

keeping or reporting requirements or other information collection requirements as defined in 5 CFR part 1320 that are not already required by law or not already approved for use, and therefore, impose no additional paperwork burden on the public. Accordingly, the review provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR part 1320 do not apply.

Conclusion

Having considered the comments received, the Forest Service is adopting procedures that clarify direction regarding administrative changes to special use authorizations where there are no changes in the authorized facilities or increases in the scope or intensity of authorized activities by creating two new categories of actions that can be excluded from documentation in an EA or an EIS. This change is being implemented through amendment to FSH 1909.15, Environmental Policy and Procedures Handbook, Chapter 30, which is effective upon publication of this notice in the **Federal Register**.

Dated: June 29, 2004.

Tom L. Thompson,
Acting Chief.

Text of Final directive

Note: The Forest Service organizes its directive system by alphanumeric codes and subject headings. Only those sections of the Forest Service Handbook (FSH) 1909.15, Environmental Policy and Procedures handbook, affected by this policy are included in this notice. This direction will be used by Forest Service employees charged with project planning and environmental analysis when appropriate. Selected headings and existing text are provided to assist the reader in placing the revised direction in context. Paper and electronic copies of these categorical exclusions and the entire chapter 30 of FSH 1909.15 are available as set out in the **ADDRESS** section at the beginning of this notice.

To provide context for understanding the new categorical exclusions that are established as paragraph 10 in section 31.12 and paragraph 15 in section 31.2, the introductory text of each section follows (in italics):

FSH 1909.15—Environmental Policy and Procedures Handbook

Chapter 30—Categorical Exclusion From Documentation

Chapter 31.12—Categories Established by the Chief

The following categories of routine administrative, maintenance, and other actions normally do not individually or cumulatively have a significant effect on the quality of the Human environment (sec. 05)

and, therefore, may be categorically excluded from documentation in an EIS or an EA unless scoping indicates extraordinary circumstances (sec. 30.3) exists:

10. Amendment to or replacement of an existing special use authorization that involves only administrative changes and does not involve changes in the authorized facilities or increases in the scope or intensity of authorized activities, or extensions to the term of authorization, when the applicant or holder is in full compliance with the terms and conditions of the special use authorization. Examples include but are not limited to:

a. Amending a special use authorization to reflect administrative changes, such as adjustment to the land use fees, inclusion of non-discretionary environmental standards or updating a special use authorization to bring it into conformance with current laws or regulations (for example, new monitoring required by water quality standards).

b. Issuance of a new special use authorization to reflect administrative changes, such as a change of ownership or control of previously authorized facilities or activities, or conversion of the existing special use authorization to a new type of special use authorization (for example, converting a permit to a lease or easement).

31.2—Categories of Actions for Which a Project or Case File and Decision Memo Are Required

Routine, proposed actions within any of the following categories may be excluded from documentation in an EIS or an EA; however, a project or case file is required and the decision to proceed must be documented in a decision memo (sec. 32). As a minimum, the project or case file should include any records prepared, such as: the names of interested and affected people, groups, and agencies contacted; the determination that no extraordinary circumstances exist; a copy of the decision memo (sec. 05); and a list of the people notified of the decision. Maintain a project or case file and prepare a decision memo for routine, proposed actions within any of the following categories:

15. Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are no changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.

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DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Proposed Posting, Posting, and Deposting of Stockyards

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice and request for comments.

SUMMARY: We propose to post nine stockyards. We have received information that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, need to be posted. Posted stockyards are subject to the provisions of the Packers and Stockyards Act. We have posted 11 stockyards. We determined that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, needed to be posted. We are also deposing one stockyard. This facility can no longer be used as a stockyard and, therefore, is no longer required to be posted.

DATES: For the proposed posting of stockyards, we will consider comments that we receive by July 21, 2004.

For the deposed stockyard, the deposing is effective on July 6, 2004.

ADDRESSES: We invite you to submit comments on this notice. You may submit comments by any of the following methods:

- E-mail: Send comments via electronic mail to comments.gipsa@usda.gov.
- Mail: Send hardcopy written comments to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.
- Fax: Send comments by facsimile transmission to: (202) 690-2755.
- Hand Delivery or Courier: Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.

SUPPLEMENTARY INFORMATION: The Grain Inspection, Packers and Stockyards Administration (GIPSA) administers and enforces the Packers and Stockyards Act of 1921, as amended and supplemented (7 U.S.C. 181-229) (P&S Act). The P&S Act prohibits unfair, deceptive, and fraudulent practices by livestock market agencies, dealers, stockyard owners, meat packers, swine contractors, and live poultry dealers in the livestock, poultry, and meatpacking industries.

Section 302 of the P&S Act (7 U.S.C. 202) defines the term “stockyard” as follows:

* * * any place, establishment, or facility commonly known as stockyards, conducted, operated, or managed for profit or nonprofit as a public market for livestock producers, feeders, market agencies, and buyers, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce.

Section 302 (b) of the P&S Act requires the Secretary to determine which stockyards meet this definition, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the

stockyard owner and to the public, the stockyard will be subject to the provisions of Title III of the P&S Act (7 U.S.C. 201–203 and 205–217a) until the Secretary deposes the stockyard by public notice.

This document notifies the stockyard owners and the public that the following nine stockyards meet the definition of stockyard and that we propose to designate the stockyards as posted stockyards.

Facility No.	Stockyard name and location
AL–192	Mid State Stockyards, LLP, Letohatchee, Alabama.
CA–192	Red Ryder Ranch, Lancaster, California
KY–178	Wig Wam Livestock Market, Inc., Horse Cave, Kentucky.
OK–214	4 B Auction Company, Ada, Oklahoma.
MS–175	West Point Stockyard, West Point, Mississippi.
PA–160	Beach's Dairy Auction, Martinsburg, Pennsylvania.
SC–160	Martin & Martin Cattle, Inc., Williamston, South Carolina.
TN–194	Starr Mountain Auction, Etowah, Tennessee.
TX–347	Tri-County Commission Company, Santo, Texas.

This document also notifies the public that the following 11 stockyards meet the definition of stockyard and that we have posted the stockyards. We published notices proposing to post the 11 stockyards on September 13, 2000, August 25, 2003, and November 7, 2003

(65 FR 55217, 68 FR 51005, and 68 FR 63055–63056, respectively). We received no comments in response to any of these proposed posting notices. To post stockyards, we assign the stockyard a facility number, notify the owner of the stockyard facility, and

send notices to the owner of the stockyard to post on display in public areas of the stockyard. The date of posting is the date on which the posting notices are physically displayed.

Facility number	Stockyard name and location	Date of posting
CA–190	Tulare Sales Yard, Inc., Tulare, California	November 5, 2003.
CA–191	B and B Livestock Auction, Madera, California	November 5, 2003.
MN–193	Fergus Falls Livestock Auction Market, Fergus Falls, Minnesota	November 28, 2003.
MS–174	Solomon's Horse Sale, Belmont, Mississippi	March 17, 2004.
MO–283	Cameron Livestock Sales, Warrensburg, Missouri	December 4, 2003.
MO–284	Southwest City Livestock Auction, L.L.C., Southwest City, Missouri	November 29, 2003.
MO–285	Gainesville Livestock Auction, Inc., Gainesville, Missouri	March 15, 2004.
OK–212	Perkins Livestock Sales, Inc., Perkins, Oklahoma	January 21, 2004.
OK–213	Bakers Auction, Butler, Oklahoma	November 21, 2003.
TX–346	Shamrock Livestock Commission, Shamrock, Texas	November 3, 2003.
VA 161	Wythe County Livestock Exchange, L.L.C. Wytheville, Virginia	April 1, 2004.

Additionally, this document notifies the public that the following one stockyard no longer meets the definition of stockyard and that we are deposing the facility. We deposit a stockyard when

the facility can no longer be used as a stockyard. Some of the reasons a facility can no longer be used as a stockyard include: The facility has been moved and the posted facility is abandoned, the

facility has been torn down or otherwise destroyed, such as by fire, the facility is dilapidated beyond repair, or the facility has been converted and its function changed.

Facility No.	Stockyard name and location	Date posted
PA–159	Troy Sales, Troy, Pennsylvania	September 17, 1997

Effective Date

This deposing is effective upon publication in the **Federal Register** because it relieves a restriction and, therefore, may be made effective in less than 30 days after publication in the **Federal Register** without prior notice or other public procedure.

Authority: 7 U.S.C. 202.

Dated:

Donna Reifschneider,
Administrator, Grain Inspection, Packers and Stockyards Administration.

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

Farm Service Agency

Notice of Request for Extension of a Currently Approved Information Collection

AGENCIES: Rural Housing Service, Farm Service Agency, USDA.

ACTION: Extension of a Currently Approved Information Collection; comments requested.