

It is important to remember that trade negotiations are often extended. It may be many months or years before work on a petition is completed. The disease or pest situation in either the United States or the foreign country may change, governmental policies or goals in either the United States or the foreign country may change, or research or scientific analysis may be necessary before there can be an agreement.

Occasionally a foreign government refuses to consider accepting a commodity for import. However, this is extremely rare. The more common occurrence is a breakdown in negotiations. If it becomes apparent that PPQ can do nothing more to complete work on a petition, we work with APHIS SPS policy offices and the U.S. Department of Agriculture's (USDA) Foreign Agricultural Service to consider other options, including the possibility of seeking the involvement of the Office of the U.S. Trade Representative in addressing a particular SPS trade impasse. Even then we consider these export petitions "open" and we continue to work on them as appropriate.

Barriers to Export

There are barriers to export that APHIS cannot resolve. These include:

- When information necessary to resolve the petition is not available;
- When a regulated pest exists in the United States for which there is no effective risk mitigation; and
- When technical discussions with the foreign country have reached an impasse.

We try to minimize these barriers. APHIS and other agencies within USDA are always looking for new and effective systems approaches and treatments. In partnership with the Department of Homeland Security, we endeavor to prevent pests and pathogens from entering the United States from foreign countries. If we detect a pest or pathogen within the United States, we attempt by all means within our authority to keep that pest or pathogen from spreading, and if possible, to eradicate it. We also try to minimize barriers to exports by maintaining good working relationships with foreign officials, by dealing with foreign goods imported into the United States openly, consistently and fairly, and by negotiating in good faith. However, we have no authority or power to force foreign governments, or exporters, to come to an agreement or even to respond to our overtures.

Done in Washington, DC, this 23rd day of June 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Highwood Generating Station

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of Availability of Draft Environmental Impact Statement and Notice of Public Meeting.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS) is issuing a Draft Environmental Impact Statement (EIS) for the Highwood Generating Station (HGS). The Draft EIS was prepared pursuant to the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 *et seq.*) in accordance with the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508) and RUS regulations (7 CFR part 1794). This document has been prepared jointly with the Montana Department of Environmental Quality (MDEQ), which has its own statutory mandates to analyze potential environmental impacts under the Montana Environmental Policy Act (MEPA) (75-1-101 *et seq.*, MCA and ARM 17.4.601 *et seq.*) and to issue permits under the Montana Clean Air Act, Montana Clean Water Act, and Montana Solid Waste Management Act.

The purpose of the EIS is to evaluate the potential environmental impacts of and alternatives to the Southern Montana Electric Transmission & Generation Cooperative, Inc. (SME) application for a RUS loan guarantee to construct a 250 megawatt (MW) coal-fired power plant near Great Falls, Montana. SME is proposing to use a coal combustion technology known as circulating fluidized bed (CFB), along with other proposed pollution controls collectively known as Best Available Control Technology (BACT). SME also proposes to construct and operate four, 1.5-MW wind turbines to generate supplemental electrical power at the preferred project location eight miles east of Great Falls.

DATES: With this notice, RUS and MDEQ invite any affected Federal, State, and local Agencies and other interested persons to comment on the Draft EIS. Written comments on this Draft EIS will

be accepted for 45 days following publication of the Environmental Protection Agency's notice of Availability for this Draft Environmental Impact Statement (DEIS) in the **Federal Register**.

RUS and MDEQ will hold a public meeting on July 27, 2006, at the Great Falls Civic Center (Gibson Room), 2 Park Drive South, Great Falls, MT. The public meeting will begin with an open house at 5 p.m., followed by a public hearing starting at 7 p.m. The hearing will include a presentation summarizing the findings of the DEIS and the opportunity for attendees to submit both oral and written comments. In accordance with 40 CFR 1503.1, Inviting Comments, the purpose of the meeting will be to solicit comments from interested parties on the Draft EIS for the Highwood Generating Station.

A copy of the Draft EIS can be obtained or viewed online at <http://www.usda.gov/rus/water/ees/eis.htm>. The files are in a Portable Document Format (.pdf); in order to review or print the document, users need to obtain a free copy of Acrobat® Reader® (© 2003 Adobe Systems Incorporated). The Acrobat® Reader® can be obtained from <http://www.adobe.com/prodindex/acrobat/readstep.html>.

Copies of the Draft EIS will also be available for public review during normal business hours at the following locations:

Montana State Library System, Attn: Roberta Gebhardt, P.O. Box 201800, Helena, MT 59620-1800. (406) 444-5393.

University of Montana at Missoula, 32 Campus Drive 59801, Mansfield Library, Missoula, MT 59812. (406) 243-6866.

Missoula Public Library, 301 East Main, Missoula, MT 59802-4799. (406) 721-2665. FAX: (406) 728-5900.

Montana State University Libraries, P.O. Box 173320, Bozeman, MT 59717-3320. Phone: (406) 994-3119. Fax: (406) 994-2851.

Great Falls Public Library, 301 2nd Ave., North, Great Falls, MT 59401-2593. (406) 453-0349.

FOR FURTHER INFORMATION CONTACT: To send comments or for more information, contact: Richard Fristik, USDA, Rural Development, Utilities Programs, 1400 Independence Avenue, Mail Stop 1571, Room 2237, Washington, DC 20250-1571, telephone (202) 720-5093, fax (202) 720-0820, or e-mail: Richard.Fristik@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: SME is an electric generation and transmission cooperative, a non-profit utility owned

by its members. As such, it provides wholesale electricity and related services to five electric distribution cooperatives and one municipal utility. SME's 58,000-square mile (150,220-square kilometer) service area encompasses 22 counties in two states—Montana and a very small area of Wyoming. Under its charter, SME is required to meet the electric power needs of the cooperative member systems it serves. Presently, SME meets all of its power requirements for its member systems by purchasing power from two Federal power suppliers—the Bonneville Power Administration (BPA) and the Western Area Power Administration. However, its major supplier (BPA) will begin to phase out its sales of power to SME in 2008, and terminate them entirely by 2011. Thus, SME does not have the capacity to meet all of its members' power needs beyond roughly 2010.

After considering various ways to meet those future needs, SME identified the construction of a new coal-fired power plant near Great Falls—the proposed HGS—supplemented with four wind turbines on the same site, as its best course of action to meet its electric energy and related service needs. An Alternative Evaluation Study and the DEIS examined a total of 26 alternative means of responding to the identified purpose and need for the project. These alternatives were evaluated in terms of cost-effectiveness, technical feasibility, and environmental soundness. Twenty-three alternatives were considered but dismissed from more detailed analysis on one or more of these grounds. The three alternatives analyzed fully in the Draft EIS are the No Action Alternative, Proposed Action (HGS at the Salem Site eight miles east of Great Falls), and Alternative Site (building the power plant at a designated industrial park closer to Great Falls).

Under the No Action Alternative, the HGS would not be constructed or operated to meet the projected 250-MW base load needs of SME. There would be no facilities constructed at either the Salem or Industrial Park sites to meet the purpose and need.

Under the Proposed Action, a 250-MW (net) generating station utilizing CFB technology to burn coal—the HGS—would be built and operated approximately eight miles east of Great Falls. In addition, four 1.5-MW wind turbines would be constructed and operated on the same site. Ash from coal combustion would be disposed of using approved means on-site. The Proposed Action would entail potentially significant adverse impacts on cultural

and visual resources, because it is located on and adjacent to the Great Falls Portage National Historic Landmark. Other adverse but non-significant impacts of the Proposed Action include those on soils, water, air, biological resources, noise, transportation, farmland and land use, human health and safety, and environmental justice. The Proposed Action would result in moderately beneficial socioeconomic impacts, including increased employment opportunities, total purchases of goods and services, and an increase in the tax base.

Utilizing the alternative Industrial Park Site would result in broadly similar impacts to those of the Proposed Action, but with some important distinctions. No wind turbines are proposed for the Industrial Park site. Due to space limitations at the Industrial Park site, ash from coal combustion would be hauled off-site to a licensed landfill for disposal. Adverse but non-significant impacts of the Alternative Site include those on soils, water, air, biological resources, noise, cultural resources, visual resources, transportation, farmland and land use, human health and safety, and environmental justice. Building and operating the proposed SME power plant at the Alternative Site would produce moderately beneficial socioeconomic impacts, including increased employment opportunities, total purchases of goods and services, and an increase in the tax base.

Dated: June 22, 2006.

James R. Newby,

Assistant Administrator, Electric Program, Rural Development.

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DEPARTMENT OF AGRICULTURE

Rural Utilities Service

East Kentucky Power Cooperative; Notice of Intent To Hold Public Scoping Meetings and Prepare an Environmental Assessment

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of intent to hold public scoping meetings and prepare an environmental assessment (EA).

SUMMARY: The Rural Utilities Service, an agency which administers the U.S. Department of Agriculture's Rural Development Programs (USDA Rural Development) intends to hold public scoping meetings and prepare an environmental assessment (EA) related

to possible financial assistance to East Kentucky Power Cooperative, Inc. (EKPC) of Kentucky for the proposed construction of approximately 35 miles of 345 kilovolt (kV) transmission line in Clark, Madison, and Garrard counties, KY. The proposed 345 kV transmission line project would be constructed within one of several corridors under consideration. The transmission line corridors originate at the J.K. Smith Power Station near the community of Trapp in Clark County, KY and terminate at the proposed location of a new 345 kV switching station. EKPC is requesting USDA Rural Development to provide financial assistance for the proposed project.

DATES: USDA Rural Development will conduct a scoping meeting in an open house format from 3 p.m. until 7 p.m. on Tuesday, July 11, 2006. The purpose of the meeting is to provide information and solicit comments for the preparation of an EA.

ADDRESSES: The public meeting will be held at the Best Western-Holiday Plaza located at 100 Eastern Bypass, Richmond, KY 40475; Phone: 859-623-9220.

A Macro Corridor Study will be available for public review at USDA Rural Development, Utilities Programs, 1400 Independence Avenue, SW., Washington, DC 20250-1571; at the USDA Rural Development's Web site <http://www.usda.gov/rus/water/ees/ea.htm>; at EKPC's headquarters office 4775 Lexington Road, Winchester, Kentucky 40391; and at the following Public Library locations:

Clark County Library, 370 South Burns Avenue, Winchester, KY 40391. (859) 744-5661. Julie Maruskin, Director.

Madison County Public Library, 507 West Main St., Richmond, KY 40475. (859) 623-6704. Sue Hays, Director.

Garrard County Public Library, 101 Lexington St, Lancaster, KY 40444. (859) 792-3424. Joan Tussey.

Written comments should be sent to: Stephanie Strength, Environmental Protection Specialist, USDA, Rural Development, Utilities Programs, Engineering and Environmental Staff, 1400 Independence Avenue, SW., Stop 1571, Washington, DC 20250-1571, or e-mail: stephanie.strength@wdc.usda.gov.

FOR FURTHER INFORMATION CONTACT: Stephanie Strength, Environmental Protection Specialist, USDA, Rural Development, Utilities Programs, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW., Washington, DC 20250-1571, telephone (202) 720-0468. Mrs. Strength's e-mail address is stephanie.strength@wdc.usda.gov.