

Notices

Federal Register

Vol. 85, No. 243

Thursday, December 17, 2020

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

December 14, 2020.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; 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; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by January 19, 2021 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

Food and Nutrition Service

Title: School Food Purchase Study IV (SFPS–IV).

OMB Control Number: 0584–0471.

Summary of Collection: This study is the fourth in a series of studies designed to provide statistically valid national estimates of food acquisitions (both purchased foods and USDA Foods) made by school food authorities (SFAs) participating in the Federally supported National School Lunch Program (NSLP) and School Breakfast Program (SBP). In the decade following the release of the third School Food Purchase Study (SFPS III) report, the school nutrition environment has undergone considerable changes. Key among them are the provisions of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111–296) which required updated nutrition standards for the NSLP and SBP. These standards require meals to include greater quantities of fruits and vegetables, whole grains, and low-fat dairy and reduced sodium. These changes have affected the purchasing practices of SFAs in terms of the types, volume, and cost of foods. This study is restricted to public SFAs to allow for direct comparisons of the results (*i.e.*, changes in the mix of acquired foods) to the prior study, SFPS III, which was conducted in SY 2009–2010. In addition, the study will describe food purchase practices of SFAs so that information associated with food purchasing efficiency can be provided to all SFAs.

Need and Use of the Information: SFPS–IV will provide updated national estimates of school food authority (SFA) food acquisitions (commercial purchases and USDA Foods) and a description and analysis of food purchase practices in SY 2021–2022. In addition, the study will assess changes in food acquisitions and purchase practices since SFPS–III, to provide important information about the impact of updated nutrition standards for meals and nonprogram (competitive) foods, and other changes made to the school meal programs following the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). SFPS–IV will provide Federal, State, and local policymakers with current information about how Federally sponsored school meal programs are operating since the last study more than

10 years ago. Information about food buying efficiencies will be useful for SFAs as they strive to maximize available resources and improve food service operations. This study will include State Directors (Child Nutrition and State Distributing Agencies), SFA Directors, as well as food vendors and food service management companies (FSMCs).

Description of Respondents: State, Local, or Tribal Government and Business or Other-for-Profit.

Number of Respondents: 760.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 4,942.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2020–27779 Filed 12–16–20; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2018–0078]

Notice of Proposed Revision To Import Requirements for the Importation of Fresh Citrus Fruit From Australia Into the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have prepared a pest risk analysis and treatment evaluation document relative to the importation into the United States of citrus fruit from additional areas of production in Australia. Based on the findings of these documents, we are proposing to authorize the importation of citrus fruit from additional areas of production in Australia, and revise the conditions under which citrus fruit from authorized areas of production in Australia may be imported into the United States. We are making the pest risk analysis and treatment evaluation document available to the public for review and comment.

DATES: We will consider all comments that we receive on or before February 16, 2021.

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

• *Federal eRulemaking Portal*: Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2018-0078>.

• *Postal Mail/Commercial Delivery*: Send your comment to Docket No. APHIS-2018-0078, 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-2018-0078> or in our reading room, which is located in Room 1620 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: Mr. Tony Román, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737-1231; (301) 851-2242.

SUPPLEMENTARY INFORMATION: Under the regulations in “Subpart L—Fruits and Vegetables” (7 CFR 319.56-1 through 319.56-12, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into or disseminated within the United States.

Section 319.56-4 of the regulations provides the requirements for authorizing the new importation of fruits and vegetables into the United States, as well as revising existing requirements for the importation of fruits and vegetables. Paragraph (c) of that section provides that the name and origin of all fruits and vegetables authorized importation into the United States, as well as the requirements for their importation, are listed on the internet in APHIS’ Fruits and Vegetables Import Requirements database, or FAVIR (<https://epermits.aphis.usda.gov/manual>). It also provides that, if the Administrator determines that any of the phytosanitary measures required for the importation of a particular fruit or vegetable are no longer necessary to reasonably mitigate the plant pest risk posed by the fruit or vegetable, APHIS will publish a notice in the **Federal Register** making its pest risk analysis and determination available for public comment.

Citrus fruit from Australia is currently listed in FAVIR as a fruit authorized importation into the United States, subject to the following phytosanitary measures:

- The citrus fruit must be produced in Riverina region of New South Wales District, Riverland region of South Australia, or Sunraysia region in Northwest Victoria District.

- The citrus fruit must either originate from an area within these approved production areas that is free of the fruit flies *Bactrocera tryoni* (Queensland fruit fly) and *Ceratitis capitata* (Medfly), or be treated with cold treatment in accordance with treatment schedule T107-d or T107-d-2 (all citrus other than lemons) or T107-d-3 (lemons), as well as the relevant requirements of 7 CFR part 305, which contains APHIS’ phytosanitary treatment regulations.

- The citrus fruit must be accompanied by a phytosanitary certificate that attests to the production in a pest-free area of production or that indicates that cold treatment was applied to the commodity during transit to the United States, and that contains an additional declaration stating that the fruit in the consignment was subject to phytosanitary measures to ensure the consignment is free of *Epiphyas postvittana* (light brown apple moth).

- The citrus fruit is subject to inspection at the port of entry into the United States.

- Only commercial consignments of Australian citrus fruit may be imported into the United States.

- The citrus fruit must be imported under permit.

APHIS received a request from the national plant protection organization (NPPO) of Australia to authorize the importation of citrus from three additional areas of Australia: The inland region of Queensland, the regions that compose Western Australia, and the shires of Bourke and Narromine within New South Wales District. The NPPO also asked us to reevaluate whether light brown apple moth could follow the pathway of citrus fruit from Australia into the United States.

In response to Australia’s request, we have prepared a pest risk assessment (PRA) to evaluate the pests of quarantine significance that could follow the pathway of importation of fresh citrus from these areas of Australia into the United States. The PRA also evaluates whether light brown apple moth, which exists in the areas, is likely to follow the pathway of citrus fruit from the areas into the United States. Based on the PRA, a commodity import evaluation document (CIED) was

prepared to identify phytosanitary measures that could be applied to the importation of citrus fruit from these additional areas of Australia to mitigate the pest risk.

We have concluded that citrus can safely be imported from these additional areas of Australia into the United States, using the following phytosanitary measures:

- The citrus must either originate from an area within these approved production areas that is free of the fruit flies Queensland fruit fly, Medfly, and/or *Bactrocera neohumeralis* (Lesser Queensland fruit fly), or be treated with cold treatment for the relevant fruit flies. If the area has Medfly but is free of Queensland fruit fly and Lesser Queensland fruit fly, treatment schedule T107-a may be used. If the area has Queensland fruit fly or Lesser Queensland fruit fly, treatment schedules T107-d-2 or T107-d-3 must be used. We have prepared a treatment evaluation document (TED) that determines that these two schedules are effective for Lesser Queensland fruit fly on Australian citrus.

- The citrus must be accompanied by a phytosanitary certificate that attests to the production in a pest-free area of production or that indicates that cold treatment was applied to the commodity during transit to the United States. We are not requiring an additional declaration for light brown apple moth because the PRA considers this pest unlikely to follow the pathway on citrus fruit from these areas. We are also proposing to remove the additional declaration requirement for light brown apple moth for the importation of citrus fruit from other approved areas of Australia.

- The citrus is subject to inspection at the port of entry into the United States.

- Only commercial consignments of Australian citrus may be imported into the United States.

- An operational work plan that details the requirements under which citrus will be safely imported is in place.

- The citrus fruit must be imported under permit.

Therefore, in accordance with § 319.56-4(c)(3), we are announcing the availability of our PRA and CIED for public review and comment. Those documents, as well as a description of the economic considerations associated with the importation of fresh citrus fruit from these additional areas of Australia and the TED, may be viewed on the *Regulations.gov* website 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 these documents by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the analysis you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding whether to revise the requirements for the importation of citrus fruit from Australia in a subsequent notice. If the overall conclusions of our analysis and the Administrator's determination of risk remain unchanged following our consideration of the comments, then we will revise the requirements for the importation of citrus fruit from Australia in accordance with this notice.

Authority: 7 U.S.C. 1633, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 14th day of December 2020.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2020–27803 Filed 12–16–20; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

[Docket No. NRCS–2020–0009]

Guidance for Identification of Nonindustrial Private Forest Land (NIPF)

AGENCY: Natural Resources Conservation Service (NRCS), U.S. Department of Agriculture (USDA).

ACTION: Notice and request for comments.

SUMMARY: NRCS is requesting input about guidance it intends to provide its agency staff concerning the identification of NIPF for NRCS conservation programs. NRCS welcomes input from the public prior to NRCS incorporating the guidance into the NRCS conservation program manual. This guidance will be used by staff to identify NIPF and relates to eligibility for certain NRCS programs.

DATES: *Comment Date:* We will consider comments received by January 19, 2021.

ADDRESSES: We invite you to submit comments on this notice. You may submit comments through the:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and search for Docket ID NRCS–2020–0009. Follow the online instructions for submitting comments.

All comments will be available on <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Martha Joseph; (814) 203–5562;

martha.joseph@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

NRCS is one of the USDA agencies that identifies nonindustrial private forest land (NIPF) for program enrollment. In particular, NRCS identifies NIPF for enrollment in the Agricultural Conservation Easement Program (ACEP), the Conservation Stewardship Program (CSP), the Environmental Quality Incentives Program (EQIP), and the Regional Conservation Partnership Program (RCPP).

Identification for NIPF enrollment under these NRCS programs is based upon section 1201(18) of the Food Security Act of 1985 (the 1985 Farm Bill), which defines NIPF as rural land, as determined by the Secretary, that:

- Has existing tree cover or is suitable for growing trees; and
- Is owned by any nonindustrial private individual, group, association, corporation, Indian Tribe, or other private legal entity that has definitive decision-making authority over the land.

NRCS recently attempted to clarify how it identifies NIPF for program enrollment in the fiscal years 2020 and 2021 RCPP Announcement for Program Funding (<https://www.grants.gov/web/grants/view-opportunity.html?oppId=328578>), by summarizing language from the USDA Forest Service's Forest Inventory & Analysis (FIA) glossary. NRCS used text that specified NIPF does not encompass industrial lands but the attempted clarification resulted in further confusion. After becoming aware of the confusion, the NRCS Acting Chief identified during a House Agriculture Committee hearing, on October 1, 2020, that NRCS would welcome input from stakeholders about how NRCS identifies NIPF, which is the purpose of this notice.

Identification of Land as NIPF

NRCS identifies NIPF as defined by the 1985 Farm Bill and program regulations. To make the identification, NRCS examines the components of the definition to determine if the land can be identified as NIPF, as explained below. In its identification, NRCS must also ensure that such identification is consistent with how other USDA agencies identify NIPF under identical or similar program definitions.

In order to determine whether land offered for enrollment meets land eligibility criteria, NRCS must identify whether the land is “rural land” that “has existing tree cover or is suitable for growing trees” and whether the land is owned by “a nonindustrial private landowner.” NRCS has long identified land use in accordance with its National Resources Inventory (NRI). The NRI provides updated information about the status, condition, and trends of land, soil, water, and related resources on U.S. non-Federal lands, and identifies the four primary land types (forest, rangeland, cropland, and pasture) of non-Federal rural land. In particular, the NRI defines forest land as follows:

Forest land. A land cover/use category that is at least 10 percent stocked by single-stemmed woody species of any size that will be at least 4 meters (13 feet) tall at maturity. Also included is land bearing evidence of natural regeneration of tree cover (cut over forest or abandoned farmland) and not currently developed for non-forest use. Ten percent stocked, when viewed from a vertical direction, equates to an areal canopy cover of leaves and branches of 25 percent or greater. The minimum area for classification as forest land is 1 acre, and the area must be at least 100 feet wide. See Glossary, 2017 National Resources Inventory, p. 8–3.

The NRI identification of forest land is consistent with how both the USDA Farm Service Agency (FSA) and Forest Service identify forest land for NIPF purposes, with some slight differences such as the Forest Service requires a canopy cover or crown cover of only 10 percent and a minimum area that is at least 120 feet wide.

The landowner component of NIPF identification is more complex as it relates to identification of whether the forest land is owned by a “nonindustrial private individual, group, association, corporation, Indian [T]ribe, or other private legal entity that has definitive decision-making authority over the land.” FSA specifies in its Emergency Forest Restoration Program that owners or lessees principally engaged in the primary processing of raw wood products are excluded from the definition of an owner of nonindustrial private forest. NRCS refers to this criterion as the “mill status” criterion (that is, whether or not the applicant owns a wood-processing facility on their land).

The Forest Service identifies industrial versus nonindustrial private forest landowners for its FIA with reference to several factors that reflect current trends in the forestry industry. In particular, the Forest Service