

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

### Forest Service

#### Information Collection; Extension of Timber Sales

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the new information collection, Extension of Timber Sales.

**DATES:** Comments must be received in writing on or before September 22, 2008 to be assured of consideration.

Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Written comments concerning this notice should be addressed to USDA Forest Service, Director of Forest Management, 1400 Independence Avenue, SW., Mail Stop 1103, Washington, DC 20250-1103. Comments may also be sent via e-mail to [mrcta@fs.fed.us](mailto:mrcta@fs.fed.us), or via facsimile to Lathrop Smith at (202) 205-1045.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the office of the Director of Forest Management, Third Floor, Southwest Wing, Yates Building, 201 14th Street, SW., Washington, DC. Visitors are encouraged to call ahead to (202) 205-1496 to facilitate entry to the building.

**FOR FURTHER INFORMATION CONTACT:** Lathrop Smith, Forest Management staff, at (202) 205-0858, or Richard Fitzgerald, Forest Management staff, at (202) 205-1753.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

#### SUPPLEMENTARY INFORMATION:

*Title:* Extension of Timber Sales.

*OMB Number:* 0596-New.

*Type of Request:* New.

*Abstract:* Section 8401 of the Food Conservation, and Energy Act of 2008, Public Law No. 110-246, 122 Stat. 1651, June 18, 2008 (Section 8401), provides several different relief options for timber sale purchasers holding contracts with rates significantly higher than current timber market rates due to a drastic reduction in forest products markets. The relief options include: (a) Contract cancellation or rate redetermination, (b) substitution of the Bureau of Labor statistics producer price index specified in the contract, (c) rate redetermination following substitution of index, (d) extension of contracts using the hardwood lumber index, and (e) extension of Market-Related Contract term Addition time limit for certain contracts. To obtain the benefits of these options, National Forest System timber sale purchasers are required to provide certain information not previously authorized for collection by OMB. Depending on the benefits sought this may include: (1) A Request for Relief and Release of Liability Statement on form FS-2400-71, (2) a Contract Cancellation and Release of Liability Agreement on form FS-2400-70, and (3) for purchasers seeking a change in the index used for determining market-related contract term additions and emergency rate redeterminations, identification by the purchaser, in writing, how much of the contract timber volume will be processed into softwood lumber, hardwood lumber and/or wood chip products.

Forms FS-2400-70 and FS-2400-71 become legally binding documents upon signing by the purchaser and Forest Service and as such must be submitted by the purchaser in hard copy with original signatures. The information regarding identification of products the purchaser intends to produce from the sale when seeking a change in index may be submitted by the purchaser in hard copy or electronically by facsimile.

Information identified above will be collected from purchasers by Forest Service contracting officers who will use the information to determine eligibility for the benefit requested. The information requested is not available from any other source and is unique to a single event in the life of a contract.

The information is not used for any statistical purposes. No confidential information is involved and no information of a sensitive nature is collected. The information requested is readily available to timber sale purchasers and does not require any record keeping.

Without the release of liability statements and agreements the government is vulnerable to lawsuits from purchasers seeking compensation or damages resulting from conditions or events that were not part of the original contract. For example, a purchaser holding a contract that is extended pursuant to the Farm Bill past the original termination date and that subsequently has to be unilaterally modified during the extension period because of a newly listed endangered species, may seek damages against the government resulting from the modification if the extension was granted without a limited liability agreement.

The index used in contracts to determine when a market-related contract term addition and/or emergency rate redetermination should occur has long term implications to the contract. Prior to changing the index the contract record must contain written documentation that the purchaser initiated the request to change the index, including documentation of the products it intended to produce from the timber at the time the request was made. Without this documentation a purchaser could allege that the government unilaterally and inappropriately changed the index.

*Estimated Annual Burden:* 10 minutes per response.

*Type of Respondents:* Individuals, large and small businesses, and corporations.

*Estimated Number of Respondents:* 1030.

*Estimate Number of Responses per Respondent:* 1.

*Estimated Number of Total Annual Responses:* 1230 (1030 FS-2400-71, 100 FS-2400-70, and 100 Classification of Volume).

*Estimated Total Annual Burden on Respondents:* 206 hours.

*Comment is invited on:* (1) Whether the proposed collection of information is necessary for the stated purposes or the proper performance of the functions of the agency, including whether the

information shall have practical or scientific utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including name and address when provided, will be summarized and included in the request for Office of Management and Budget approval. All comments also will become a matter of public record.

Dated: July 16, 2008.

**Joel D. Holtrop,**

*Deputy Chief, National Forest System.*

[FR Doc. E8-16785 Filed 7-21-08; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Open House To Provide Information on the Proposed Rule for the Management of Roadless Areas in the State of Colorado

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** There will be an open house in Washington, DC to discuss the proposed rule for the management of roadless areas on National Forest System lands in the State of Colorado.

**DATES:** The open house will be held July 29, 2008, from 5 p.m. to 9 p.m.

**ADDRESSES:** The open house will be held at the U. S. Department of Agriculture, Whitten Building, Whitten Building Patio, 1400 Independence Avenue, SW., Washington, DC. Comments on the proposed rule may be sent via e-mail to

*COCComments@fsroadless.org.*

Comments also may be submitted via the world wide Web/Internet at *http://www.regulations.gov*. Written comments concerning this notice should be addressed to Roadless Area Conservation-Colorado, P.O. Box 162909, Sacramento, CA 95916-2909, or via facsimile to 916-456-6724. All comments, including names and addresses, when provided, are placed in the record and are available for public inspection and copying. To inspect

public comments, please contact Kathy Kurtz at 303-275-5083.

**FOR FURTHER INFORMATION CONTACT:** Kathy Kurtz, Colorado Roadless Rule Team Leader, at 303-275-5083.

Individuals using telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern Standard Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The public is invited to an open house with Forest Service personnel available to provide information and answer questions about the proposed Colorado Roadless Rule. Attendees are encouraged to submit written public comment at the open house, but there will be no time allotted at the open house for oral comments.

Meeting attendees will need to pass through U.S. Department of Agriculture security in order to enter the building. You will need photo identification to enter the building. Attendees are encouraged to provide their names to security prior to the meeting in order to gain quicker access to the building. Attendees can submit their names to a comment line by calling 202-205-1776. In the message you should identify yourself as wanting to attend the public meeting on the Colorado rule, and then both say and spell your name. Any bags that attendees bring will have to go through screening; you are, therefore, encouraged not to bring bags in order to expedite the screening process.

A copy of the proposed rule, draft environmental impact statement (DEIS), the DEIS summary, dates for public meetings in Colorado, and other information related to this rulemaking will be available at the national roadless Web site (*http://www.roadless.fs.fed.us*). Reviewers may request printed copies or compact disks of the DEIS and the summary by writing to Colorado Roadless Team/Planning, USDA Forest Service, Rocky Mountain Regional Office, 740 Simms Street, Golden, CO, 80401-4720, or by e-mail to *comments-rocky-mountain-regional-office@fs.fed.us*, or by Fax to 303-275-5134. When ordering, requesters must specify their address, if they wish to receive the summary or full set of documents, and if the material should be provided in print or compact disk.

Dated: July 17, 2008.

**Charles L. Myers,**

*Associate Deputy Chief, National Forest System.*

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## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### The Secretary of Agriculture's Determination of the Primary Purpose of Pennsylvania's Upper Makefield Township Riparian Restoration and Preservation Grant Program

**AGENCY:** Natural Resources Conservation Service (NRCS), USDA.

**ACTION:** Notice of Determination.

**SUMMARY:** NRCS is providing public notice that the Secretary of Agriculture has determined the payments made under Pennsylvania's Upper Makefield Township Riparian Restoration and Preservation Grant Program are primarily for the purpose of protecting or restoring the environment. NRCS was assigned technical and administrative responsibility for reviewing the Upper Makefield Township Riparian Restoration and Preservation Grant Program and making appropriate recommendations for the Secretary's determination of primary purpose. This determination is in accordance with section 126 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 126), and permits recipients of cost-share payments to exclude from gross income to the extent allowed by the Internal Revenue Service.

**FOR FURTHER INFORMATION CONTACT:** Township Solicitor, Upper Makefield Township, 1076 Eagle Road, Newtown, Pennsylvania 18940; or NRCS, Financial Assistance Programs Division, Post Office Box 2890, Washington, DC 20013.

**SUPPLEMENTARY INFORMATION:** Under Section 126(a)(10) of the Internal Revenue Code, gross income does not include the "excludable portion" of payments received under any program of a State under which payments are made to individuals primarily for the purpose of protecting or restoring the environment. In general, a payment for selected conservation practices is exempt from Federal taxation, if it meets three tests: (1) Was for a capital expense; (2) does not substantially increase the operator's annual income from the property for which it is made; and (3) the Secretary of Agriculture certified that the payment was made primarily for conserving soil and water resources, protecting or restoring the environment, improving forests, or providing habitat for wildlife. The Secretary of Agriculture evaluates a conservation program on the basis of criteria set forth in 7 CFR part 14, and makes a "primary purpose" determination for the payments made under the program. The