

TABLE IIa.—TOLERANCES EN ROUTE OR AT DESTINATION FOR U.S. NO. 1 INSTITUTIONAL ONLY

Factor	U.S. No. 1 institutional
(A) For clusters/bunches failing to meet color requirements	10
(B) For clusters/bunches failing to meet requirements for minimum diameter of berries	10
(C) For offsize clusters/bunches ...	4
(D) For clusters/bunches and berries failing to meet the remaining requirements for the grade	12
Including in (D):	
(a) For permanent defects	8
(b) For serious damage and, including in (b)	4
(i) For serious damage by permanent defects	2
(ii) For decay	1

¹Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

§ 51.913 [Redesignated as § 51.914]

6. In Part 51, Subpart—United States Standards for Grades of Table Grapes (European or Vinifera Type), § 51.913 is redesignated as § 51.914 and a new § 51.913 is added to read as follows:

§ 51.913 Clusters.

“Clusters” as used in these standards in reference to the U.S. No. 1 Institutional grade only shall be defined as two or more berries sharing a common point of attachment.

Dated: March 9, 1995.

Lon Hatamiya,
Administrator.

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BILLING CODE 3410-02-P

Rural Housing and Community Development Service

Rural Business and Cooperative Development Service

Rural Utilities Service

Consolidated Farm Service Agency

7 CFR Part 1940

RIN 0575-AB66

Environmental Program

AGENCIES: Rural Housing and Community Development Service, Rural Business and Cooperative Development Service, Rural Utilities Service, and Consolidated Farm Service Agency, USDA.

ACTION: Proposed rule.

SUMMARY: The Agencies propose to revise their Environmental regulation. This action is necessary to streamline the environmental review process. The intended effect of this action is to provide guidance on sending individual copies of notices to affected property owners when utility systems are involved.

DATES: Comments must be received on or before May 15, 1995.

ADDRESSES: Submit written comments in duplicate to the office of the Chief, Regulations Analysis and Control Branch, Rural Economic and Community Development, U.S. Department of Agriculture, Room 6348, South Agriculture Building, 14th Street and Independence Avenue SW., Washington, D.C. 20250-0700.

FOR FURTHER INFORMATION CONTACT: Donald O. Lander, Senior Environmental Protection Specialist, Environmental Support Branch, Program Support Staff, Rural Housing and Community Development Service, U.S. Department of Agriculture, Room 6309, South Agriculture Building, 14th Street and Independence Avenue SW., Washington, D.C. 20250-0700; telephone (202) 720-9619.

SUPPLEMENTARY INFORMATION:

Classification

We are issuing this proposed rule in conformance with Executive Order 12866, and the Office of Management and Budget (OMB) has determined that it is a “significant regulatory action”.

Intergovernmental Consultation

This rule affects the following Agency programs as listed in the Catalog of Federal Domestic Assistance (CFDA):

- 10.760—Water and Waste Disposal Systems for Rural Communities
- 10.762—Solid Waste Management Grants
- 10.763—Emergency Community Water Assistance Grants
- 10.766—Community Facilities Loans
- 10.770—Water and Waste Disposal Loans and Grants (Section 306C)

Executive Order 12372 requires intergovernmental consultation with State and local officials. Of the FmHA programs affected by this rule, the following are subject to the provisions of Executive Order 12372: 10.760, 10.763, 10.766, and 10.770.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-602), the undersigned has determined and certified by signature of this document that this rule will not have a significant

economic impact on a substantial number of small entities since this rulemaking action does not involve a new or expanded program. Therefore a regulatory flexibility analysis was not prepared.

Civil Justice Reform

This document has been reviewed in accordance with Executive Order 12778. It is the determination of the Agencies that this action does not unduly burden the Federal Court System in that it meets all applicable standards provided in Section 2 of the Executive Order.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, “Environmental Program.” The Agencies have determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

Paperwork Reduction Act

The information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB control number 0575-0094 in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3507). This proposed rule does not revise or impose any new information collection or recordkeeping requirement from those imposed by OMB.

Background

Section 1940.331 describes the public notice requirements for actions undergoing an environmental review by the Agencies.

In § 1940.331(b)(4) there has been confusion about identifying the names and mailing addresses of individual property owners who may be affected by a project when large areas of important land resources may be affected. This confusion has caused delays and added expense in the preparation and review of Class I and Class II environmental assessments for those projects.

The regulation is proposed to be revised to allow the State Environmental Coordinator to select the methods for notifying affected property owners, and to provide examples of some other methods that may be considered.

List of Subjects in 7 CFR Part 1940

Endangered and threatened wildlife, Environmental protection, Floodplains, National Wild and Scenic Rivers System, Natural resources, Recreation, Water supply.

Accordingly, the Agencies propose to amend chapter XVIII, title 7, Code of Federal Regulations as follows.

PART 1940—GENERAL

1. The authority citation for part 1940 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 7 CFR 2.23 and 2.70.

Subpart G—Environmental Program

2. Section 1940.331 is amended by revising paragraph (b)(4) to read as follows:

1940.331 Public involvement.

* * * * *

(b) * * *

(4) The public notice procedures for actions that will affect floodplains, wetlands, important farmland, prime rangelands, or prime forest lands are contained in exhibit C of this subpart. These procedures apply to actions that require either an EIS, Class II assessment or Class I assessment. However, whenever an action normally classified as a categorical exclusion requires a Class I assessment because of a potential impact to one of these important land resources, no public notice procedures apply in the course of completing the Class I assessment. When applicable to an action, as specified in exhibit C of this subpart, these public notice procedures can apply at two distinct stages. The first stage, a preliminary notice, is followed by a 30 day public review period, and applies to actions that may impact any of the five important land resources. The second stage, a final notice, is followed by a fifteen-day public review period, and applies only to actions that will impact floodplains or wetlands. For Class II actions, this final notice procedure must be combined with any applicable finding of no significant environmental impact, which is described in paragraph (b)(3) of this section. Individual copies of the preliminary and final notices will be sent to the same parties that are required to be sent a notice of a finding of no significant impact, as specified in paragraph (b)(3) of this section, with the following exceptions:

(i) Whenever property owners affected by proposed mitigation measures, such as proposed hook-up restrictions on portions of water or sewer lines that will

traverse floodplains, are advised of these proposed mitigation measures in a preliminary notice, these property owners need not be sent copies of the final notice as long as the mitigation measures in the final notice are unchanged from the preliminary notice and no property owners raised objections or concerns over the proposed mitigation measures.

(ii) With respect to utility systems, notification of affected property owners will normally be achieved by distributing an individual copy of the public notice. However, when the SEC determines that this method would result in an excessive burden on the applicant, notification may be achieved by another method or a combination of methods tailored to the specific needs of the particular case. For example, in lieu of being individually identified, affected property owners may be notified by a mass mailing to all of the taxpayers in each of the taxing areas through which the system will pass. On the other hand, if the system traverses coterminous taxing areas, with the smaller area not completely describing the service area of the utility system, affected property owners might be notified by a mass mailing to the small taxing area plus identifying the remaining affected property owners to receive an individual copy. The objective is to notify all property owners affected by the action and offer them an opportunity to comment on the action. If affected property owners are not individually notified, the SEC shall document as part of the environmental review file, why individual notification is not being used and what other methods will be used to achieve the stated objective.

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Dated: February 27, 1995.

Michael V. Dunn,

Acting Under Secretary for Rural Economic and Community Development.

[FR Doc. 95-6366 Filed 3-14-95; 8:45 am]

BILLING CODE 3410-07-U

Animal and Plant Health Inspection Service**9 CFR Part 92**

[Docket No. 95-014-1]

Horses From the United Arab Emirates; Change in Disease Status

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations concerning the

importation of horses to remove the United Arab Emirates from the list of countries in which African horse sickness exists. We believe that the United Arab Emirates is free of African horse sickness, and that restrictions on the importation of horses from the United Arab Emirates to prevent the spread of African horse sickness into the United States are no longer necessary. This action would relieve unnecessary restrictions on the importation of horses from the United Arab Emirates.

DATES: Consideration will be given only to comments received on or before March 30, 1995.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 95-014-1, Animal and Plant Health Inspection Service, Policy and Program Development, Regulatory Analysis and Development, 4700 River Road Unit 118, Riverdale, MD 20737-1228. Please state that your comments refer to Docket No. 95-014-1.

Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. John Cougill, Staff Veterinarian, Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import and Export, Import/Export Products, 4700 River Road Unit 40, Riverdale, MD 20737-1228.

SUPPLEMENTARY INFORMATION:**Background**

The regulations in 9 CFR part 92 (referred to below as the regulations) state the provisions for the importation into the United States of specified animals to prevent the introduction of various animal diseases, including African horse sickness (AHS). AHS, a fatal equine viral disease, is not known to exist in the United States. Section 92.308(a)(2) of the regulations lists countries that the Animal and Plant Health Inspection Service (APHIS) considers affected with AHS, and sets forth specific requirements for horses which are imported from those countries. APHIS requires horses intended for importation from any of the countries listed, including horses that have stopped in or transited those countries, to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days.