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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0076]

Plants for Planting Whose Importation is Not Authorized Pending Pest Risk Analysis; Notice of Availability of Data Sheets for Taxa of Plants for Planting That Are Quarantine Pests or Hosts of Quarantine Pests

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have determined that 22 taxa of plants for planting are quarantine pests and 37 taxa of plants for planting are hosts of 9 quarantine pests and therefore should be added to our lists of taxa of plants for planting whose importation is not authorized pending pest risk analysis. We have prepared data sheets that detail the scientific evidence we evaluated in making the determination that the taxa are quarantine pests or hosts of quarantine pests. We are making these data sheets available to the public for review and comment.

DATES: We will consider all comments that we receive on or before July 5, 2013.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2012-0076-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2012-0076, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

The data sheets and any comments we receive may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0076> 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) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Tschanz, Senior Regulatory Policy Specialist, Plants for Planting Policy, RPM, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1236; (301) 851-2179.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in “Subpart—Plants for Planting” (7 CFR 319.37 through 319.37-14, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of plants for planting (including living plants, plant parts, seeds, and plant cuttings) to prevent the introduction of quarantine pests into the United States. *Quarantine pest* is defined in § 319.37-1 as a plant pest or noxious weed that is of potential economic importance to the United States and not yet present in the United States, or present but not widely distributed and being officially controlled.

In a final rule published in the **Federal Register** on May 27, 2011 (76 FR 31172-31210, Docket No. APHIS-2006-0011), and effective on June 27, 2011, we established in § 319.37-2a a new category of plants for planting whose importation is not authorized pending pest risk analysis (NAPPRA) in order to prevent the introduction of quarantine pests into the United States. The final rule established two lists of taxa whose importation is NAPPRA: A list of taxa of plants for planting that are quarantine pests, and a list of taxa of plants for planting that are hosts of quarantine pests. For taxa of plants for planting that have been determined to be quarantine pests, the list will include the names of the taxa. For taxa of plants for planting that are hosts of quarantine pests, the list will include the names of the taxa, the foreign places from which the taxa’s importation is not authorized, and the quarantine pests of concern. The final rule did not add any taxa to the NAPPRA lists.

Paragraph (b) of § 319.37-2a describes the process for adding taxa to the NAPPRA lists. In accordance with that process, this notice announces our determination that 22 taxa of plants for planting are quarantine pests and 37 taxa of plants for planting are hosts of 9 quarantine pests.

This notice also makes available data sheets that detail the scientific evidence we evaluated in making the determination that the taxa are quarantine pests or hosts of a quarantine pest. The data sheets include references to the scientific evidence we used in making these determinations.

A complete list of the taxa of plants for planting that we have determined to be quarantine pests or hosts of quarantine pests, along with the data sheets supporting those determinations, may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the list and data sheets by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**.

For taxa of plants for planting that are hosts of quarantine pests, the data sheets specify the countries from which the taxa’s importation would not be authorized pending pest risk analysis. In many cases, the importation of the taxa would not be allowed from any country. In some cases, the taxa would be allowed to be imported from Canada. We would allow such importation when Canada is free of the quarantine pest for which the taxa are hosts and when Canada’s import regulations and our restrictions specific to Canada ensure that the pest would not be introduced into the United States through the importation of the taxa from Canada.

In a few cases, the taxa would be allowed to be imported from countries that are currently exporting the taxa to the United States, subject to restrictions in a Federal Order. We would like to clarify in this notice that we would exempt imports of taxa of plants for planting that are hosts of quarantine pests from the NAPPRA requirements when there is significant trade between the exporting country and the United States. We would continue to allow such importation based on our experience with importing those taxa of plants for planting and our findings,

through inspection, that they are generally pest free, and based on our determination that the restrictions in the Federal Order are sufficient to mitigate the risk associated with the quarantine pest in question. Generally, we would consider the importation from a country of 10 or more plants in each of the last 3 fiscal years to constitute significant trade in that taxon. However, we will also consider other data showing that there is significant trade in a taxon, even if it does not meet this standard.

After reviewing any comments we receive, we will announce our decision regarding the addition of the taxa described in the data sheets to the NAPPRA lists in a subsequent notice. If the Administrator's determination that the taxa are quarantine pests or hosts of quarantine pests remains unchanged following our consideration of the comments, then we will add the taxa described in the data sheets to the appropriate NAPPRA list.

Authority: 7 U.S.C. 450 and 7701-7772 and 7781-7786; 21 U.S.C. 136 and 136a; 3 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 30th day of April 2013.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2013-10656 Filed 5-3-13; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Forest Service

Klamath National Forest, California, Jess Project

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Klamath National Forest will prepare an environmental impact statement (EIS) to document and publicly disclose the environmental effects of fuels treatments on ridge tops and along roadways, thinning in natural stands and plantations, and meadow treatments to improve ecosystem function and resiliency while contributing to rural economic health. The project area is south of Sawyers Bar, California. Treatments are proposed on approximately 1,950 acres.

DATES: Comments concerning the scope of the analysis must be received by June 20, 2013. The draft environmental impact statement is expected November 2013 and the final environmental impact statement is expected January 2014.

ADDRESSES: Send written comments to Klamath National Forest Headquarters, ATTN: Angie Bell, Project Leader, 1711 S. Main Street, Yreka, CA 96097. Electronic comments can be made at the project's Web page: http://www.fs.fed.us/nepa/nepa_project_exp.php?project=38943, or via facsimile to (530) 841-4571.

FOR FURTHER INFORMATION CONTACT: Angie Bell, 530-842-6131, or Patty Grantham, Forest Supervisor, 530-842-6131.

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 Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The Jess project was developed to improve ecosystem function and resiliency while contributing to rural economic health. A Forest Service interdisciplinary team (IDT), composed of specialists from a wide array of disciplines in collaboration with interested parties, developed a purpose and need. The collaboration efforts included several public meetings and a field trip to discuss the need for change and potential actions in the project area. The IDT identified the following purpose and need for this project by comparing the existing conditions in the project area with the desired conditions described in the Forest Plan, Late-Successional Reserve Assessments, the North Fork Salmon Watershed Assessment and the Sawyers Bar Wildfire Community Protection Plan:

- Manage fuel loadings to reduce the risk of wildfires affecting nearby communities.
- Improve compositional, structural, and functional attributes of biologically diverse forest ecosystems by restoring ecological processes that build resiliency to high-intensity wildfire and insect and disease.
- Provide a broad range of ecosystem services, including wood products, rural economic health, biodiversity, and the beneficial uses of water.

Proposed Action

The IDT, in conjunction with the informal collaborative group composed of local, interested parties, inventoried the project area to identify resource concerns and develop management activities (proposed actions) to achieve the purpose and need for the Jess Project. The following proposed actions have been identified to move the project area from the existing condition to the

desired condition. Project design features (PDFs) and best management practices (BMPs) are incorporated into this proposed action. The Forest Service proposes the following treatments on about 1,950 acres within the 8,735 acre project boundary:

- Commercially harvest about 810 acres, including natural stands and plantations, with about 120 acres proposed for skyline and 690 acres of ground-based yarding;
- Treating fuels on strategic ridge tops on about 165 acres, including 95 acres of thinning, handpiling, and burning and 70 acres of mastication;
- Reducing roadside fuels on about 615 acres over 15 miles of National Forest Transportation System (NFTS) roads;
- Prescribed underburning about 250 acres;
- Planting rust-resistant sugar pine on scattered acres throughout the project area;
- Enhancing meadows around Mud Lake and other locations in the project area; and
- Masticating and handpiling/burning brush on about 150 acres for stand health and big game habitat enhancement.

Acres by treatment type do not account for the overlap in treatment types. Thinning treatments are likely to take place over the first five years after decision, followed by prescribed burning and pile burning in subsequent years. A more detailed description of this proposal, including access, is below.

Commercial harvest of trees larger than 9 inches dbh will occur on over 800 acres. Commercial treatments will vary with species preference and would be driven by topographic location, amount of disease present, and desired regeneration species. Trees with greater than 20-50% of their crown infected with mistletoe, depending on unit, will be candidates for removal. Dominant and co-dominant trees with full crowns, despite mistletoe infection will be maintained in treatment units. Several units have groups of older trees that will be retained as islands to provide spatial variation. Some small openings will be increased to resemble more historic gap sizes of 1-2½ acres. Hardwoods will be favored and will be thinned around in areas. Enhancement of hardwoods and reduction of conifer competition is prescribed in several units. Patches of saplings and pole size trees will be avoided during treatment. Overall, the best crowns will be maintained with crown spacing varying from five to twenty feet wide. Sugar pines proven to be rust-resistant from a local seed zone