

displays a currently valid OMB control number.

**Farm Service Agency**

*Title:* Standard Operating Agreement Governing Intermodal Transportation.

*OMB Control Number:* 0560-0194.

*Summary of Collection:* The 49 U.S.C. authorizes the Kansas City Commodity Office, Export Operations Division (KCCO/EOD) to collect information to determine the eligibility of Intermodal Marketing Companies (IMC) to haul agricultural products for the USDA Farm Service Agency (FSA). CCC, through the KCCO, solicit bids from transportation companies for the purpose of providing intermodal transportation of agricultural commodities. IMCs provide rail trailer-on-flatcar/container-on-flatcar service that CCC hires to provide program transportation needs. Those IMC's who choose to do business with KCCO Export Operations Divisions are required to complete and submit the KC-9, Standard Operating Agreement Governing Intermodal Transportation.

*Need and Use of the Information:* FSA will collect information by mail, fax or electronic to establish the Trailer on Flatcar/Container on Flatcar (TOFC/COFC) service needs of the Department of Agriculture, Farm Service Agency, the Kansas City Commodity Office, operating as Commodity Credit Corporation, for the movement of its freight, and to insure that an IMC arranging for the transportation service has both the willingness and the capability to meet those needs. Without this information, FSA and KCCO could not meet program requirements.

*Description of Respondents:* Business or other for-profit; Federal Government; not-for-profit institutions; State, local or tribal government.

*Number of Respondents:* 22.

*Frequency of Responses:* Reporting: other (once).

*Total Burden Hours:* 22.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 05-14595 Filed 7-22-05; 8:45 am]

**BILLING CODE 3410-05-M**

**DEPARTMENT OF AGRICULTURE**

**Grain Inspection, Packers and Stockyards Administration**

**Proposed Posting and Posting of Stockyards**

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** We propose to post 16 stockyards. We have received information that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, need to be posted. Posted stockyards are subject to the provisions of the Packers and Stockyards Act. We have posted 2 stockyards. We determined that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, needed to be posted.

**DATES:** For the proposed posting of stockyards, we will consider comments that we receive by August 9, 2005.

**ADDRESSES:** We invite you to submit comments on this notice. You may submit comments by any of the following methods:

- E-Mail: Send comments via electronic mail to [comments.gipsa@usda.gov](mailto:comments.gipsa@usda.gov).
- Mail: Send hardcopy written comments to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.
- Fax: Send comments by facsimile transmission to: (202) 690-2755.

- Hand Delivery or Courier: Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.

**SUPPLEMENTARY INFORMATION:** The Grain Inspection, Packers and Stockyards Administration (GIPSA) administers and enforces the Packers and Stockyards Act of 1921, as amended and supplemented (7 U.S.C. 181-229) (P&S Act). The P&S Act prohibits unfair, deceptive, and fraudulent practices by livestock market agencies, dealers, stockyard owners, meat packers, swine contractors, and live poultry dealers in the livestock, poultry, and meatpacking industries.

Section 302(a) of the P&S Act (7 U.S.C. 202(a)) defines the term "stockyard" as follows:

\* \* \* any place, establishment, or facility commonly known as stockyards, conducted, operated, or managed for profit or nonprofit as a public market for livestock producers, feeders, market agencies, and buyers, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce.

Section 302(b) of the P&S Act (7 U.S.C. 202(b)) requires the Secretary to determine which stockyards meet this definition, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the stockyard owner and to the public, the stockyard will be subject to the provisions of Title III of the P&S Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposits the stockyard by public notice.

This document notifies the stockyard owners and the public that the following 16 stockyards meet the definition of stockyard and that we propose to designate the stockyards as posted stockyards.

Facility No.	Stockyard name and location
AR-177	Morrilton Horse Sale, Morrilton, Arkansas.
GA-226	G. R. Sales Co. at Southeastern Arena, Unadilla, Georgia.
IN-167	Northern Indiana Collection Point, LLC, Shipshewana, Indiana.
IN-168	Hardinsburg Horse Sales, Hardinsburg, Indiana.
KS-208	Wakarusa Sale Barn, Wakarusa, Kansas.
LA-147	Hays Brothers Livestock Market, LLC, Arcadia, Louisiana.
NY-175	Welch Livestock Market, Inc., West Edmeston, New York.
NC-176	Triad Livestock Arena, Archdale, North Carolina.
SC-161	Highway 34 Auction Barn, Lugoff, South Carolina.
TN-195	Wilson Horse and Mule Sale, Inc. Cookeville, Tennessee.
TN-196	Country Horse Sales, LLC., Westmoreland, Tennessee.
TX-348	Grimes County Stockyards, L.L.C., Navasota, Texas.
VA-162	Virginia Cattle Company, Radiant, Virginia.
WV-120	Meadow View Farm, Thornton, West Virginia.
WI-148	Milwaukee Stockyards, LLC, Reeseville, Wisconsin.
WI-149	Horst Stables, LLC, Thorp, Wisconsin.

This document also notifies the public that the following two stockyards meet the definition of stockyard and that we have posted the stockyards. We published notices proposing to post the two stockyards on November 7, 2003 (68

FR 63055–63056). We received no comments in response to the proposed posting notice. To post stockyards, we assign the stockyard a facility number, notify the owner of the stockyard facility, and send notices to the owner

of the stockyard to post on display in public areas of the stockyard. The date of posting is the date on which the posting notices are physically displayed.

Facility No.	Stockyard name and location	Date of posting
AR–176 .....	101 Livestock Auction, Blackwell, Arkansas .....	March 18, 2004.
TN–193 .....	Lewisburg Livestock, Columbia, Tennessee .....	April 5, 2004.

**Authority:** 7 U.S.C. 202.

**David R. Shipman,**  
*Acting Administrator, Grain Inspection,  
 Packers and Stockyards Administration.*  
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**BILLING CODE 3410–EN–P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 060705C]

**Notice of Intent to Conduct Public Scoping Meetings and to Prepare an Environmental Impact Statement Related to the Family Forest Habitat Conservation Plan**

**AGENCIES:** Fish and Wildlife Service (FWS), Interior; National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.  
**ACTION:** Notice of intent to conduct scoping meetings.

**SUMMARY:** The U.S. Fish and Wildlife Service and National Marine Fisheries Service (Services) advise interested parties of their intent to conduct public scoping under the National Environmental Policy Act (NEPA) to gather information to prepare an Environmental Impact Statement (EIS) related to a permit application from Lewis County, Washington for the incidental take of listed species. The permit application would be associated with the Family Forest Habitat Conservation Plan in the Chehalis and Cowlitz River watersheds located in Lewis County, Washington.

**DATES:** The public scoping meeting will be held on July 28, 2005, from 5 p.m. - 8 p.m.

Written comments should be received on or before September 8, 2005.

**ADDRESSES:** The meeting will be held at the Forest Grange, 3397 Jackson Highway, Chehalis, WA 98532.

All comments concerning the preparation of the EIS and the NEPA process should be addressed to: Mark Ostwald, FWS, 510 Desmond Drive S.E., Suite 102, Lacey, WA 98503, facsimile (360)753–9518 or Laura Hamilton, NMFS, 510 Desmond Drive S.E., Suite 103, Lacey, WA 98503–1273, facsimile (360)753–9517. Comments may be submitted by e-mail to the following address: *FamilyForest.nwr@noaa.gov*. In the subject line of the e-mail, include the document identifier: The Family Forest HCP - EIS.

**FOR FURTHER INFORMATION CONTACT:** Mark Ostwald, FWS, (360)753–9564, or Laura Hamilton, NMFS, (360)753–5820.

**SUPPLEMENTARY INFORMATION:**

**Reasonable Accommodation**

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact Mark Ostwald (see **FOR FURTHER INFORMATION CONTACT**). In order to allow sufficient time to process requests, please call no later than July 21, 2005. Information regarding the applicant’s proposed action is available in alternative formats upon request.

**Statutory Authority**

Section 9 of the Endangered Species Act (16 U.S.C. 1532 *et seq.*) and implementing regulations prohibit the taking of animal species listed as endangered or threatened. The term “take” is defined under the ESA (16 U.S.C. 1532(19)) as to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. “Harm” is defined by the FWS to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering (50 CFR 17.3). NMFS’ definition of “harm” includes significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly

impairing essential behavioral patterns, including breeding, feeding, spawning, migrating, rearing, and sheltering (64 FR 60727, November 8, 1999).

Section 10 of the ESA specifies requirements for the issuance of incidental take permits (ITPs) to non-Federal landowners for the take of endangered and threatened species. Any proposed take must be incidental to otherwise lawful activities, not appreciably reduce the likelihood of the survival and recovery of the species in the wild and minimize and mitigate the impacts of such take to the maximum extent practicable. In addition, an applicant must prepare a habitat conservation plan describing the impact that will likely result from such taking, the strategy for minimizing and mitigating the incidental take, the funding available to implement such steps, alternatives to such taking, and the reason such alternatives are not being implemented.

NEPA (42 U.S.C. 4321 *et seq.*) requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. Under NEPA, a reasonable range of alternatives to proposed projects is developed and considered in the Services’ environmental review. Alternatives considered for analysis in an EIS may include: variations in the scope of covered activities; variations in the location, amount, and type of conservation; variations in permit duration; or, a combination of these elements. In addition, the EIS will identify potentially significant direct, indirect, and cumulative impacts on biological resources, land use, air quality, water quality, water resources, socioeconomic, and other environmental issues that could occur with the implementation of the applicant’s proposed actions and alternatives. For all potentially significant impacts, the EIS will identify avoidance, minimization, and mitigation measures to reduce these impacts, where feasible, to a level below significance.