpine fir, Douglas-fir, and mixed conifer to regenerate aspen and conifer trees, and about 150 acres of clearcutting in lodgepole pine to incorporate existing, small clearcut units into larger patches more resembling historic landscape patterns; and (4) approximately 1,000 acres of the conifer-aspen type would have a timber harvest of commercial conifer trees followed by prescribed burning to reduce fuels and facilitate aspen regeneration.

Accessing the vegetation treatment areas would potentially require the construction of approximately 12 miles of temporary roads. These roads would be obliterated (returned to contour and revegetated) upon completion of the project. Approximately 2 miles of roads would be constructed to access conifer harvest units that are partially cut (to allow for future access). Referred to as ''intermittent service roads'', these roads would be gated closed and seeded, but the road prism would be kept in place for future administrative use.

Possible Alternatives

A no action alternative will be considered as well as any other alternatives that may be developed in response to significant issues.

Responsible Official

The Responsible Official is Faye Krueger, Forest Supervisor, Wasatch-Cache National Forest, 8236 Federal Building, 125 South State Street, Salt Lake City, UT 84138.

Nature of Decision To Be Made

The decisions to be made include whether or not to implement the proposed prescribed fire, timber harvest, mechanical and chemical treatments in aspen, conifer, and sagebrush communities, and if so, where and to what degree.

Scoping Process

The forest Service invites comments and suggestions on the scope of the analysis to be included in the Draft Environmental Impact Statement (DEIS). In addition, the Forest Service gives notice that it is beginning a full environmental analysis and decision-making process for this proposal so that interested or affected people may know how they can participate in the environmental analysis and contribute to the final decision. This notice of intent initiates the scoping process which guides the development of the environmental impact statement. The Forest Service welcomes any public comments on the proposal.

Preliminary Issues

Preliminary issues include effects of treatments on wildlife habitat and