

Service (APHIS) of the U.S. Department of Agriculture is authorized, among other things, to prohibit or restrict the interstate movement of animals and animal products to prevent the dissemination within the United States of animal diseases and pests of livestock and to conduct programs to detect, control, and eradicate pests and diseases of livestock.

Scrapie is a progressive, degenerative, and eventually fatal disease affecting the nervous system of sheep and goats. Its control is complicated because the disease has an extremely long incubation period without clinical signs of disease and no known treatment.

APHIS regulations in 9 CFR part 79 restrict the interstate movement of certain sheep and goats to control the spread of scrapie, and 9 CFR part 54 contains regulations for an indemnity program, flock cleanup, testing, and a Scrapie Free Flock Certification Program (SFCF).

The scrapie disease control program information collection activities include cooperative agreements; grants; memoranda of understanding; APHIS forms for inspection and epidemiology data; applications to participate in the SFCF; flock plans; post-exposure management and monitoring plans; record suspect/dead animals; scrapie test records; applications for indemnity payments; certificates, permits, and owner statements for the interstate movement of certain sheep and goats; applications for premises identification numbers; applications for official APHIS identification; designated scrapie epidemiologist training; and other program-related activities.

In addition, APHIS is adding new information collection activities to the current domestic scrapie program that include State burden from interstate certificates of veterinary inspection, private laboratory approval requests, contributions of breed registry associations, epidemiology and identification compliance reporting, declination to respond, epidemiology training, and disposal cost information. As a consequence, we have adjusted the estimates of burden accordingly. In addition, the adjusted estimates also reflect increases in identification tag orders and the number of specimen submissions per laboratory to better represent our current activities.

The information collection activities above are currently approved by the Office of Management and Budget (OMB) under OMB control numbers 0579-0101 (Scrapie in Sheep and Goats; Interstate Movement Restrictions and Indemnity Program), and 0579-0469 (Scrapie in Sheep and Goats; Flock

Certification, Interstate Movement and Indemnity Revisions). After OMB approves this combined information collection package (0579-0101), APHIS will retire OMB control number 0579-0469.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.*, permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 0.66 hours per response.

Respondents: Flock owners; market owners, operators, or managers; dealers; slaughter plant owners, operators, or managers; feedlot owners, operators, or managers; tag manufacturers; managers of producer organizations; accredited veterinarians; and State animal health authorities.

Estimated annual number of respondents: 100,050.

Estimated annual number of responses per respondent: 13.55.

Estimated annual number of responses: 1,355,937.

Estimated total annual burden on respondents: 898,574 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 26th day of November 2019.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2019-26115 Filed 12-2-19; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2018-0064]

Availability of an Environmental Assessment and Finding of No Significant Impact; Southwestern Willow Flycatcher Conservation Program

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the United States Department of Agriculture and its sub-agency, the Animal and Plant Health Inspection Service, have prepared an environmental assessment and finding of no significant impact for a conservation program pursuant to the Endangered Species Act to benefit the southwestern willow flycatcher, a small, neotropical migrant bird found in Arizona, California, Colorado, Nevada, New Mexico, Texas, and Utah. Based on our finding of no significant impact, we have determined that an environmental impact statement need not be prepared.

FOR FURTHER INFORMATION CONTACT: Mr. Kai Caraher, Biological Scientist, PHP, PPQ, APHIS, 4700 River Road, Unit 150, Riverdale, MD 20737-1231; (301) 851-2345; Kai.Caraher@usda.gov.

SUPPLEMENTARY INFORMATION:

Saltcedar, also known as tamarisk (*Tamarix* species), is an invasive plant widely established in riparian areas in the western United States. This non-native weed, which can take the form of a shrub or small tree, was introduced into the United States in the latter part of the 19th century. Although saltcedar is an invasive plant, native animals have adapted to its presence.

In 1986, the U.S. Department of Agriculture's (USDA's) Agricultural Research Service (ARS) began research into the potential for biological control of saltcedar. From 1998 to 2000, ARS conducted open field release trials of tamarisk leaf beetles (*Diorhabda* species) to determine the conditions under which releases could succeed. These field trials took place after ARS consulted with the U.S. Fish and Wildlife Service (USFWS) to ensure

compliance with the Endangered Species Act (ESA). USDA's Animal and Plant Health Inspection Service (APHIS) permitted the releases after it completed additional environmental risk analyses and provided the public an opportunity to comment on the documents.

In 2005, APHIS initiated a biological control program for saltcedar defoliation in the northern United States using the tamarisk leaf beetle as the biological control agent in limited locations outside of the habitat of the southwestern willow flycatcher (SWFL, *Empidonax traillii extimus*). Greater than anticipated natural dispersion and intentional human-assisted movement of the beetle into SWFL habitat caused defoliation of saltcedar trees, hampering the flycatcher's nesting success.

After tamarisk leaf beetles were discovered in SWFL habitat, APHIS terminated its saltcedar biological control program in 2010 and canceled release permits because of concern about the potential adverse effects on SWFL. APHIS reinitiated consultation with USFWS on these actions, in compliance with section 7(a)(2) of the ESA and 16 U.S.C. 1536(a)(2), and USFWS concurred with APHIS' determination that these actions were not likely to adversely affect the SWFL.

On September 30, 2013, the Center for Biological Diversity filed a lawsuit against USDA, APHIS, ARS, the Department of the Interior (DOI), and USFWS alleging that the APHIS saltcedar biological control program violated the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*) and the ESA. On May 3, 2016, the Court granted the plaintiff's second of five claims, finding that APHIS did not comply with the ESA section 7(a)(1), which requires Federal agencies to consult with DOI and "utilize their authorities in furtherance of the purposes of [the ESA] by carrying out programs for the conservation of endangered species and threatened species listed pursuant to [16 U.S.C. 1533]" 16 U.S.C. 1536(a)(1). On June 19, 2018, the Court ordered USDA and APHIS to publish proposed conservation program alternatives in compliance with ESA section 7(a)(1), solicit public comments on the proposed alternatives, then publish a draft environmental assessment (EA) for public comment, and complete review of all public comments, and issue final decision and final EA, or an environmental impact statement (EIS) should it be appropriate.

On October 26, 2018, APHIS published in the **Federal Register** (83 FR 54080–54082, Docket No. APHIS–

2018–0064) a notice¹ informing the public of APHIS' intent to conduct a scoping process and prepare an EA. We solicited comments for 30 days ending on November 26, 2018. We received 23 comments by that date.

After taking into consideration the comments that we received, on July 9, 2019, we published in the **Federal Register** (84 FR 32701–32702, Docket No. APHIS–2018–0064) a notice in which we announced the availability, for public review and comment, of an EA that examined the environmental effects of possible SWFL conservation measures available to USDA and APHIS, as well as a "no action" alternative.

We solicited comments on the EA for 30 days ending August 8, 2019. We received 22 comments by that date. Four commenters were supportive of the preferred alternative in the EA without further comment, and one expressed general opposition to all APHIS biocontrol efforts. Additionally, several commenters asked for changes in nomenclature or phrasing within the draft EA in order to clarify its provisions without changing its meaning; we have incorporated the requested changes to the extent possible within the final EA. The remaining comments are addressed in the final EA itself.

In this document, we are advising the public of our finding of no significant impact (FONSI) regarding our preferred alternative for SWFL conservation measures. The finding, which is based on the EA, reflects our determination that the preferred alternative will not have significant impact on the quality of the human environment.

The EA and FONSI may be viewed on the *Regulations.gov* website (see footnote 1). Copies of the EA and FONSI are also available for public inspection at USDA, Room 1141, South Building, 14th Street and Independence Avenue SW, Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 799–7039 to facilitate entry into the reading room. In addition, copies may be obtained by calling or writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

The EA and FONSI have been prepared in accordance with: (1) NEPA, as amended (42 U.S.C. 4321 *et seq.*); (2) regulations of the Council on Environmental Quality for

¹ To view the notice of intent and the comments that we received on that document, or the subsequent notice of availability of the environmental assessment, its supporting documents, and the comments that we received on that document, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2018-0064>.

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).

Done in Washington, DC, this 26th day of November 2019.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2019–0075]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Phytosanitary Export Certification

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for the issuance of phytosanitary certificates for plants or plant products being exported to foreign countries.

DATES: We will consider all comments that we receive on or before February 3, 2020.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2019-0075>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2019–0075, 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/#!docketDetail;D=APHIS-2019-0075> 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