

left 20 to 25 feet apart. The slash created will be hand piled and burned, converted to chips, processed with a masticator if accessible from an existing road, or removed from the site as firewood or other forest products. In areas where fuels objectives cannot be met because there is an excess amount of dead material on the ground, some of this material may also be burned or removed from the site. In addition, incidental larger hazard trees would be felled, if deemed hazards to the crews working on the project. The hazard trees would be felled and left in place, or removed to disposal sites on or adjacent to roads.

The proposed treatments will reduce ladder and ground fuels, providing for reduced fire intensity, rate of spread, and flame lengths in the event of a wildland fire. After the project is completed, the roads will be passable for emergency vehicles during a wildland fire. Treatments are also designed so that the roads could be used as effective fire lines under moderate wildland fire conditions. Fire suppression activities will be safer and more successful in areas that receive this treatment.

The project areas that are adjacent to roads are in a particularly hazardous condition because the road openings allow growing space and additional sunlight to the vegetation, and the bare mineral soil on the road banks makes an excellent bed for thick regeneration. These conditions stimulate the growth of a tree and brush thicket along roads, and larger vegetation often can maintain limbs near ground level with out being shaded out.

Understory Thinning Around Private Land Boundaries is proposed where landowners are willing to perform non-commercial fuels reduction (thinning, brushing and hand piling) on a strip of Forest land 500 feet wide adjacent to their property. Approximately 6,000 acres of private land boundary understory treatments are proposed. The proposed treatment is intended to reduce existing ladder and ground fuels to provide for low intensity fire behavior. These zones create corridors in which the fire hazard is reduced to allow firefighters relatively safe access for wildland fire suppression activities and to allow for increased options during wildland fire suppression activities to reduce fire severity.

#### Lead and Cooperating Agencies

The Forest Services is the lead agency. Representatives from the Fish and Wildlife Service and NOAA Fisheries are core members of the Interdisciplinary Team.

#### Responsible Official

The Responsible Official for this project is the Forest Supervisor for the Klamath National Forest, 1312 Fairlane Road, Yreka, California 96097.

#### Scoping Process

This notice of intent initiates the scoping process, which guides the development of the environmental impact statement. The public is encouraged to take part in the process and visit with Forest Service and Fish and Wildlife officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments and assistance from Federal, State, and local agencies and other individuals or organizations that may be interested in, or affected by, the proposed thinning and underburning project. Three public scoping meetings have been scheduled for February 11, 12 and 13, 2008 in Happy Camp, Seiad Valley and Hamburg respectively. Please contact District Ranger Donald Hall (see previous contact info) for details about the meeting.

#### 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, 533 (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 or 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: January 24, 2008.

**Patricia A. Grantham,**

*Acting Forest Supervisor, Klamath National Forest.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### United States Standards for Beans

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

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

**SUMMARY:** We published a notice in the **Federal Register** on April 17, 2007 (72 FR 19169), inviting comments regarding the revision of the U.S. Standards for Beans. The proposed revisions would provide applicants for service with an optional grade designation for bean certification; and remove the requirements that the percentage of high moisture and, for Mixed beans, the percentage of each class in the mixture, be shown on the grade line. The notice provided an opportunity for interested parties to forward written comments to the Grain Inspection, Packers and Stockyards Administration (GIPSA) until May 17, 2007. Due to the continued high level of interest in this

notice, we are reopening the comment period to provide interested parties with additional time to comment.

**DATES:** We will consider comments that we receive by April 1, 2008.

**ADDRESSES:** We invite you to submit your comments on the 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 1633-S, Washington, DC 20250-3604.

- *Fax:* Send comments by facsimile transmission to: (202) 690-2173.

- *Hand Delivery or Courier:* Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1643-S, Washington, DC 20250-3604.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Instructions:* All comments should make reference to the date and page number of this issue of the **Federal Register**.

- *Read Comments:* All comments will be available for public inspection in the above office during regular business hours (7 CFR 1.27 (b)).

**FOR FURTHER INFORMATION CONTACT:** Beverly A. Whalen at USDA, GIPSA, FGIS, Market and Program Analysis Staff, Suite 180, STOP 1404, 6501 Beacon Drive, Kansas City, Missouri, 64133; Telephone (816) 823-4648; Fax Number (816) 823-4644; e-mail [Beverly.A.Whalen@usda.gov](mailto:Beverly.A.Whalen@usda.gov).

**SUPPLEMENTARY INFORMATION:** GIPSA published a notice in the **Federal Register** on April 17, 2007 (72 FR 19169), inviting comments from all interested persons on the proposed revisions to the U.S. Standards for Beans. The proposed revisions would provide applicants for service with an optional grade designation for bean certification and remove the requirements that the percentage of high moisture, and, for Mixed beans, the percentage of each class in the mixture, be shown on the grade line. For ease of reference, we have included in this notice a discussion of the revisions to the U.S. Standards for Beans that are under consideration.

#### Optional Grade Designation and Certification Procedures

Currently, inspectors certify beans offered for inspection as a specific quality (U.S. grade), such as U.S. No. 2 Pinto Beans. Certifying a specific grade

is commonly referred to as "Option 1" grade designation. This works well most of the time; however, there are exceptions. At times, sellers find when preparing to load beans for shipment that the supply of a particular grade of bean may be insufficient to meet the quality and quantity requirements specified in the sales contract. When this happens, the seller may find it necessary to ship beans of a better quality. However, current inspection procedures do not allow the flexibility to describe or certify superior quality beans as being of a lower quality. If the lot presented for inspection is not uniform in quality for the declared grade, the inspector certifies each portion separately according to quality. That is, if a consignment consists of both U.S. No. 1 and 2 Pinto Beans, current procedure requires that the quantity representing each of the different qualities receive separate certification. Such certification may not meet the terms of sale for the contract.

An alternative approach is termed "Option 2" grade designation. When a contract specifies an Option 2 grade designation, the applicant may specifically request Option 2 certification. Under Option 2 certification, there would be no limitation placed on the amount of better quality beans in the lot. When a lot meets or is of better quality than the declared grade, inspectors would include the term "or better" immediately following the numerical or sample grade designation.

We would like to offer the Option 2 grade designation and certification approach for beans. Under such an approach, the applicant for inspection can obtain the optional certification procedure by requesting it on the application for inspection. The applicant would file the request for the optional certification prior to the beginning of inspection so the inspector knows how to certify the lot. Beans that are a better quality than that specified by the contract would be certified as a specific grade "or better" (for example, U.S. No. 2, or better, Pinto Beans). We believe that Option 2 grade designation and certification will provide sellers with the flexibility to ship beans of better quality, and provide buyers with the desirable option of receiving better quality.

#### High Moisture Beans

The special grade designation "High moisture" is applicable to all classes of beans containing over 18.0 percent moisture and is required to be shown on the grade line of the certificate. We will continue to show the special grade

designation "High moisture" on the grade line, when applicable, but propose to list the moisture percentage in the "Results" section of the certificate. This approach is intended to enhance the readability of the certificate.

#### Mixed Dry Beans

We also propose to eliminate the requirement that certain grade related information be shown on the grade line of the certificate for the class of Mixed beans. Currently, the U.S. Standards for Beans require a breakdown of the different classes, in order of predominance, be shown on the grade line of the certificate, in addition to the regular grade designation information, when the beans are classed as Mixed beans. Instead of showing this information on the grade line, we propose to enter such information in the "Results" section of the certificate. This approach will not change the grade of the product and will enhance the readability of the certificate.

#### Comments

The comment period of 30 days from the date of publication (72 FR 19169) closed on May 17, 2007. Due to continued high level of interest in the April 17, 2007 notice, GIPSA is reopening the comment period to provide interested parties additional time to comment. As a result, the comment period is reopened for a 60 day period. We welcome both comments from interested persons who did not comment during the initial 30 day period, as well as those interested persons who have already commented.

**Authority:** 7 U.S.C. 1621-1627.

**David R. Shipman,**

*Acting Administrator, Grain Inspection, Packers and Stockyards Administration.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### United States Standards for Whole Dry Peas, Split Peas, and Lentils

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

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

**SUMMARY:** We published a notice in the **Federal Register** on April 17, 2007 (72 FR 19169), inviting comments regarding the revision of the U.S. Standards for Whole Dry Peas, Split Peas, and Lentils.