

*biotech\_ea\_permits.html*) and are posted with the previous notice and the comments we received on the Regulations.gov Web site at (<http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0059>).

**Other Information:** Additional information about APHIS and its programs is available on the Internet at (<http://www.aphis.usda.gov>).

**FOR FURTHER INFORMATION CONTACT:** To obtain copies of the EA, FONSI, and response to comments, contact Ms. Cynthia Eck at (301) 734-0667; e-mail: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** The regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered "regulated articles." A permit must be obtained or a notification acknowledged before a regulated article may be introduced. The regulations set forth the permit application requirements and the notification procedures for the importation, interstate movement, or release in the environment of a regulated article.

On January 11, 2008, the Animal and Plant Health Inspection Service (APHIS) received a permit application (APHIS No. 08-011-106rm) from ArborGen, LLC, in Summerville, SC, for a controlled field release of genetically engineered *Eucalyptus* hybrids in 19 locations. On January 14, 2008, APHIS received a second permit application (APHIS No. 08-014-101rm) from ArborGen for another controlled release of genetically engineered *Eucalyptus* hybrids in 10 additional locations. Under these permits, trees allowed to be planted on 28 sites under previously approved permits (APHIS Nos. 06-325-111r, 08-039-102rm, and 08-151-101r) would be allowed to flower on 27 of the 28 sites. The original request was to plant 29 sites and allow 28 to flower, however, one location was removed from permit application 08-014-101rm, which reduced the number to 28 sites, with 27 allowed to flower. If granted, the permits would be issued for 3 years. To continue the field tests beyond this 3-year period, the applicant will be

required to submit a renewal for an additional 3 years.

Permit applications 08-11-106rm and 08-014-101rm describe *Eucalyptus* trees derived from a hybrid of *Eucalyptus grandis* X *Eucalyptus urophylla*. The purpose of this release is to continue research on the efficacy of genetic constructs intended to confer cold tolerance, alter lignin biosynthesis and alter fertility. In addition, the trees have been engineered with the kanamycin resistance selectable marker gene (*nptII*). These DNA sequences were introduced into *Eucalyptus* trees using disarmed *Agrobacterium tumefaciens*. The subject *Eucalyptus* trees are considered regulated articles under the regulations in 7 CFR part 340 because they were created using donor sequences from plant pests.

In a notice<sup>1</sup> published in the **Federal Register** on June 3, 2009 (74 FR 26648-26649, Docket No. APHIS-2008-0059), APHIS announced the availability of an environmental assessment (EA) for public review and comment for a proposed controlled field release of a genetically engineered clone of a *Eucalyptus* hybrid. Comments on the EA were required to be received on or before July 6, 2009. Commenters noted that one of the documents cited in the EA, a U.S. Forest Service assessment of hydrological impacts from *Eucalyptus*, was not available for review. Subsequently, APHIS published a notice in the **Federal Register** on January 19, 2010 (75 FR 2845, Docket No. APHIS-2008-0059) announcing the availability of an amended EA, which included the U.S. Forest Service document, and reopened the comment period for the environmental assessment an additional 30 days. APHIS also accepted comments received in the interim between the two **Federal Register** notices. There were 45 respondents that supported issuance of the permit; and 12,462 respondents who were opposed. Further information regarding the nature of the comments received, as well as APHIS' response to those comments are contained in the response to comments document (see **ADDRESSES** above).

Pursuant to the regulations promulgated under the Plant Protection Act, APHIS has determined that this field release is unlikely to pose a risk of introducing or disseminating a plant pest. Additionally, based upon analysis described in the EA, APHIS has determined that the action proposed in Alternative B of the EA – issue the

<sup>1</sup>To view the notice, the environmental assessment, and the comments we received, go to (<http://www.regulations.gov/search/Regs/home.html#docketDetail?R=APHIS-2008-0059>)

permit with supplemental permit conditions – is unlikely to have a significant impact on the quality of the human environment. The EA, finding of no significant impact (FONSI), and response to comments documents are available as indicated in the **ADDRESSES** sections of this notice. Copies may also be obtained from the person listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice.

To provide the public with documentation of APHIS' review and analysis of any potential environmental impacts and plant pest risks associated with the proposed release of these *Eucalyptus* trees, an EA and FONSI have been prepared. The EA and FONSI were prepared in accordance with (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 10<sup>th</sup> day of May 2010.

**Kevin Shea**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010-11437 Filed 5-11-10; 9:22 am]

**BILLING CODE 3410-34-S**

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Clarke County Water Supply Project, Clarke County, IA

**AGENCY:** Natural Resources Conservation Service.

**ACTION:** Notice of intent to prepare a revised Environmental Impact Statement.

**SUMMARY:** Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR part 1500); and the Natural Resources Conservation Service Guidelines (7 CFR part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture gives notice that a revised environmental impact statement is being prepared for the Clarke County Water Supply Project, Clarke County, Iowa.

**FOR FURTHER INFORMATION CONTACT:**

Richard Sims, State Conservationist, or Marty Adkins, Assistant State Conservationist for Planning, 210 Walnut Street, Room 693, Des Moines, IA 50309-2180, telephone: 515-284-4769.

**SUPPLEMENTARY INFORMATION:** A Notice of Intent (NOI) to prepare the first Environmental Impact Statement (EIS) was published in the **Federal Register** on April 19, 2006. A combined draft Watershed Plan and Environmental Impact Statement (EIS) was completed in February 2009 and reviewed with local citizens on February 26, 2009, at the Clarke County Fairgrounds. The draft Plan and EIS was posted in the **Federal Register** on March 6, 2009, for public and interagency review. Comments were received until April 20, 2009.

During the consideration of public and interagency comments by NRCS information related to water supply demand requirements for permitting by the State was discovered. This information effectively lowered the water supply project target from 3.2 mgd to 2.2 mgd. This lowered target made the consideration of site 3.5 (in addition to site 4B) possible and required to meet Federal water resource planning requirements. An additional potential site (Site 5) was also identified for evaluation.

As a result of these findings, Richard Sims, NRCS State Conservationist, has determined that the preparation and review of a revised combined watershed plan and environmental impact statement (EIS) is needed for this project. The Army Corp of Engineers, United States Fish and Wildlife Service, Environmental Protection Agency and Iowa Department of Natural Resources have been formally requested to be cooperating agencies. Formal responses to these requests are pending.

This project involves the development of a plan for agricultural water management (rural water supply), public recreation, public fish and wildlife, and watershed protection near Osceola in southern Iowa. The Clarke County Water Supply project area is 18,360 acres. It is located northwest of Osceola from the headwaters of the Squaw Creek Watershed to the confluence of the South Squaw Creek Watershed.

An open house informational meeting was held in Osceola on December 1, 2004, to initiate the planning process and obtain public input. State and federal agencies, private organizations, and local individuals were invited to a scoping meeting on March 15, 2006. The

public input received from these meetings and at meetings of the Clarke County Reservoir Commission was considered as the first draft Environmental Impact Statement was developed. The same scoping meeting information will be used for the revised combined watershed plan and environmental impact statement (EIS). The periodic meetings of the Commission as well as individual member sponsor meetings are open to the public and have provided opportunity for citizen input.

The revised draft EIS will evaluate three potential multiple-purpose structures that provide for rural water supply and water based recreational opportunities. Additionally, sediment basins that reduce agricultural pollutants to the lake will be evaluated.

The Clarke County Water Supply Watershed Project Revised Draft EIS will be developed and published in the **Federal Register** with a target date of June 1, 2010. A 45-day comment period will be available for the public to provide comments. A 30-day comment period will be available following publication of the final EIS. A meeting will be held in the Osceola area near the date of the revised draft EIS publication to inform the public about the revised draft watershed plan-EIS and to obtain comments. A notice will be published in the **Federal Register** with a specific date, time, and location of this meeting.

The revised draft watershed plan-EIS will be prepared and circulated for review by agencies and the public and a notice of the availability of the Draft EIS published in the **Federal Register**. The Natural Resources Conservation Service invites participation and consultation of public agencies, any affected Indian tribe, and individuals who have special expertise, legal jurisdiction, or interest in providing data for consideration in preparing the revised draft EIS. Comments and other input received will be considered in plan development. Further information on the proposed action may be obtained from Marty Adkins, Assistant State Conservationist for Planning, at the above address or telephone number.

This **Federal Register** Notice will also be available at the Iowa NRCS Web site at <http://www.ia.nrcs.usda.gov>. A map of the Clarke County Water Supply proposed study sites will also be posted.

Dated: May 4, 2010.

**Richard Sims,**  
State Conservationist.

[FR Doc. 2010-11227 Filed 5-11-10; 8:45 am]

**BILLING CODE 3410-16-P**

**DEPARTMENT OF AGRICULTURE****Farm Service Agency****Dairy Industry Advisory Committee; Public Meeting**

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Notice of public meeting.

**SUMMARY:** As required by the Federal Advisory Committee Act, as amended, the Farm Service Agency (FSA) announces the second public meeting of the Dairy Industry Advisory Committee (Dairy Committee) for two days to discuss farm milk price volatility and dairy farmer profitability, review current dairy programs of the U.S. Department of Agriculture (USDA) and Federal dairy policy, hear proposals from the dairy industry, and hear public comments. The Dairy Committee is responsible for making recommendations to the Secretary on these issues. Instructions regarding registering for and attending the meetings are in the **SUPPLEMENTARY INFORMATION** section of this notice.

**DATES:** *Public meeting:* The public meeting will be on June 3 and 4, 2010. The first meeting, on June 3, 2010, will begin at 8:30 a.m. and end by 4:30 p.m. The second meeting, on June 4, 2010, will begin at 8:30 a.m. and end by 4:30 p.m.

*Registration:* You must register by June 1, 2010, to attend the public meeting and to provide oral comments to the Dairy Committee during the public meetings.

*Comments:* Written comments are due by June 4, 2010.

**ADDRESSES:** We invite you to participate in the meeting. The meeting is open to the public. The meeting will be held in room 104-A of the Jamie L. Whitten Building at 12th Street, SW., and Jefferson Drive, Washington, DC 20250.

We also invite you to submit comments. You may submit comments by any of the following methods:

- *Online:* Go to <http://www.fsa.usda.gov/DIAC>. Follow the online instructions for submitting comments, or

- Orally at the meeting; please also provide a written copy of your comments.

**FOR FURTHER INFORMATION CONTACT:** Solomon Whitfield, Designated Federal Official; phone: (202) 720-9886; e-mail: [solomon.whitfield@wdc.usda.gov](mailto:solomon.whitfield@wdc.usda.gov). Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).