Recreation Watershed Property; then along the West Boylston Town boundary until it intersects Mansfield Street; then southwest on Manning Street in Holden to Wachusett Street (Route 31); then south on Wachusett Street to Highland Street (still Route 31); then southwest on Highland Street to Main Street; then southeast on Main Street to Bailey Road; then south on Bailey Road to Chapin Road; then south on Chapin Road to its end; then continuing in a southeasterly direction to Fisher Road; then southwest on Fisher Road to Stonehouse Hill Road; then south on Stonehouse Hill Road to Reservoir Street; then southeast on Reservoir Street until it intersects the Worcester City boundary; then along the Worcester City boundary until it intersects Oxford Street; then south on Oxford Street to Auburn Street; then southeast on Auburn Street crossing under the Massachusetts Turnpike (I–90) and continuing southeast on Millbury Street; then northeast on Washington Street to the Massachusetts Turnpike (I–90); then east along the Massachusetts Turnpike (I–90) to the Auburn Town boundary; then north along the Auburn Town boundary to the Worcester City boundary; then northeast, north, and northwest along the Worcester City boundary until it intersects Route 20 (Hartford Turnpike); then east on Route 20 to Lake Street; then north and northeast on Lake Street to Route 9 (Belmont Street); then east on Route 9 to the point of beginning.

* * * * *

Done in Washington, DC, this 17th day of August 2011.

Gregory L. Parham,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2011–21520 Filed 8–22–11; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. APHIS–2011–0029]

European Larch Canker; Expansion of Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the domestic quarantine regulations to expand the regulated area for European larch canker to include additional areas in Maine. We are also correcting some misidentifications of previously listed regulated areas. This action is necessary to prevent human-assisted transmission of European larch canker from infested areas to noninfested areas.

DATES: This interim rule is effective October 24, 2011. We will consider all comments that we receive on or before October 24, 2011.

ADDRESS: You may submit comments by either of the following methods:


• Postal Mail/Commercial Delivery: Send your comments to Docket No. APHIS–2011–0029, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0029 or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Chaloux, National Program Manager, Emergency and Domestic Programs, PPQ, APHIS, 4700 River Road Unit 26, Riverdale, MD 20737; (301) 734–0917.

SUPPLEMENTARY INFORMATION:

Background

European larch canker (ELC), Lachnellula willkommi (Dasycypha), is a serious plant disease caused by a fungus that can kill mature and immature species of the genus Larix (larch) and Pseudolarix (Golden larch). In parts of Europe, ELC has eliminated the native larch species of the genus Larix, including the important timber species L. decidua (European larch) and L. sibirica (Siberian larch). In The Netherlands and Germany, ELC has eliminated the commercial species L. decidua in the wild, leaving only the cultivated forms of this species. In parts of both countries, ELC has eliminated the commercial species L. sibirica. L. decidua is the most widely used species of larch for forestry in Europe, and in parts of the Netherlands and Germany, ELC has eliminated the entire species. In this report, ELC is used to refer to the disease caused by L. willkommi.

The disease was first discovered in the United States in Maine in 1981 on L. decidua. It was confirmed in May 1984, and the Disease and Ectopic Paralysis Survey Act of 1983 (Public Law 98–121) was amended in 1985 to include the disease. The disease was eradicated in 1965, but it has reappeared several times since then. It is currently established in 28 counties, the Towns of Arminta, Northside, and Laurel, and the Town of Mount Desert Island in Maine.

Emergency Action

This rulemaking is necessary on an emergency basis to prevent the human-assisted dissemination of ELC, thus safeguarding the Nation’s forests, landscapes, and natural resources from this highly destructive pathogen.

Because our list of areas regulated for ELC in § 301.91–3 has not been revised in a number of years, certain additional changes are needed to make it current. We are revising the names of some of the listed jurisdictions to reflect current naming conventions, including the use of abbreviations, for towns in Maine. These naming conventions are also used elsewhere in our regulations, e.g., in the list of areas in Maine regulated for gypsy moth under § 301.45–3. We are also correcting some misspellings in the regulations of the names of towns regulated for ELC. These changes and corrections are intended to prevent any misidentification of, or confusion about, ELC-regulated areas.

Emergency Action
assisted spread of ELC to noninfested areas. Under these circumstances, the Administrator has determined that prior notice and opportunity for public comment are contrary to the public interest and that there is good cause under 5 U.S.C. 553 for making this rule effective less than 30 days after publication in the Federal Register.

We will consider comments we receive during the comment period for this interim rule (see DATES above). After the comment period closes, we will publish another document in the Federal Register. The document will include a discussion of any comments we receive and any amendments we are making to the rule.

Executive Order 12866 and Regulatory Flexibility Act

This interim rule is subject to Executive Order 12866. However, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

In accordance with the Regulatory Flexibility Act, we have analyzed the potential economic effects of this action on small entities.

Maine has expanded its intrastate ELC quarantine to include the townships of Beddington, Boothbay, South Bristol, T24 Middle Division Bingham’s Penobsot Purchase, and T25 Middle Division Bingham’s Penobsot Purchase. This interim rule amends our domestic ELC quarantine regulations to include additional those areas in Maine and to correct some misidentifications of previously listed regulated areas.

The only small entities in the newly federally regulated townships that may be affected are forestry operations. The number of these operations in the 5 townships has ranged between 8 and 18 over the past 5 years. It is estimated that the annual value of harvested larch sold from the newly quarantined areas averages about $375. Any potential impact of the rule is further minimized by the opportunity for forestry operations to enter into compliance agreements with lumber mills to process larch from quarantined areas.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

§ 301.91–3 Regulated areas.

Maine

Hancock County. The entire townships of Gouldsboro, Sorrento, Sullivan, T7 SD, T9 SD, T10 SD, and T16 MD, and Winter Harbor.

Knox County. The entire townships of Appleton, Camden, Cushing, Friendship, Hope, Owls Head, Rockland, Rockport, Saint George, South Thomaston, Thomaston, Union, Warren, and Washington.


Waldo County. The entire townships of Lincolnville and Searsmont.

Washington County. The entire townships of Addison, Baring, Beals, Beddington, Berry Township, Calais, Cathance Township, Centerville Township, Charlotte, Cherryfield, Columbia, Columbia Falls, Cooper, Cutler, Deblois, Dennysville, East Machias, Eastport, Edmunds Township, Harrington, Jonesboro, Jonesport, Lubec, Machias, Machiasport, Marion Township, Marshfield, Meddybemps, Milbridge, Northfield, Pembroke, Perry, Robbinston, Roque Bluffs, Steuben, T18 MD BPP, T19 MD BPP, T24 MD BPP, T25 MD BPP, Trescott Township, Whiting, and Whitneyville.

Done in Washington, DC, this 17th day of August 2011.

Gregory L. Parham,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2011–21519 Filed 8–22–11; 8:45 am]
BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. APHIS–2010–0002]

RIN 0579–AD16

Importation of Peppers From Panama

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations to allow, under certain conditions, the importation of commercial shipments of peppers from Panama into the United States without treatment. Conditions of entry to which the peppers will be subject include trapping, pre-harvest inspection, and shipping procedures. This action will allow for the importation of peppers from Panama into the United States while continuing to provide protection against the introduction of quarantine pests.

DATES: Effective Date: September 22, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Import Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1236; (301) 734–0627.

SUPPLEMENTARY INFORMATION:

Background

The regulations in “Subpart–Fruits and Vegetables” (7 CFR 319.56–1...