

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 7, 2008.

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) 720-8681.

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.

### Rural Utility Service

*Title:* 7 CFR 1780, Water and Waste Loan and Grant Program.

*OMB Control Number:* 0572-0121.

*Summary of Collection:* Section 306 of the Consolidated Farm and Rural Development Act (CONACT), 7 U.S.C. 1926, authorizes Rural Utilities Service (RUS) to make loans to public agencies, nonprofit corporations, and Indian tribes for the development of water and waste disposal facilities primarily servicing rural residents with populations up to 10,000 residents.

*Need and Use of the Information:* Rural Development's field offices will collect information from applicants/borrowers and consultants to determine eligibility and project feasibility. The information will help to ensure borrowers operate on a sound basis and use loan funds for authorized purposes. There are agency forms required as well as other requirements that involve certifications from the borrower, lenders, and other parties. Failure to collect proper information could result in improper determinations of eligibility, use of funds and or unsound loans.

*Description of Respondents:* State, Local or Tribal Government; Not-for-profit institutions.

*Number of Respondents:* 7,000.

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

*Total Burden Hours:* 133,309.

**Charlene Parker,**

*Departmental Information Collection  
Clearance Officer.*

[FR Doc. E8-26937 Filed 11-12-08; 8:45 am]

**BILLING CODE 3410-15-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Black Hills National Forest, Mystic Ranger District, SD, Slate Castle Project Area

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Forest Service will prepare an environmental impact

statement on a proposal to use multiple vegetation treatments focused on reducing the threat to ecosystem components including forest resources from an existing insect and disease epidemic (mountain pine beetle), creating a landscape condition more adapted to fire and that reduces potential for high severity wildfire near at-risk communities and in the wildland-urban interface. The proposal is being planned for the 44,500 acre Slate Castle Project Area that includes about 38,300 acres of National Forest System land and about 6,200 acres of interspersed private land. The project area generally extends from northwest of Hill City, South Dakota and east of Deerfield Lake. This project will be conducted as an authorized project under Section 102 of the Healthy Forests Restoration Act of 2003 (HFRA). Actions proposed for the Slate Castle Project Area include the following:

- Thin and harvest approximately 31,000 acres of pine stands using a variety of methods to treat mountain pine beetle (MPB) infested stands, reduce the overall density of pine trees and create a mosaic of structural stages across the landscape. Both commercial harvest and noncommercial thinning will be used to reduce the stand density, and associated fuel hazard conditions and susceptibility to mountain pine beetle infestations.

- Reduce the amount of fuels that currently exists and that created by vegetation treatment activities. Treatment could include lopping, chipping, crushing, piling and burning, and creating fuel breaks along roads and adjacent to private property, particularly those properties with houses and subdivisions. Prescribed broadcast and pile burning of up to 35,000 acres is also planned to disrupt the continuity of surface and canopy fuels, and to increase the quantity and quality of forage for big game and other wildlife resources.

- Remove conifers from hardwood stands such as aspen and birch, and restore meadows on approximately 4,400 acres to provide habitat diversity and additional wildfire protection by restoring natural fuel breaks.

**DATES:** Comments concerning the scope of the analysis would be most useful if received by 30-days following the date of this notice. The draft environmental impact statement is expected to be

available for public review by March 2009 and the final environmental impact statement is expected to be completed by July 2009.

**ADDRESSES:** Send written comments to Robert J. Thompson, District Ranger, Black Hills National Forest, Mystic Ranger District, Slate Castle Project Area, 8221 South Highway 16, Rapid City, South Dakota 57702. Telephone Number: (605) 343-1567. E-mail: *comments-rocky-mountain-black-hills-mystic@fs.fed.us* with "Slate Castle" as the subject. Electronic comments must be readable in Word, Rich Text or PDF formats.

**FOR FURTHER INFORMATION CONTACT:** If you have any questions or need additional information, please contact Katie Van Alstyne, Team Leader or Robert J. Thompson, District Ranger, at the Mystic Ranger District office in Rapid City at (605) 343-1567.

**SUPPLEMENTARY INFORMATION:** The actions proposed are in direct response to management direction provided by the Black Hills National Forest Land and Resource Management Plan (Forest Plan). The site specific actions are designed, based on Forest Plan Standards and Guidelines, to move existing resource conditions in the Slate Castle Project Area toward meeting Forest Plan Goals and Objectives. The project area generally extends from northwest of Hill City, South Dakota and east of Deerfield Lake. Anticipated issues include: reducing MPB infestation and risk; protecting local communities, private and public lands, infrastructure and access from severe wildfire; associated fire and fuels hazard reduction needs in the wildland-urban interface; support or opposition to forest thinning using commercial timber harvest; impacts of vegetation treatment and multiple forest uses on wildlife habitat. The range of alternatives analyzed in the EIS is expected to be consistent with Sec. 104 of HFRA.

#### **Purpose and Need for Action**

The purpose of the Slate Castle Project is to:

- Move toward achieving desired land and resource conditions, as provided by the Forest Plan.
- Reduce the threat to ecosystem components including forest resources, from the existing insect and disease (mountain pine beetle) epidemic.
- Restore resource conditions to a healthy, resilient fire-adapted ecosystem.
- Help protect local communities and resources from catastrophic wildfire.

This project is focused on implementing management actions that move toward achieving:

- Desired conditions and objectives embodied in Goals 2, 3, 7, and 10 of the Forest Plan (as amended).
- Goals and objectives applicable to Forest Plan Management Area (MA) 2.2—Research Natural Areas (~40 acres); MA 3.7—Late Successional Forest Landscape (~460 acres); MA 5.1—Resource Production Emphasis (~23,800 acres); and MA 5.4—Big Game Winter Range Emphasis (~13,960 acres), that lie within Slate Castle Project Area, described in Chapter III of the Forest Plan (Phase II Amendment).
- Goals of the Healthy Forest Restoration Act (HFRA) of 2003 (HR 1904) and other National level initiatives and policy that provide procedural tools to hasten processes focused on reducing insects or disease on public and adjacent private lands, and reducing the probability and occurrence of severe wildfire in the fire adapted ecosystems, especially near at risk communities and in the wildland-urban interface. Moreover, it is appropriate that proposed actions be designed in consideration of the fuels hazard reduction management recommendations and guidelines provided by the Pennington County Community Wildfire Protection Plan of 2007.

#### **Proposed Action**

Proposed actions include the following:

- Thin and harvest approximately 31,000 acres of pine stands using a variety of methods to treat MPB infested stands, reduce the overall density of pine trees and create a mosaic of structural stages across the landscape. Both commercial and non-commercial sized trees would be removed utilizing multiple contracts including stewardship, timber sale, and service contracts.
- Disrupt the continuity of surface and canopy fuels to help reduce the potential for large-scale, intense wildfire spread. Treatment could include thinning, lopping, chipping, crushing, piling, and burning; restoring natural fuel breaks by removing conifers that have encroached upon meadows and hardwood stands on approximately 4,400 acres; creating fuel breaks along roads and adjacent to private property—particularly those properties with houses and subdivisions. Prescribed broadcast and pile burning of up to 35,000 acres is also planned to reduce the natural, as well as the management-caused accumulation of fuels and to benefit big game and other wildlife resources.

#### **Responsible Official**

Robert J. Thompson, District Ranger, Mystic Ranger District, Black Hills National Forest, 8221 South Highway 16, Rapid City, South Dakota 57702.

#### **Nature of Decision To Be Made**

The decision to be made is whether or not to implement the proposed action or possible alternative at this time.

#### **Scoping Process**

Comments and input regarding the proposal will be received via direct mailing from the public, other groups, and agencies during the initial public comment period in November and December 2008. If you would like to be more involved, a public meeting is scheduled for Tuesday, December 2, 2008, from 7 p.m. to 9 p.m. in the City Hall conference room in Hill City, South Dakota. Comments submitted based on this NOI will be most useful if received within 30 days from the date of this notice. Response to the draft EIS will be sought from the interested public beginning in March 2009.

#### **Comment Requested**

This notice of intent provides information that the agency will prepare an environmental impact statement in response to public comment and feedback during the November and December 2008, scoping period. Comments received will assist the planning team to develop the mailing list for the draft EIS and help identify key issues and opportunities used to refine the proposal or possible alternative and mitigation measures. Comments on the DEIS will be requested during the 45 day comment period following the Notice of Availability, expected to be published in the **Federal Register** in March 2009 (See discussion below).

*Early Notice of Importance of Public Participation in Subsequent Environmental Review:* 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 draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers 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 environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or

dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. 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 environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement 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 environmental impact statement or 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.

**Authority:** 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21.

Dated: November 5, 2008.

**Craig Bobzien,**

Forest Supervisor, Black Hills National Forest.  
[FR Doc. E8-26797 Filed 11-12-08; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

RIN 0596-AC66

### Land Management Plan Guidance

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of issuance of agency interim directive; request for comment.

**SUMMARY:** The Forest Service is issuing an interim directive revising Forest Service Handbook 1909.12, chapter 10, to guide agency employees in developing, amending, or revising land management plans for units of the National Forest System about the content of land management plans. The chapter focuses particularly on writing plan components, describing the monitoring program, and considering individual resources during the planning process. The intended effect of issuing this interim directive is to provide consistent, overall guidance to

Forest Service line officers and agency employees. As an interim directive, the direction is effective immediately. Public comment is invited and will be considered in developing a final directive.

**DATES:** Interim directive number 1909.12-2008-2 is effective November 13, 2008. Comments must be received in writing by January 12, 2009.

**ADDRESSES:** Send written comments concerning this interim directive through one of the following methods: E-mail:

[PlanningDirective2008@fs.fed.us](mailto:PlanningDirective2008@fs.fed.us). Include "planning directives" in the subject line of the message. Fax: 202-205-1012. Please identify your comments by including "planning directives" on the cover sheet or the first page. Mail: Planning Directives; Forest Service; U.S. Department of Agriculture; Ecosystem Management Coordination; Mailstop 1104, 3rd Floor—Center Wing; Washington, DC 20250-1104. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. Persons wishing to inspect the comments are encouraged to call ahead (202-205-0895) to facilitate entrance into the building.

The directive is available electronically from the Forest Service via the World Wide Web/Internet at <http://www.fs.fed.us/im/directives> or at <http://www.fs.fed.us/emc/nfma/index.htm>. You may request a compact disc (CD) copy of the interim directive by contacting Regis Terney by email ([rterney@fs.fed.us](mailto:rterney@fs.fed.us)), by phone at 1-866-235-6652 or 202-205-0895, or by mail at Regis Terney; Forest Service; U.S. Department of Agriculture; Mailstop 1104, EMC, 3 Central; 1400 Independence Avenue, SW.; Washington, DC 20050-1104.

**FOR FURTHER INFORMATION CONTACT:** Regis Terney, Planning Specialist, Ecosystem Management Coordination Staff, 202-205-0895.

**SUPPLEMENTARY INFORMATION:** The Forest Service Directive System consists of the Forest Service Manual (FSM) and the Forest Service Handbook (FSH), which contain the Agency's policies, practices, and procedures and serve as the primary basis for the internal management and control of programs and administrative direction to Forest Service employees. The directives for all agency programs are set out on the World Wide Web/Internet at <http://www.fs.fed.us/im/directives>.

The FSM contains legal authorities, objectives, policies, responsibilities, instructions, and guidance needed on a

continuing basis by Forest Service line officers and primary staff to plan and execute programs and activities, while the FSH is the principal source of specialized guidance and instruction for carrying out the policies, objectives, and responsibilities contained in the FSM.

On January 31, 2006, the Forest Service, U.S. Department of Agriculture, issued final agency directives for National Forest System Land Management Planning and published a notice of issuance of agency final directives in the **Federal Register** (71 FR 5124). The final agency directives included FSH 1909.12, chapter 10, "Land Management Plan." On April 21, 2008, the Department replaced the planning rule for the National Forest System that it had issued in 2005 (2005 rule) (70 FR 1022.), as amended 71 FR 10837, March 3, 2006) with a new planning rule (73 FR 21468, 36 CFR part 219, subpart A). The 2008 planning rule provides broad programmatic direction in developing and carrying out land management planning. The rule explicitly directs the Chief of the Forest Service to establish planning procedures in the Forest Service Directive System (36 CFR 219.1(c)).

This interim directive makes necessary changes to FSH 1909.12, Land Management Planning Handbook, chapter 10, to clarify the procedures on writing plan components, on describing the monitoring program, and on considering individual resources to aid consistent interpretation and application of the direction by agency personnel. Our Washington Office review of several proposed land management plans showed that changes in procedural and technical details are necessary. These changes in procedural and technical details associated with carrying out the 2008 planning rule at 36 CFR part 219 are needed immediately for use by units beginning plan revisions or resuming plan revisions under the 2008 rule. Approximately 40 plan revision efforts are currently ongoing. The Forest Service expects 38 unit supervisors of the ongoing current plan revisions to use the 2008 planning rule to finish their plan revisions. In the next few months, many of these units will be developing plan components, monitoring programs, and considering individual resources in collaboration with the public. It is imperative that this direction is effective immediately so that units use the proper procedures.

### Overview

The interim directive guides agency employees to develop, amend, or revise land management plans that meet the