

**Register.** You may submit comments by any of the following methods:

- *E-mail address:* Send comments to: [FSA-USWA@wdc.usda.gov](mailto:FSA-USWA@wdc.usda.gov).

- *Mail:* Patricia Barrett, Warehouse Operations Program Manager, FSA, United States Department of Agriculture, Mail Stop 0553, 1400 Independence Ave, SW., Washington, DC 20250-0553.

- *Fax:* (202) 690-3123.

Persons with disabilities who require alternative means for communication (Braille, large print, audiotape, etc.) for this information should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

**FOR FURTHER INFORMATION CONTACT:** Patricia Barrett, (202) 720-3877.

**SUPPLEMENTARY INFORMATION:**

USWA (7 U.S.C. 241-256) authorizes the Secretary of Agriculture to license warehouse operators who store agricultural products; FSA administers this authority.

USWA provides for licensing and inspection of warehouses used to store agricultural products, issuance of warehouse receipts, including electronic warehouse receipts for all agricultural products, and for other purposes.

The USWA licensing program is a voluntary program that is intended to protect depositors of agricultural products in licensed warehouses (7 CFR part 735). The licensing program is based on a written agreement outlining the terms and conditions for a warehouse operator to qualify for licensing, and requirements to operate the warehouse in compliance with USWA and the regulations.

USWA requires FSA to notify the public and provide the opportunity to comment on agricultural products that are under consideration for a warehouse license. FSA is proposing to create a voluntary USWA licensing program for processed agricultural products that are stored in climate controlled, cooler, and freezer warehouses. This proposal covers specific processed agricultural products such as apple juice concentrate and other similar products. This proposal is in response to an industry request, which is based on their need for the use of negotiable warehouse receipts in their business processes.

The warehouse examination program is designed to ensure the warehouse operator's initial qualification for licensing and continuing compliance with the standards of approval and operation. FSA will conduct examinations of licensed facilities to determine their suitability for proper storage and handling of commodities. The examination will include review of

warehouse records, pest management and control, housekeeping, safety, and security of goods in the care and custody of the licensee. The personnel conducting the examinations will verify that all commodities are properly marked and recorded in the warehouse records, and that commodities are stored in licensed space. Facilities must be kept and maintained in sound physical condition. In addition, 7 CFR 735.6 provides regulations for suspension and revocation of a license for those warehouse operators who do not comply with USWA, the regulations, or any licensing or provider agreement.

FSA will review and report on the comments received on this notice. The notice and summary of the comments received will be posted to the USWA Web site at <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=was-ua>.

FSA is inviting you to submit comments to FSA on adding processed agricultural products to the list of products for which FSA issues USWA licenses. In particular, FSA requests comments on processed agricultural products in response to the following questions:

- Should FSA offer a license for processed agricultural products such as apple juice concentrate?
- What types of storage facilities should such a license include: climate controlled warehouses, refrigerated warehouses, and freezer warehouses?
- What operational procedures (for examples, sanitation, security, records, insurance, examinations) should be addressed in a written agreement with the warehouse operator?
- What level and type of financial assurance (bond, letter of credit) should be required to provide security and protection to depositors?
- USWA specifies that user fees are to cover the costs to administer this program. Therefore, what fee structure (annual flat rate, hourly, graduated rates based on the size of the facility) should be applied to fund the administration of this program?
- Should the scope of the license cover all or only certain agricultural processed products stored in licensed space?

In addition to this notice, general information about FSA's administration of its responsibilities from USWA is available on the FSA Web site. Among other things, the information includes a list of licensed warehouses.

Signed at Washington, DC, on March 9, 2011.

**Val Dolcini,**

*Acting Administrator, Farm Service Agency.*

[FR Doc. 2011-5973 Filed 3-14-11; 8:45 am]

**BILLING CODE 3410-05-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Information Collection; Small Business Timber Sale Set-Aside Program; Appeal Procedures on Recomputation of Shares

**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 extension with no revision of a currently approved information collection, Small Business Timber Sale Set-Aside Program: Appeal Procedures on Recomputation of Shares.

**DATES:** Comments must be received in writing on or before May 16, 2011 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Comments concerning this notice should be addressed to Sharon Nygaard-Scott, Forest Management Staff, Mail Stop 1103, Forest Service, USDA, 1400 Independence Avenue, SW., Washington, DC 20250.

Comments also may be submitted via facsimile to 202-205-1045 or by e-mail to: [wosbaprocess@fs.fed.us](mailto:wosbaprocess@fs.fed.us). In addition, comments may be submitted via the World Wide Web/Internet at: <http://www.regulations.gov>.

The public may inspect comments received at the Forest Service, USDA, Forest Management Staff Office, Third Floor SW, 201 14th Street, SW., Washington, DC, during normal business hours. Visitors are encouraged to call ahead to 202-205-1766 to facilitate entrance into the building. Additionally, comments may be viewed on the World Wide Web/Internet at <https://fsplaces.fs.fed.us/fsfiles/unit/wosbaprocess.nsf>.

**FOR FURTHER INFORMATION CONTACT:** Sharon Nygaard Scott, Forest Management Staff, at 202-205-1766. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339, twenty-four hours a day, every day of the year, including holidays.

**SUPPLEMENTARY INFORMATION:**

*Title:* Small Business Timber Sale Set-Aside Program; Appeal Procedures on Recomputation of Shares.

*OMB Number:* 0596-0141.

*Expiration Date of Approval:* October 31, 2010.

*Type of Request:* Extension with no Revision.

*Abstract:* The Forest Service adopted the Small Business Timber Sale Set-Aside Program on July 26, 1990 (55 FR 30485). The Agency administers the program in cooperation with the Small Business Administration (SBA) under the authorities of the Small Business Act (15 U.S.C. 631), the National Forest Management Act of 1976, and SBA regulations in 13 CFR part 121. The program is designed to ensure that small business timber purchasers have the opportunity to purchase a fair proportion of National Forest System timber offered for sale.

Under the program, the Forest Service must recompute the shares of timber sales to be set aside for qualifying small businesses every 5 years based on the actual volume of sawtimber that has been purchased by small businesses. Shares must be recomputed if there is a change in manufacturing capability, if the purchaser size class changes, or if certain purchasers discontinue operations.

In 1992, the Agency adopted new administrative appeal procedures (36 CFR part 215), which excluded the Small Business Timber Sale Set-Aside Program. Prior to adoption of 36 CFR part 215, the Agency had accepted appeals of recomputations decisions under 36 CFR part 217; and therefore decided to establish procedures for providing notice to affected purchasers offering an opportunity to comment on the recomputation of shares (61 FR 7468). The Conference Report accompanying the 1997 Omnibus Appropriation Act (Pub. L. 104-208) directed the Forest Service to reinstate an appeals process for decisions concerning recomputation of Small Business Set-Aside shares, structural recomputations of SBA shares, or changes in policies impacting the Small Business Timber Set-Aside Program prior to December 31, 1996. The Small Business Timber Sale Set-Aside Program: Appeal Procedures on Recomputation of Shares (36 CFR 223.118; 64 FR 411, January 5, 1999) outlines the types of decisions that are subject to appeal, who may appeal decisions, the procedures for appeal decisions, the timelines for appeal, and the contents of the notice of appeal.

The Forest Service provides qualifying timber sale purchasers 30-days for predecisional review and

comment on draft decisions to reallocate shares, including the data used in making the proposed recomputation decision. Within 15 days after the close of the 30-day predecisional review period, an Agency official makes a decision on the shares to be set aside for small businesses and gives written notice of the decision to all parties on the national forest timber sale bidders list for the affected area. The written notice provides the date by which the appeal may be filed and how to obtain information on appeal procedures.

Only those timber sale purchasers, or their representatives, affected by small business share timber sale set-aside recomputation decisions and who have submitted predecisional comments may appeal recomputation decisions. The appellant must file a notice of appeal with the appropriate Forest Service official within 20 days of the date of the notice of decision. The notice of appeal must include:

1. The appellant's name, mailing address, and day time telephone number;
2. The title and date of the decision;
3. The name of the responsible Forest Service official;
4. A brief description and date of the decision being appealed;
5. A statement of how the appellant is adversely affected by the decision being appealed;
6. A statement of facts in dispute regarding the issue(s) raised by the appeal;
7. Specific references to law, regulation, or policy that the appellant believes have been violated (if any) and the basis for such an allegation;
8. A statement as to whether and how the appellant has tried to resolve the appeal issues with the appropriate Forest Service official, including evidence of submission of written comments at the predecisional stage; and
9. A statement of the relief the appellant seeks.

The data gathered in this information collection is not available from other sources.

*Estimate of Annual Burden:* 4 hours.

*Type of Respondents:* Timber sale purchasers, or their representatives, who are affected by recomputations of the small business share of timber sales.

*Estimated Annual Number of Respondents:* 40.

*Estimated Annual Number of Responses per Respondent:* 2.

*Estimated Total Annual Burden on Respondents:* 320.

#### **Comment Is Invited**

Comment is invited on: (1) Whether this collection of information is

necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the 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 names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request toward Office of Management and Budget approval.

Dated: March 9, 2011.

**James M. Pena,**

*Associate Deputy Chief, National Forest System.*

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**BILLING CODE 3410-11-P**

## **DEPARTMENT OF AGRICULTURE**

### **Forest Service**

#### **Bridger-Teton National Forest Resource Advisory Committee**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Bridger-Teton Resource Advisory Committee will meet in Kemmerer, Wyoming. The committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110-343) and in compliance with the Federal Advisory Committee Act. The purpose is to listen to proposed project presentations.

**DATES:** The meeting will be held on March 21, 2011, and will begin at 5 p.m.

**ADDRESSES:** The meeting will be held at the South Lincoln Training and Event Center, 215 Wyoming Highway 233, Kemmerer, WY. Written comments should be sent to Tracy Hollingshead, Bridger-Teton National Forest, 308 Hwy 189 North, Kemmerer, WY 83101. Comments may also be sent via e-mail to [thollingshead@fs.fed.us](mailto:thollingshead@fs.fed.us), or via facsimile to 307-828-5135.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may