

# Notices

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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

November 18, 2010.

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 regarding: (a) 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; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8958.

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.

### Farm Service Agency

*Title:* 7 CFR 761, General Program Administration.

*OMB Control Number:* 0560-0238.

*Summary of Collection:* Authority to establish the regulatory requirements contained in 7 CFR 761, which provides that "The Head of an Executive department or military department may prescribe regulations for the government of his department, the distribution and performance of its business \* \* \*" The Secretary delegated authority to administer the provisions of the Act applicable to the Farm Loan Program (FLP) to the Under Secretary for Farm and Foreign Agricultural Service in section 2.16 of 7 CFR part 2. FLP provides loans to family farmers to purchase real estate equipment and finance agricultural production. The regulations covered by this information collection package describes, the policies and procedures the agency uses to provide supervised credit to direct FLP applicants and borrowers in accordance with the provisions of the Consolidated Farm and Rural Development Act (Pub. L. 87-128), as amended.

*Need and Use of the Information:* Information collections are submitted by FLP direct applicants and borrowers to the local FSA office serving the county in which their business is headquartered. The information is necessary to provide supervised credit as legislatively mandated and is used by Agency Officials to: (1) Ensure that when loan funds or insurance proceeds are used for construction and development, projects, work is completed according to applicable state and local requirements, and in a manner that protects the Agency's financial interest. (2) Ensure that the loan repayment plan is developed using realistic data, based on the actual history of the operation and any planned improvements. (3) Identify potential concerns limiting the success of the operation and develop a loan assessment outlining the course of action to be followed, to improve the operation so that commercial credit is available. The agency is mandated to provide supervised credit; therefore, failure to collect the information, or collecting it less frequently, could result

in the failure of the farm operation or loss of agency security property.

*Description of Respondents:* Business or other for-profit; Farms.

*Number of Respondents:* 92,947.

*Frequency of Responses:* Reporting: On occasion; Annually.

*Total Burden Hours:* 248,551.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2010-29564 Filed 11-23-10; 8:45 am]

**BILLING CODE 3410-05-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Bend/Ft. Rock Ranger District; Deschutes National Forest; Deschutes County, OR; West Bend Vegetation Management Project EIS**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Intent To Prepare an Environmental Impact Statement.

**SUMMARY:** The USDA, Forest Service, will prepare an environmental impact statement (EIS) on a proposed action to promote development of large tree structural conditions and to improve forest health and fuel conditions within the 25,700-acre West Bend planning area. The planning area is located to the west of Bend, Oregon, bounded on the east side by the urban interface of Bend, and on the west by the Bend Watershed Roadless Area. The planning area is entirely within public lands managed by the Deschutes National Forest, except for a 588-acres inholding of privately-owned land. An analysis has been initiated that takes a landscape approach to managing the vegetation to meet objectives for resilient forest, fuels and fire behavior, wildlife habitat, and aesthetics. Methods that would be used to reduce tree density and hazardous fuels are: non-commercial and commercial thinning, mechanical shrub treatment, prescribed burning, arid invasive plant treatment with herbicide. The alternatives will include the proposed action, no action, and, if necessary, additional alternatives that respond to issues generated through the scoping process. The agency will give notice of the full environmental analysis and decision-making process so interested and affected public may

participate and contribute to the final decision.

**DATES:** Comments concerning the scope of the analysis must be received by 30 days following the date that this notice appears in the **Federal Register**.

**ADDRESSES:** Send written comments to Shane Jeffries, District Ranger, Bend-Fort Rock Ranger District, Red Oaks Square, 1230 NE. Third Street, Suite A-262, Bend, Oregon 97701.

**FOR FURTHER INFORMATION CONTACT:** Beth Peer, Environmental Coordinator, Bend-Fort Rock Ranger District, Red Oaks Square, 1230 NE. Third Street, Suite A-262, Bend, Oregon 97701, phone (541) 383-4769.

*Responsible Official:* The responsible official is John Allen, Forest Supervisor, Deschutes National Forest, 1001 SW. Emkay Dr., Bend, OR 97701.

**SUPPLEMENTARY INFORMATION:**

*Background.* Forested vegetation within the West Bend project area is outside of the Historic Range of Variability (HRV) because industrial logging and wildfire suppression/exclusion have shifted the structural stages and species mix. What was once dominated by ponderosa pine and maintained by low intensity fire is now primarily mid-seral black bark pine with more lodgepole and white fir than what occurred historically. Disturbance processes are best kept within proportions that historically occurred or they have the potential to remove important habitat structure, particularly large trees that are desired over the long-term. The HRV is important to wildlife populations because the distribution, quality, and quantity of habitat largely determines the potential for a wildlife species to exist at viable levels. As habitat was converted, fragmented, and opened to motorized access, many species were reduced in number and others were precluded from portions of their geographic range altogether. Vegetation management is intended to move the project area towards the HRV which will benefit certain focal species that are currently lacking habitat.

The project area is located within two Community Wildfire Protection Plan (CWPP) areas. The CWPPs have defined the wildland-urban interface (WUI), and outlined priorities and strategies for reducing fuels in the WUI and other areas of special concern such as evacuation routes. The project area is very popular with recreationists. Bounded by the Cascade Lakes Scenic Byway to the south, Skyliner Road to the north, and the city limits of Bend to the east, the area supports miles of biking, hiking, snowmobile, crosscountry skiing, and snowshoeing

trails. The Forest is the central component of the recreation experience.

*Purpose and Need.* The purpose for entering the West Bend project area includes restoration of the forest landscape towards historic conditions that are considered more resilient than the current condition. Resilience to fire and insects is important so that disturbance events will not lead to large-scale loss of forest. This objective will also lead to creating and maintaining a diversity of wildlife habitats closer to what historically occurred. There is also a need to maintain forest conditions conducive to the desired recreation experience.

Public safety is another purpose for the project. Maintaining previous fuels reduction treatments to provide for long-term public safety and further reduce fire and fuels hazard to Bend and the Bend watershed are important objectives. There is also a need to provide travel corridors that are safe for the public and provide wildland firefighter access during a wildfire event.

The project area is located in Forest Plan management allocations that are appropriate for producing wood products. There is a need to contribute to the local and regional economies by providing timber and other wood fiber products now and in the future.

*Proposed Action.* The Forest Service proposes to implement activities across approximately 22,000 acres within the West Bend project area. Silviculture treatments (e.g. thinning) will provide a diversity of forest structures that are more in line with historical conditions. Thinning will encourage the development of late and old structure characteristics in stands where not currently present. Commercial thinning accounts for approximately 13,190 acres. Shrub mowing will reduce surface and ladder fuels and allow fire to be used as an ecological restoration tool. Prescribed fire will be applied in the fire-dependent ecosystems to reduce fuels, maintain habitat, and allow fire to perform its natural ecological function. Treatments are designed to address the objectives for each stand type and management area objective. Treatments will occur most often in combination, such as thinning followed by mowing followed by underburning. Herbicides are proposed for the control and elimination of invasive plant sites on approximately 18 acres.

*Issues.* Preliminary issues include the potential effect of the proposed action on soil productivity, invasive plant introduction and spread, and Management Indicator Species.

*Comment.* Public comments regarding this proposal are requested in order to assist in identifying issues, determine how to best manage the resources, and to focus the analysis. Comments received to this notice, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. This is also an opportunity to participate in the National Historic Preservation Act, section 106 process.

A draft EIS will be filed with the Environmental Protection Agency (EPA) and available for public review by August 2011. The EPA will publish a Notice of Availability (NOA) of the draft EIS in the **Federal Register**. The final EIS is scheduled to be available February 2012.

The comment period on the draft EIS will be 45 days from the date the EPA publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of a draft EIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions [*Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978)]. Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts [*City of Angoon v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980)]. Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS of the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

In the final EIS, the Forest Service is required to respond to substantive comments received during the comment period for the draft EIS. The Forest Service is the lead agency and the responsible official is the Forest Supervisor, Deschutes National Forest. The responsible official will decide where and whether or not to apply natural fuels treatments, thin stands, and reforest group cuts. The responsible official will also decide how to mitigate impacts of these actions and will determine when and how monitoring of effects will take place.

The West Bend Vegetation Management decision and the reasons for the decision will be documented in the record of decision, which will be subject to Forest Service Appeal Regulations (35 CFR part 215).

Dated: November 15, 2010.

**A. Shane Jeffries,**

*District Ranger, Bend/Ft. Rock Ranger District, Deschutes National Forest.*

[FR Doc. 2010-29476 Filed 11-23-10; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Cibola National Forest, Mount Taylor Ranger District, NM, Roca Honda Mine**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement.

**SUMMARY:** Roca Honda Resources, LLC has submitted a Plan of Operations proposing to develop and conduct underground uranium mining operations on their mining claims on and near Jesus Mesa in the Mount Taylor Ranger District of the Cibola National Forest. The proposed mine is located within portions of Sections 9, 10 and 16, Township 13 North, Range 8 West, New Mexico Principal Meridian. These sections are located in McKinley County, New Mexico approximately three miles northwest of San Mateo and 22 miles northeast of Grants, New Mexico. Sections 9 and 10 are National Forest System lands, which are open to mineral entry under the General Mining Law of 1872. Section 16 is State of New Mexico land, which is not subject to the regulatory jurisdiction of the Forest Service. Roca Honda proposes a mine permit area encompassing all three sections (1,920 acres) and a surface disturbance area of 183 acres within Sections 9, 10 and 16. Additional surface disturbance associated with the mine haul roads is proposed for Sections 11, 17 and 20. The Cibola

National Forest will prepare an environmental impact statement (EIS) to assess the development of a uranium mining operation on the Mount Taylor Ranger District.

**DATES:** Comments concerning the scope of the analysis must be received by 30 days after the publication of the NOI. Public scoping open houses will be held during the scoping period in Grants and Gallup, New Mexico. The tentative schedule for the open houses is as follows: Tuesday, December 14, 2010, in Grants, New Mexico, and Thursday, December 16, 2010, in Gallup, New Mexico. The final times and locations of these meetings will be announced by public notice and will be posted on the Cibola National Forest Web site. The draft environmental impact statement is expected by the summer of 2011 and the final environmental impact statement and Record of Decision (ROD) is expected by the end of 2011.

**ADDRESSES:** Send written comments to Diane Tafoya, Minerals Project Manager, Cibola National Forest, 2113 Osuna Road, NE., Albuquerque, NM 87113.

**FOR FURTHER INFORMATION CONTACT:** For further information, mail correspondence to Diane Tafoya, Minerals Project Manager, Cibola National Forest, 2113 Osuna Road, NE., Albuquerque, NM 87113.

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**

Roca Honda Resources, LLC has submitted a Plan of Operations for development of a uranium mine at the Roca Honda claims. The purpose of the EIS is to evaluate the environmental impacts of the proposed Plan of Operations and determine whether to approve the Plan as proposed or to require additional mitigation measures to protect the environment (in accordance with Forest Service regulations for locatable minerals).

The need for action is to allow Roca Honda Resources, LLC to exercise their rights under U.S. mining laws. Roca Honda Resources, LLC has a right to develop and remove the mineral resources as set forth by the General Mining Law of 1872 as amended. The 1872 Mining Law and 1897 Organic Act provide that the public has a statutory right to conduct prospecting, exploration, development and production activities on federal lands (unless specifically exempted), provided

these activities are reasonably incident (1955 Multiple Use Mining Act and case law) to mining and comply with other federal laws.

The Forest Service has the responsibility to protect surface resources. Mining regulations state that, "operations shall be conducted so as, where feasible, to minimize adverse environmental effects on National Forest System surface resources (36 CFR 228.8)," provided such regulation does not endanger or materially interfere with prospecting, mining, or processing operations or reasonably incidental uses (1955 Multiple Use Mining Act and case law).

#### **Proposed Action**

Roca Honda proposes to conduct mining operations for a period of approximately 18-19 years, including mine development, operations and reclamation. The proposed mining operations consist of three phases: (1) Mine Development—baseline data gathering, initial site development, construction, and depressurizing activities, which would be conducted to facilitate mine shaft construction. Depressurizing activities include constructing a ring of wells around the perimeter of the area of the production shafts into the Gallup, Dakota, and Westwater formations. These wells would be installed in advance of shaft construction and pumped in order to relieve the hydrostatic pressure in the formation, thus reducing the amount of water flowing into the shaft excavation as it advances through the formation. Five ventilation shafts, 8-10 ft in diameter, and two concrete-lined production shafts, 18 ft in diameter, would be constructed. (2) Mine Operation activities directly related to production of uranium ore from the underground mine, and transport of the ore offsite for mineral processing. Soils, rock, and ore would be stockpiled on the surface. Up to 4,000 gallons per minute of water would be pumped from the mine and treated prior to discharge in a tributary of San Mateo Creek. (3) Mine Reclamation—activities intended to reclaim land affected by mine development and operation, and to return that land to an approved post-mining land use (grazing).

The proposed federal action is to approve Roca Honda Resources, LLC's Plan of Operations with mitigations needed to protect other non-mineral surface resources consistent with Forest Plan, regulations, and other applicable laws.