

# Notices

Federal Register

Vol. 69, No. 165

Thursday, August 26, 2004

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

### Animal and Plant Health Inspection Service

[Docket No. 03-046-2]

#### Pigeonpea Pod Fly; Availability of an Environmental Assessment and Finding of No Significant Impact

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that an environmental assessment and finding of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the control of pigeonpea pod fly, *Melanagromyza obtusa* (Malloch) (Diptera: Agromyzidae). The environmental assessment documents our review and analysis of environmental impacts associated with alternatives for control of pigeonpea pod fly, as well as a recommendation for the use of biological control agents to suppress pigeonpea pod fly in the United States. Based on its finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

**ADDRESSES:** Copies of the environmental assessment and finding of no significant impact are available for public inspection in our reading room. The reading room 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) 690-2817 before coming.

**FOR FURTHER INFORMATION CONTACT:** Dr. Dale Meyerdirk, Agriculturalist, National Biological Control Institute, PPQ, APHIS, 4700 River Road Unit 135,

Riverdale, MD 20737-1236; (301) 734-5220.

#### SUPPLEMENTARY INFORMATION:

##### Background

Pigeonpea pod fly, *Melanagromyza obtusa* (Malloch) (Diptera: Agromyzidae), is a foreign plant pest that attacks numerous species of plants. The potential host range appears to be primarily restricted to legumes such as peas and beans, with some questionable exceptions such as okra and sesame. This pest can easily spread without detection. When the female pigeonpea pod fly punctures the legume pod and lays its eggs within, the only external evidence is varying degrees of damage caused by the punctures.

The pest is found throughout the world, including India, Ceylon, Indonesia, the Philippines, Taiwan, Thailand, Vietnam, and as far north as Japan. It also occurs in the U.S. territory of Puerto Rico. Pigeonpea pod fly is acclimated to cooler, northern climates and can tolerate dry conditions for part of the year. Therefore, suitable habitat exists throughout the United States, and the potential geographical distribution of the pigeonpea pod fly in the contiguous United States is extensive. Pigeonpea pod fly could enter the contiguous United States, Hawaii, or other U.S. territories from Puerto Rico, the Dominican Republic, or countries in the Pacific and become a serious agricultural threat to the United States.

On May 23, 2003, we published in the **Federal Register** (68 FR 28191-28192, Docket No. 03-046-1) a notice in which we announced the availability, for public review and comment, of an environmental assessment documenting our review and analysis of environmental impacts associated with alternatives for control of pigeonpea pod fly, as well as a recommendation for the use of biological control agents (specifically, parasitic Chalcid wasps of the genera *Euderus*, *Eurytoma*, and *Ormyrus*) to suppress pigeonpea pod fly in the United States. Other alternatives examined in the environmental assessment included no action, pesticides, cultural control, crop modification, and integrated pest management (IPM).

We solicited comments on the environmental assessment for 30 days ending on June 23, 2003. We received one comment by that date, from a State

agricultural agency. The commenter supported the use of biological control against the pigeonpea pod fly, but questioned whether biological control alone would provide a significant level of control or suppression in all cases. Acknowledging that increased pesticide use is not a viable alternative either, the commenter recommended an IPM approach as the best alternative.

We have updated the environmental assessment to explain that if the pigeonpea pod fly is introduced into new areas of the United States and the introduction of parasitic Chalcid wasps does not totally resolve the problem, then IPM in some form may be adopted to for use to gain satisfactory control of the pest population.

In this document, we are advising the public of APHIS' finding of no significant impact regarding the release of parasitic Chalcid wasps of the genera *Euderus*, *Eurytoma*, and *Ormyrus* to reduce the severity of pigeonpea pod fly in the United States, including its Pacific and Caribbean territories. The finding, which is based on the environmental assessment, reflects our determination that release of these biological control agents will not have a significant impact on the quality of the human environment.

You may request copies of the environmental assessment and finding of no significant impact by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the environmental assessment when requesting copies. The environmental assessment is also available for review in our reading room (information on the location and hours of the reading room is listed under the heading **ADDRESSES** at the beginning of this notice).

The environmental assessment and finding of no significant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 20th day of August 2004.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 04-19518 Filed 8-25-04; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Willamette Province Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Willamette Province Advisory Committee (PAC) will meet in McKenzie Bridge, Oregon. The purpose of the meeting is to review projects planned and implemented under the Northwest Forest Plan (NFP) in the Central Cascades Adaptive Management Area. The specific topics to be covered at the meeting include research and NFP projects in the Central Cascades Adaptive Management Area.

**DATES:** The meeting will be held September 16, 2004.

**ADDRESSES:** The meeting will be held at the HJ Andrews Research Center on the Willamette National Forest. Send written comments to Neal Forrester, Willamette Province Advisory Committee, c/o Willamette National Forest, PO Box 10607, Eugene, Oregon 97440, (541) 225-6436 or electronically to [nforrester@fs.fed.us](mailto:nforrester@fs.fed.us).

**FOR FURTHER INFORMATION CONTACT:** Neal Forrester, Willamette National Forest, (541) 225-6436.

**SUPPLEMENTARY INFORMATION:** The meeting is open to the public. The Committee will meet at the Eugene District of the Bureau of Land Management at 8 a.m. on September 16 and travel to the HJ Andrews Research Center. The field trip is open to the public, but they must provide their own transportation. A public forum will be provided and individuals will have the opportunity to address the PAC at about 10 a.m. at the Research Center. Oral comments will be limited to three minutes. However, persons who wish to bring matters to the attention of the Committee may file written statements with the PAC staff before or after the meeting.

Dated: August 19, 2004.

**Dallas J. Emch**

*Forest Supervisor, Willamette National Forest.*

[FR Doc. 04-19512 Filed 8-25-04; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 36-2004]

#### Foreign-Trade Zone 243—Victorville, CA; Application for Subzone; Black & Decker Corporation (Power Tools, Lawn and Garden Tools, and Home Products Distribution); Rialto, CA

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Southern California Logistics Airport Authority, grantee of FTZ 243, requesting special-purpose subzone status for the tools and home products warehousing/distribution facility of Black & Decker Corporation, in Rialto, California. The facility is located adjacent to the Los Angeles/Long Beach U.S. Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on August 19, 2004.

The Black & Decker facility (1 building, 543,000 sq. ft., 28.64 acres) is located at 1590 N. Tamarind Avenue within the I-210 Industrial Park in Rialto, California. The facility is currently under construction and is expected to be completed in early 2005. The facility (115 employees) is used for order fulfillment, repackaging, re-labeling, warehousing and distribution of hand-held tools and accessories; home products (including vacuums, flashlights and wet scrubbers); security hardware; plumbing products (including kitchen and bath faucets and accessories); and, fastening and assembly systems (including stud welding, specialty screws and related products and accessories); activities which Black & Decker is proposing to perform under FTZ procedures.

Zone procedures would exempt Black & Decker from Customs duty payments on products that are re-exported. Currently, some 3-5 percent of the products are re-exported. On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the plant and entered for consumption. Some 80 percent of the products are sourced abroad (average weighted duty rate—1.6%). FTZ designation would further allow Black & Decker to utilize certain Customs procedures resulting in increased efficiencies and cost reductions for its logistics and distribution operations. The request indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses:

1. *Submissions Via Express/Package Delivery Services:* Foreign-Trade-Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100W, 1099 14th St., NW., Washington, DC 20005; or

2. *Submissions Via the U.S. Postal Service:* Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave. NW., Washington, DC 20230.

The closing period for their receipt is October 25, 2004. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to November 9, 2004).

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address Number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center, 2940 Inland Empire Blvd., Suite 121, Ontario, CA 91764.

Dated: August 19, 2004.

**Dennis Puccinelli,**

*Executive Secretary.*

[FR Doc. 04-19531 Filed 8-25-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 082004A]

#### Proposed Information Collection; Comment Request; Scup Gear Restricted Area (GRA) Access Program Authorization

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).