

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 23rd day of October 2003.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03-27150 Filed 10-27-03; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 98-103-4]

#### Importation of Artificially Dwarfed Plants in Growing Media From the People's Republic of China; Availability of an Environmental Assessment and Request for Comments

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of reopening of comment period.

**SUMMARY:** We are reopening the comment period for an environmental assessment prepared for a proposal to allow the importation of artificially dwarfed (penjing) plants of the genera *Buxus*, *Ehretia* (*Carmona*), *Podocarpus*, *Sageretia*, and *Serissa* from the People's Republic of China in an approved growing medium subject to specified growing, inspection, and certification requirements. This action will allow interested persons additional time to prepare and submit comments.

**DATES:** We will consider all comments that we receive on or before November 12, 2003.

**ADDRESSES:** You may submit comments by postal mail/commercial delivery or by e-mail. If you use postal mail/commercial delivery, please send four copies of your comment (an original and three copies) to: Docket No. 98-103-3, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 98-103-3. If you use e-mail, address your comment to [regulations@aphis.usda.gov](mailto:regulations@aphis.usda.gov). Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 98-103-3" on the subject line.

You may read any comments that we receive on the environmental assessment 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. William Thomas, Import Specialist, Phytosanitary Issues Management, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236; (301) 734-6799.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 20, 2000, we published in the **Federal Register** (65 FR 56803-56806, Docket No. 98-103-1) a proposal to amend the regulations to allow artificially dwarfed plants of the genera *Buxus*, *Ehretia* (*Carmona*), *Podocarpus*, *Sageretia*, and *Serissa* to be imported into the United States from the People's Republic of China in an approved growing medium subject to specified growing, inspection, and certification requirements. We accepted comments on our proposal for a total of 90 days, ending December 20, 2000.<sup>1</sup>

In response to comments received on the proposed rule, APHIS has narrowed the application of the rule to apply to particular species of the genera mentioned previously. We have also revised the pest risk assessments and created a risk mitigation document. The five revised pest risk assessments as well as the risk mitigation document are available on the Internet at <http://www.aphis.usda.gov/ppq/pim>. We have also concluded section 7 consultation with the U.S. Fish and Wildlife Service (FWS) to assess the potential effects of the proposed action on endangered or threatened species, as required under the Endangered Species Act. On April 10, 2003, FWS concluded the section 7 consultation process by concurring with APHIS' determination that the importation of *Buxus sinica*, *Ehretia microphylla*, *Podocarpus macrophyllus*, *Sageretia thea*, and *Serissa foetida* from the People's Republic of China will not

adversely affect federally listed or proposed endangered or threatened species or their habitats.

Upon receiving FWS concurrence and after preparing the revised pest risk assessments and the revised pest mitigation document, APHIS prepared an environmental assessment titled "Final Rule for the Importation of Artificially Dwarfed Plants in Growing Media from the People's Republic of China" and dated September 2003. The environmental assessment 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).

On September 15, 2003, we published in the **Federal Register** (68 FR 53956-53957, Docket No. 98-103-3) a notice announcing the availability of the environmental assessment. In that notice, we requested public comments on the environmental assessment.

Comments on the environmental assessment were required to be received on or before October 15, 2003. We are reopening the comment period for the environmental assessment until November 12, 2003. This action will allow interested persons additional time to prepare and submit comments. We will also consider all comments received between October 16, 2003 (the day after the close of the original comment period) and the date of this notice.

You may review the environmental assessment on the Internet at <http://www.aphis.usda.gov/ppd/es/ppqdocs.html>. You may request paper copies of the environmental assessment, the pest risk assessments, and the risk mitigation document from the person listed under **FOR FURTHER INFORMATION CONTACT**.

Please refer to the title of the environmental assessment when requesting copies. The environmental assessment is also available for review in our reading room (the location and hours of the reading room are listed under the heading **ADDRESSES** at the beginning of this notice).

Done in Washington, DC, this 23rd day of October, 2003.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03-27148 Filed 10-27-03; 8:45 am]

**BILLING CODE 3410-34-P**

<sup>1</sup>The comment period on the proposed rule was extended from 60 to 90 days in a notice published in the **Federal Register** on December 1, 2000 (65 FR 75187, Docket No. 98-103-2).