

alternative, in addition to 4 and 5 may affect the appraised value.

Alternative 4: This alternative would be the same as Alternative 3 but would not include the road easement. Like Alternative 3, this alternative is responsive to the concerns expressed by trail users and will help address visual concerns.

Alternative 5: This alternative would not include a substantial portion of the federal parcel, as described in the proposed alternative. The alternative is designed to preserve major portions of the wagon road and some wetlands. This alternative would not include the road easement and more directly addresses cultural and recreation concerns. A trade-off of this alternative is that acquisition of both large non-Federal parcels may not be possible due to the requirement that the exchange be equal value.

Responsible Official

Mark W. Stiles, Center Manager, San Juan Public Lands, 15 Burnett Court, Durango, CO 81301.

Nature of Decision To Be Made

Given the purpose and need, the deciding official reviews the proposed action and the other alternatives in order to make the following decisions: Will the proposed land exchange occur as proposed, as modified under the various alternatives, or not at all. If the exchange proceeds what mitigation measures will the Forest Service apply to the project?

Scoping Process

Formal scoping has already occurred on this project as described above; comments received indicate that there may be significant impacts for which an EIS is the appropriate level of analysis. Informal scoping responses may be submitted to Cindy Hockelberg (contact information above), if there is an issue that has not been identified.

Preliminary Issues

During review of all public comments and internal input, the Forest Service has identified the following concerns or issues with the proposal: Recreation, particularly with regard to Chris Park campground and the trails that have been created in the area; The Animas Wagon road and its historical status; Socio-economic issues related to tourism and special use permittees who use the area; Visual impacts to those areas that are sensitive, including Highway 550 and Chris Park Campground; Wildlife impacts that may occur to a potential wildlife corridor on the Federal parcel; Wetlands and

hydrology, particularly with regard to quality of wetlands on all parcels; and how the non-Federal parcels will be managed if they are acquired.

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**. This is expected to occur around September 2008.

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 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 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: May 1, 2008.

Mark W. Stiles,
Center Manager.

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DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

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

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: NOAA Satellite Ground Station Customer Questionnaire.

Form Number(s): None.

OMB Approval Number: 0648-0227.

Type of Request: Regular submission.

Burden Hours: 17.

Number of Respondents: 102.

Average Hours per Response: 15 minutes.

Needs and Uses: NOAA requests people who operate ground receiving stations that receive data from NOAA satellites to complete a questionnaire about the types of data received, its use, the equipment involved, and similar subjects. The data obtained are used by NOAA for short-term operations and long-term planning. The collection of this data assists NOAA in complying with the terms of the Memorandum of Understanding (MOU) with the World Meteorological Organization Administration (NOAA) and other international agreements.

Affected Public: Not-for-profit institutions; individuals or households; State, Local or Tribal Government.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at 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, FAX number (202) 395-7285, or *David_Rostker@omb.eop.gov*.

Dated: May 5, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E8-10226 Filed 5-7-08; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

Proposal for Available Alternative Site-Designation and Management Framework

SUMMARY: The Foreign-Trade Zones (FTZ) Board is inviting public comment on a staff proposal to make available an alternative framework for participating grantees to designate and manage their general-purpose FTZ sites. A key result of this proposal, which stems from a series of regional and state-level discussions with FTZ grantees that began in April 2007, would be greater flexibility and predictability for a participating grantee to use administrative "minor boundary modifications" (MBMs) to modify FTZ sites. The greater flexibility would be made possible by participating grantees' increased focus on the FTZ sites needed for current or near-term zone activity, with a resulting improvement in the efficiency of FTZ oversight by government agencies. The availability of this alternative framework would affect only participating FTZ grantees and would occur within the existing statutory and regulatory context (including the role of the local CBP port director relative to any application for Board action or MBM request).

Background:

Under the FTZ Act of 1934 (19 U.S.C. 81a-81u), the FTZ Board may authorize FTZ sites sponsored by local "grantee" organizations at locations within or adjacent to U.S. Customs and Border Protection (CBP) ports of entry. Under the FTZ Act and the FTZ Board's regulations (15 CFR Part 400), FTZ designation for a particular parcel or site may result either from an application for action by the FTZ Board or from a request for an administrative MBM action by the FTZ Board staff. The regulatory time frame for such FTZ Board actions is ten months versus a thirty-day time frame for administrative MBM actions, and there are significantly greater documentation requirements

associated with applications for Board action than for requests for administrative action.

The FTZ Act gives the FTZ Board broad authority and discretion. In this context, the Board's 1991 regulations delineate criteria for evaluation of applications for Board action and requests for administrative action to authorize FTZ designation for new parcels or sites. The applicable regulatory criteria are general in nature and the Board's existing approach (practice) for MBMs and FTZ designation for new parcels or sites pre-dates both the enormous growth in international trade of recent decades and the significant evolution in trade-related security and oversight responsibilities within government since 2001.

Within the FTZ program itself, increased demand for rapid action regarding new FTZ parcels or sites is tied to an accelerated pace of decision-making among the types of businesses that constitute the ultimate users of the program. The program's ability to react to business needs in a timely manner is inextricably linked to the program's success in helping to retain or enhance U.S.-based activity. In this context, an alternative approach to MBMs and site management for grantees in need of greater flexibility and responsiveness can be important in fulfilling the FTZ program's purpose "to expedite and encourage foreign commerce."

Proposal: The fundamental trade-off addressed in this proposal is greater flexibility and increased predictability for approval of FTZ sites through simple and rapid MBM actions in exchange for a grantee maximizing the linkage between designation of FTZ space and actual use of that space for FTZ activity (after "activation" by CBP). Maximizing this linkage can further other important program-related goals, including more efficient use of both FTZ Board and CBP resources.

Although the proposed alternative framework could be available to new or existing grantees, the major benefit would likely be for existing grantees who seek to enhance their ability to respond to evolving FTZ-related needs in their communities. Under this proposal, existing or potential grantees would have the option of applying to establish or reorganize their FTZ by incorporating in an application for FTZ Board action elements from the following framework:

1. The "service area" within which the grantee intends to be able to propose FTZ sites (e.g., specific counties, with documented support from new counties if the service

area reflected a broader focus than the FTZ's current area served). The term "service area" applies a name to a concept which already exists in certain approved FTZ applications in which a grantee organization has named the localities it intends to serve. It should be noted that any service area would need to be consistent with the "adjacency" requirement of the FTZ Board's regulations (60 miles/90 minutes driving time from CBP Port of Entry boundaries).

2. An initial limit of up to 2,000 acres of designated FTZ space within the service area. Given the proposal's focus on linking FTZ designation more closely to FTZ activity, the 2,000-acre limit reflects the FTZ Board's existing practice of limiting any FTZ grantee to activation of 2,000 acres (regardless of the overall size of the grantee's zone) unless further approval is obtained from the FTZ Board. Acreage within the 2,000-acre limit which had not been applied to specific designated sites would effectively be "reserve" acreage available for future FTZ designation for parcels or sites within the grantee's approved service area.
3. Enhancement of the usefulness of the 2,000 available acres by emphasizing "floating" acreage within an individual site's boundaries (as has been the FTZ Board's practice with certain applications to date). For example, 100 acres of "floating" FTZ designation within the boundaries of a 700-acre port complex would mean that it would be possible to activate with CBP up to 100 acres of total space anywhere within that 700-acre complex.
4. Mandatory designation of a primary "anchor" FTZ site able to attract multiple FTZ users. No "sunset" time limit (see below) would apply to the anchor site. The anchor site would generally be no more than 500 acres (which could be "floating" acres within larger site boundaries see above). A grantee's anchor site would be designated through the full application process for FTZ Board action.
5. Possible designation of a limited number of "magnet" sites selected by the grantee often through local public processes for ability and readiness to attract multiple FTZ users. An individual magnet site would generally be limited to 200 "floating" acres. A magnet site could only be designated through an application for FTZ Board