

to the site-specific project called Upper Charley Subwatershed Ecosystem Restoration Projects.

### Proposed Action

Forest Service proposes to amend the Umatilla Forest Plan to incorporate applicable conservation measures (objectives, standards, and guidelines) from the Lynx Conservation Assessment and Strategy only for the site-specific project called Upper Charley Subwatershed Ecosystem Restoration Projects located in Umatilla National Forest.

### Possible Alternatives

All alternatives described in Chapter 2 of the May 2002 FEIS remain unchanged except for an amendment to incorporate applicable conservation measures from the Lynx Conservation Assessment and Strategy. Alternatives are described in detail on pages II-2 through II-30 in the May 2002 Upper Charles FEIS.

### Responsible Official

Jeff Blackwood, Forest Supervisor, Umatilla National Forest, 2517 S.W. Hailey Avenue, Pendleton, OR 97801.

### Nature of Decision To Be Made

Whether or not Forest Supervisor, Jeff Blackwood, should amend the Umatilla Forest Plan and incorporate applicable conservation measures (objectives, standards, and guidelines) from "The Lynx Conservation Assessment and Strategy, 2nd Edition, August 2000".

### Issues

Key issues are described in detail on pages I-12 through I-16 in the May 2002 Upper Charley FEIS and include: Effects of the proposed activities on (1) ecosystem sustainability, (2) big game habitat, (3) water quality and fish habitat, and (4) how should roads be managed in the Upper Charley analysis area.

### Comments Requested

This notice of intent initiates the 30-day scoping process that will guide development of a supplement to Upper Charley Subwatershed Ecosystem Restoration Projects FEIS. We are seeking comments on a forest plan amendment to incorporate LCAS conservation measures, and revalidate comments previously received for Upper Charley DEIS.

### Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft environmental impact statement will be prepared for comment.

The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F.Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement of the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: August 5, 2004.

**Jeff D. Blackwood,**

*Forest Supervisor.*

[FR Doc. 04-18328 Filed 8-10-04; 8:45 am]

**BILLING CODE 3410-11-M**

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## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* Bureau of Industry and Security (BIS).

*Title:* Approval of Triangular Involving Commodities Covered By A U.S. Import Certificate

*Agency Form Number:* None.

*OMB Approval Number:* 0694-0009.

*Type of Request:* Extension of a currently approved collection of information.

*Burden:* 1 hour.

*Average Time Per Response:* 30 minutes per response.

*Number of Respondents:* 1 respondent.

*Needs and Uses:* The triangular symbol will be stamped on the certificate as notification that the importer does not intend to import or retain the items in the country issuing the certificate, but that, in any case, the items will not be delivered to any other destination except in accordance with the EAR. If this procedure were not followed, strategic commodities could be delivered to unauthorized destinations.

*Affected Public:* Individuals, businesses or other for-profit institutions.

*Respondent's Obligation:* Required to obtain or retain a benefit.

*OMB Desk Officer:* Dave Rostker.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, DOC Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Dave Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, D.C. 20230.

Dated: August 6, 2004.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-18388 Filed 8-10-04; 8:45 am]

**BILLING CODE 3510-33-P**

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* Bureau of Industry and Security (BIS).

*Title:* Five Year Records Retention Period.

*Agency Form Number:* None.

*OMB Approval Number:* 0694-0096.

*Type of Request:* Extension of a currently approved collection of information.

*Burden:* 253 hours.

*Average Time Per Response:* 0.01 second to 1.01 minute per response.

*Number of Respondents:* 201,437 respondents.

*Needs and Uses:* The five year records retention requirement enables BIS to detect violations from records up to five years old to correspond with the five year statute of limitations and prove that a violation did or did not take place. The documents can also provide exculpatory evidence for firms who have been accused of export control violations and are innocent.

*Affected Public:* Individuals, businesses or other for-profit institutions.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* David Rostker.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, DOC Paperwork Clearance Officer, (202) 482-3129, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 or via internet at [dHynek@doc.gov](mailto:dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20230.

Dated: August 6, 2004.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-18391 Filed 8-10-04; 8:45 am]

**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Census Bureau

#### Annual Capital Expenditures Survey

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506 (c)(2)(A)).

**DATES:** Written comments must be submitted on or before October 12, 2004.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [Dhynek@doc.gov](mailto:Dhynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Charles Funk, U.S. Census Bureau, Room 1285-3, Washington, DC 20233-6400, (301) 763-3331 or via the Internet at [charles.allen.funk@census.gov](mailto:charles.allen.funk@census.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The U.S. Census Bureau plans the continuing information collection for the 2004 through 2006 Annual Capital Expenditures Survey (ACES). The annual survey collects data on fixed assets and depreciation, sales and receipts, capitalized computer software, and capital expenditures for new and used structures and equipment. The ACES is the sole source of detailed comprehensive statistics on actual business spending by domestic, private, nonfarm businesses operating in the United States. Both employer and nonemployer companies are included in the survey. The Bureau of Economic Analysis, the primary Federal user of our annual program statistics, uses the information in refining and evaluating

annual estimates of investment in structures and equipment in the national income and product accounts, compiling annual input-output tables, and computing gross domestic product by industry. The Federal Reserve Board uses the data to improve estimates of investment indicators for monetary policy. The Bureau of Labor Statistics uses the data to improve estimates of capital stocks for productivity analysis. Industry analysts use these data for market analysis, economic forecasting, identifying business opportunities, product development, and business planning.

Changes from the previous ACES are the elimination of the collection of detailed capital expenditures by type of structure and type of equipment, and the incorporation of the 2002 North American Industry Classification System (NAICS) into the ACES.

Detailed capital expenditures by type of structure and type of equipment data were collected in the 2003 ACES. These data, collected together once every five years, will not be requested again until the 2008 ACES.

Previous year's estimates of capital expenditures were published on the 1997 NAICS basis. Beginning with the 2004 ACES, we will collect and publish data on the 2002 NAICS. Industries in the survey will be comprised of 3-digit and selected 4-digit 2002 NAICS codes.

##### II. Method of Collection

The Census Bureau will use mail out/mail back survey forms to collect data. Employer companies will be mailed one of three forms based on their diversity of operations and number of industries with payroll. Companies that operate in only one industry will receive an ACE-1 (S) form. Companies operating in more than one, but less than nine industries will receive an ACE-1 (M) form. And, companies that operate in nine or more industries will receive an ACE-1 (L). All nonemployer companies will receive ACE-2 forms. Respondent companies are permitted to respond via facsimile machine using our toll-free number. Companies will be asked to respond to the survey within 30 days of the initial mailing. Letters and/or telephone calls encouraging participation will be directed to companies that have not responded by the designated time.

##### III. Data

*OMB Number:* 0607-0782.

*Form Number:* ACE-1(S), ACE-1(M), ACE-1(L), and ACE-2.

*Type of Review:* Regular Review.

*Affected Public:* Business or other for-profit organizations, non-profit institutions, small businesses or