

the acquired lands and whether or not to adjust the management direction assigned to the associated national grassland range allotments, as well as whether or not to implement site-specific project proposals for the project area.

### Scoping Process

A scoping letter will be issued concurrent with the publication of this notice of intent. The specifics of the proposed action(s) will be laid out in the letter and also will be posted on the Dakota Prairie Grasslands Web site for review. Comments to scoping should be received within 45 days from the date on the letter.

### Comment Requested

The Forest Service will be soliciting comments from individuals; Federal, State, and local governments; American Indians, and organizations on the scope of the analysis to be included in the draft environmental impact statement for the DPG Plan amendment and from those that may be interested in or affected by the proposed action to:

- Identify potential issues.
- Identify issues to be analyzed in depth.
- Eliminate insignificant issues or those which have been covered by a relevant previous environmental analysis.
- Identify potential environmental effects of the proposed action.
- Identify and explore alternatives to the proposed action.

Comments received will be considered in preparation of the draft environmental impact statement. A range of alternatives will be considered after public comments are received and analyzed. One of those considered will be a "No Action" alternative for the site-specific projects proposed.

*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 90 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, 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 90-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 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 submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decisions under 36 CFR parts 215 (site specific decisions) or 217 (LRMP amendment decisions).

Additionally, pursuant to 7 CR 1.27 (d), any person may request the agency to withhold a submission from the public record by showing how the FOIA (Freedom of Information Act) permits such confidentiality. Confidentiality may be granted in only very limited circumstances, such as to protect trade secrets.

The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality and where the request is denied; the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within 90 days.

**Authority:** 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21.

Dated: October 2, 2008.

**David M. Pieper,**

*Grasslands Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### National Urban and Community Forestry Advisory Council

**AGENCY:** Forest Service, USDA.

**ACTION:** Preannouncement of 2009 Urban and Community Forestry Grant Process.

**SUMMARY:** The National Urban and Community Forestry Advisory Council, (NUCFAC), is charged, by law, to provide recommendations to the Secretary of Agriculture on urban forestry related issues and opportunities. Part of the Council's role is to recommend the criteria for the U.S. Forest Service's Urban and Community Forestry, (U&CF) Challenge Cost Share Grant Program.

NUCFAC is revising their criteria for the U.S. Forest Service's U&CF Challenge Cost Share Grant Program for 2009. The new U&CF Challenge Cost Share Grant Program is designed to reflect this change, and implement new procedures that reduce the paperwork burden on potential grantees. Grants for 2009 will be solicited in two categories:

#### Innovation Grants

NUCFAC anticipates recommending a small number of significant grants intended to address, on a national or regional level, the highest priority issues confronting the U&CF community. NUCFAC will seek proposals from organizations and partnerships that demonstrate the reach, resources and expertise needed to deliver meaningful, replicable results. As much as \$500,000 would be available in 2009 for one or more Innovation Grants.

NUCFAC is in the process of identifying priority issues that might be addressed through Innovation Grants in 2009. Please forward any suggestions to Nancy Stremple, [nstremple@fs.fed.us](mailto:nstremple@fs.fed.us) by close of business, (C.O.B.), October 30, 2008.

#### 2009 Best Practices Grants

Smaller grants up to \$50,000 for organizations that can implement, demonstrate, and disseminate replicable approaches to:

- Recruit advocates for urban forestry;
- Make best practices/latest science in urban forestry accessible to practitioners;

- Nurture networks of urban forestry practitioners within existing conservation, organizations, professional societies, social networks, and internet communities; and

- Address other challenges to the U&CF community.

**DATES:** Suggestions are due by close of business, (C.O.B.), October 30, 2008.

**ADDRESSES:** Written comments concerning this announcement should be addressed to Nancy Stremple, Executive Staff to National Urban and Community Forestry Advisory Council, 201 14th St., SW., Yates Building (1 Central) MS-1151, Washington, DC 20250-1151. Comments may also be sent via e-mail to [nstremple@fs.fed.us](mailto:nstremple@fs.fed.us), or via facsimile to 202-690-5792.

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 201 14th St., SW., Yates Building (1 Central) MS-1151, Washington, DC 20250-1151. Visitors are encouraged to call ahead to 202-205-1054 to facilitate entry into the building.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Stremple, Executive Staff or Robert Prather, Staff Assistant to National Urban and Community Forestry Advisory Council, 201 14th St., SW., Yates Building (1 Central) MS-1151, Washington, DC 20250-1151, phone 202-205-1054.

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:** The announcement of the 2009 Challenge Grant Program is planned for late November 2008. At that time, more details about application requirements, criteria for judging proposals, and priorities for Innovation Grants and Best Practices Grants will be available at: <http://www.grants.gov>.

If interested applicants are not already registered in grants.gov, they are encouraged to register now. The process may take up to two weeks to collect the required information.

Dated: October 1, 2008.

**John Phipps,**

*Associate Deputy Chief, State and Private Forestry.*

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**BILLING CODE 3410-11-P**

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[Docket 46-2008]

**Foreign-Trade Zone 38—Spartanburg County, SC; Technical Correction to Application for Subzone Status; Cornell Dubilier Marketing, Inc. (Electrolytic Capacitors)**

On October 24, 2008, the South Carolina State Ports Authority, grantee of FTZ 38, submitted an application to the Foreign-Trade Zones Board (the Board) on behalf of Cornell Dubilier Marketing, Inc. (CDM), requesting special-purpose subzone status for the CDM electrolytic capacitor manufacturing plant, located in Liberty, South Carolina (73 FR 49990, 8-25-2008).

The application erroneously stated that the plant's production capacity as 6,100 capacitors annually. The applicant has submitted a correction to the application that restates the plant's production capacity to reflect 6.1 million units annually. The application remains otherwise unchanged.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is November 7, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to November 24, 2008).

A copy of the application is available for public inspection at each of the following addresses: Office of the Port Director, U.S. Customs and Border Protection, 150-A West Phillips Road, Greer, SC 29650; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002. For further information, contact Pierre Duy at [pierre\\_duy@ita.doc.gov](mailto:pierre_duy@ita.doc.gov), or (202) 482-1378.

Dated: October 1, 2008.

**Andrew McGilvray,**

*Executive Secretary.*

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**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[Docket 52-2008]

**Proposed Foreign-Trade Zone; Lansing, MI; Application and Public Hearing**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Capital Region Airport Authority to establish a general-purpose foreign-trade zone at the Capital Region International Airport in Lansing, Michigan. The Capital Region International Airport has been designated by U.S. Customs and Border Protection as a user fee airport. The application was submitted pursuant to the provisions of the FTZ Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 1, 2008. The applicant is authorized to make the proposal under Michigan Public Acts 1963, No. 154.

The proposed zone would consist of one site covering 846 acres, located at the Capital Region International Airport, at 4100 Capital City Boulevard, Lansing, Michigan. The site is owned by the Capital Region Airport Authority.

The application indicates a need for zone services in Lansing, Michigan. Several firms have indicated an interest in using zone procedures for warehousing/distribution activities for a variety of products. Specific manufacturing approvals are not being sought at this time. Requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Kathleen Boyce of the FTZ staff is designated examiner to investigate the application and report to the Board.

As part of the investigation, the Commerce examiner will hold a public hearing on November 6, 2008 at 1 pm, Capital Region Airport Authority, 4100 Capital City Boulevard, 1st Floor Community Room, Lansing, Michigan.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is December 8, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 22, 2008).

A copy of the application and accompanying exhibits will be available for public inspection at the Capital Region Airport Authority, 4100 Capital