

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

January 29, 2007.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

### Agricultural Marketing Service

*Title:* Regulation Governing Inspection, Certification, and Standards for Fresh Fruits, Vegetables and other Products.

*OMB Control Number:* 0581-0125.

*Summary of Collection:* The Agricultural Marketing Act of 1946 gives authorization to USDA to inspect, certify and identify the class, quantity, quality and condition of agricultural produces when shipped or received in interstate commerce and to enter into cooperative agreements with cooperating Federal-State inspection Agencies that provide for this inspection work. The Fresh Products Branch provides a nationwide inspection and grading service for fresh fruits, vegetables, and other products to shippers, importers, processors, sellers, buyers and other financially interested parties on a "user-fee" basis. The program is voluntary and services are made available only upon request or when specified by some special program or contact.

*Need and Use of the Information:* Various forms are used to collect information. Such information includes: the name and location of the person or company requesting the inspection, the type and location of the product to be inspected, the type of inspection being requested and any information that will identify the product. The information collected is needed to carry out the inspection and grading services.

*Description of Respondents:* Business or other for profit.

*Number of Respondents:* 55,280.

*Frequency of Responses:* Reporting; On occasion.

*Total Burden Hours:* 8,772.

### Charlene Parker,

*Departmental Information Collection Clearance Officer.*

[FR Doc. E7-1675 Filed 2-1-07; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

### Newspaper Used for Publication of Legal Notice of Appealable Decisions for the Northern Region; Northern Idaho, Montana, North Dakota, and portions of South Dakota and Eastern Washington

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice lists the newspaper that will be used by all Ranger Districts, Forests, Grasslands, and the Regional Office of the Northern Region to publish legal notices for public comment and decisions subject to appeal and predecisional administrative review under 36 CFR 215, 217, and 218. The intended effect of this action is to inform interested members of the public which newspapers will be used to publish legal notices for public comment or decisions; thereby allowing them to receive constructive notice of a decision, to provide clear evidence of timely notice, and to achieve consistency in administering the appeals process.

**DATES:** Publication of legal notices in the listed newspapers will begin with decisions subject to appeal that are made on or after January 22, 2007. The list of newspaper will remain in effect until another notice is published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Appeals and Litigation Group Leader; Northern Region; P.O. Box 7669; Missoula, Montana 59807. Phone: (406) 329-3696.

The newspapers to be used are as follows:

### Northern Regional Office

Regional Forester decisions in Montana:  
The Missoulian, Great Falls Tribune, and The Billings Gazette.  
Regional Forester decisions in Northern Idaho and Eastern Washington:  
Coeur d'Alene Press and Lewiston Tribune.  
Regional Forester decisions in North Dakota:  
Bismarck Tribune.  
Regional Forester decisions in South Dakota:  
Bismarck Tribune.  
*Beaverhead/Deerlodge NF*— Montana Standard.  
*Bitterroot NF*—Ravalli Republic.  
*Clearwater NF*— Lewiston Tribune.  
*Custer NF*—Billings Gazette (Montana), Rapid City Journal (South Dakota).

*Dakota Prairie Grasslands*—Bismarck Tribune (North and South Dakota).  
*Flathead NF*—Daily Inter Lake.  
*Gallatin NF*—Bozeman Chronicle.  
*Helena NF*—Independent Record.  
*Idaho Panhandle NFs*—Coeur d'Alene Press.  
*Kootenai NF*—Daily Inter Lake.  
*Lewis & Clark NF*—Great Falls Tribune.  
*Lolo NF*—Missoulian.  
*Nez Perce NF*—Lewiston Tribune.

Supplemental notices may be placed in any newspaper, but time frames/deadlines will be calculated based upon notices in newspapers of record listed above.

Dated: January 26, 2007.

**Kathleen A. McAllister,**

*Deputy Regional Forester.*

[FR Doc. 07-459 Filed 2-1-07; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Plumas National Forest; Plumas County, CA; Empire Vegetation Management Project

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare a supplement to the environmental impact statement.

**SUMMARY:** The Forest Service will prepare a supplement to the Empire Vegetation Management Project Final Environmental Impact Statement. This supplement will replace the 2006 supplement. This supplement will clarify Management Indicator Species and soil and watershed effects. In addition, the supplement will take into account field data and information gathered since 2005. It will also incorporate information presented in the 2006 supplement and the 2005 Final Environmental Impact Statement.

**DATES:** Scoping is not required for supplements to environmental impact statements (40 CFR 1502.9(c)4(4)). The draft supplemental environmental impact statement is expected to be issued in February 2007 and the final supplemental environmental impact statement is expected in May 2007.

**ADDRESSES:** Plumas National Forest, 159 Lawrence Street, P.O. Box 11500, Quincy, CA 95971; Mount Hough Ranger District, 39696 Highway 70, Quincy, CA 95971.

**FOR FURTHER INFORMATION CONTACT:** Gary Rotta, Interdisciplinary Team Leader, Mt. Hough Ranger District 39696 Highway 70, Quincy, CA 95971 (530) 283-7687.

**SUPPLEMENTARY INFORMATION:** The first notice of intent for this project was published in the **Federal Register** on February 9, 2005. The Notice of Availability for the Draft Environmental Impact Statement was published on May 20, 2005. A Final Environmental Impact Statement (2005 FEIS) and Record of Decision were issued on August 9, 2005. The decision was appealed and later reversed on November 18, 2005.

At the request of the Forest Supervisor, the **Federal Register** published a Notice of Intent on December 28, 2005 to prepare a supplement to the Final Environmental Impact Statement. The **Federal Register** published a Notice of Availability of a Draft Supplemental Environmental Impact Statement on February 24, 2006. A Final Supplemental Environmental Impact Statement and Record of Decision were issued in August 2006. The project was appealed again and the Forest Supervisor withdrew his August 2006 Record of Decision.

#### Purpose and Need for Action

The purpose and need remain the same as was described in the 2005 FEIS. The purpose of and need for the project has three elements: (1) To implement fuel reduction in the Wildland Urban Interface (WUI) and, as part of the larger HFQLG fuel treatment strategic network as called for by the HFQLG Act (Section 401[b][1] and [d][1] and HFQLG amendment to the LRMP, to reduce the potential size and intensity of wildfires and provide fire suppression personnel safe locations for taking action against wildfires; (2) to implement group selection and individual tree selection, as directed in the HFQLG Act (Section 401[b][1] and [d][2]) and the HFQLG amendment to the LRMP, to test the effectiveness of an uneven-aged silvicultural system in achieving an all-aged, multistory, fire resilient forest, providing an adequate timber supply that contributes to the economic stability of rural communities, and improving and maintaining ecological health of the forest; and (3) to reduce impacts of the transportation system on forest resources and provide the necessary access for the fuel treatments and the group and individual tree selection harvests.

#### Proposed Action

The proposed action will remain the same as described in the 2005 FEIS.

#### Possible Alternatives

Alternatives include varied levels of fuel treatments, group selection timber harvest, individual tree selection

harvest and transportation system improvement.

#### Responsible Official

Jim Peña, Forest Supervisor, Plumas National Forest, PO Box 11500, Quincy, CA 95971.

#### Nature of Decision To Be Made

The responsible official will decide whether to implement the proposed action, an alternative to the proposed action, or not to implement the project at this time.

*Early Notice of Importance of Public Participation in Subsequent Environmental Review:* A draft supplemental environmental impact statement will be prepared for comment. The comment period on the draft supplemental 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 supplemental 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 supplemental environmental impact statement stage but that are not raised until after completion of the final supplemental 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 supplemental environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft supplemental environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages of the draft supplement. Comments may also address the adequacy of the draft supplemental