

**DEPARTMENT OF AGRICULTURE****Forest Service****Notice of New Fee; Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108-447)**

**AGENCY:** Sumter National Forest, USDA Forest Service.

**ACTION:** Notice of New Fee Site.

**SUMMARY:** The Sumter National Forest proposes to begin charging a \$3.00 fee per vehicle per day and \$25.00 per vehicle for annual pass for the use of the FORKS Mountain Bike Trail. Continued interest in mountain bike trails, especially in this area, have shown the public's interest in this activity will be appreciated and well received. Funds derived from this fee will be used for the continued maintenance of the trail, provide cleaning of the bathrooms, provide drinking water to meet DHEC standards and maintain the trailhead. This project was made possible through a cooperative effort between the Forest Service, South Carolina Parks Recreation and Tourism, Southern Off Road Biking Association, Long Cane Trails, Michelin and Upper Savannah Land Trust.

**DATES:** The proposed fee would be initiated October 1, 2008. Comments, concerns or questions about this new fee must be submitted by August 11, 2008.

**ADDRESS:** Submit comments, concerns or questions about the new fee associated with FORKS Mountain Bike Trail to: Forest Supervisor, Sumter National Forest, 4931 Broad River Road, Columbia, SC 29212-3530.

**FOR FURTHER INFORMATION CONTACT:** Libby Meadows, Outdoor Recreation Planner, 864-746-6120.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement Act (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six-month advance notice in the **Federal Register** whenever new recreation fee areas are established. The Sumter National Forest, Long Cane Ranger District, currently has a large mountain biking community. The Recreation Resource Advisory Committee will review consideration for a new fee at least three months prior to proposed initiation date.

Dated: February 8, 2008.

**Glen Kansanback,**

*District Ranger, Long Cane Ranger District*  
[FR Doc. 08-760 Filed 2-21-08; 8:45 am]

**BILLING CODE 3410-11-M**

**DEPARTMENT OF AGRICULTURE****Natural Resources Conservation Service****Notice of Availability of a Finding of No Significant Impact (FONSI) for the Kaycee Flood Protection Project, Middle Fork Powder River Watershed, Johnson County, Wyoming**

**AGENCY:** Natural Resources Conservation Service (NRCS), USDA.

**ACTION:** Notice of availability of a Finding of No Significant Impact for the Kaycee Flood Protection Project, Middle Fork Powder River Watershed, Johnson County, Wyoming.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; Public Law 91-190, as amended (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality Regulations (40 CFR Part 1500); and the Natural Resources Conservation Service Regulations (7 CFR Part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an Environmental Impact Statement is not being prepared for the Kaycee Flood Protection Project, Middle Fork Powder River Watershed, Johnson County, Wyoming.

**FOR FURTHER INFORMATION CONTACT:** J. Xavier Montoya, State Conservationist, Natural Resources Conservation Service, 100 East B Street, Room 3124, PO Box 33124, Casper, Wyoming 82602-5011, telephone (307) 233-6750.

**SUPPLEMENTARY INFORMATION:** The Environmental Assessment (EA) of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the human environment. As a result of these findings, J. Xavier Montoya, State Conservationist, has determined that the preparation and review of an Environmental Impact Statement are not needed for this project.

The project purpose is flood control. The need for the recommended plan is for the protection of life and property by reducing the threat of future flooding to Kaycee's residential, business, and community structures up to a 100-year storm frequency event on the Middle Fork Powder River, Johnson County, Wyoming. The recommended plan is to construct flood control dikes, a flood wall, and strengthen some existing rock rip-rap along the north side, and dikes and grade work on the south side of the Middle Fork Powder River through the town of Kaycee, Wyoming.

The Notice of a Finding of No Significant Impact has been forwarded to the Environmental Protection Agency

and to various federal, state, county, and local agencies, and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the assessment are on file and may be reviewed by contacting J. Xavier Montoya.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

Dated: February 11, 2008.

**Jay T. Mar,**

*Acting State Conservationist.*

(This activity is listed in the Catalog of Federal Domestic Assistance under NO. 10.904, Watershed Protection and Flood Prevention, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with state and local officials.)

**Finding of No Significant Impact for Kaycee Flood Protection Project, Middle Fork Powder River Watershed, Johnson County, Wyoming****Introduction**

The Kaycee Flood Protection Project, Middle Fork Powder River Watershed, is a federally assisted action authorized for planning under Public Law 83-566, the Watershed Protection and Flood Prevention Act. An Environmental Assessment (EA) was undertaken in conjunction with the development of the watershed project plan. This assessment was conducted in consultation with federal, state, county, and local agencies, including section 7(a)(2) of the Endangered Species Act of 1973, as amended (50 CFR 402.13) consultation, as well as with interested organizations and individuals. Data developed during the assessment is available for public review at the following location:

U.S. Department of Agriculture, Natural Resources Conservation Service, 100 East B Street, Room 3124, P.O. Box 33124, Casper, Wyoming 82602-5011.

**Recommended Action**

The recommended action, Alternative 2—Dikes/Flood Wall/Relocation, will provide safety to the residents of Kaycee and protect the residential, business, and community structures from flooding of a 100-year storm frequency event. The recommended plan is to construct flood control dikes and a flood wall along the north side, and dikes and grade work on the south side of the Middle Fork Powder River through the town of Kaycee, Wyoming. There will be one property buyout and eleven structures relocated along the river to allow for the construction of the dike

locations. The area between the dikes will become the 100-year floodplain. The proposed dikes would be constructed adjacent to the stream channel and will not affect wetlands adjacent to the stream in the project area or downstream outside of the project area.

#### *Effect of Recommended Action*

The recommended action will improve human health and safety and maintain wildlife habitat. The affected environment of this project is the community of Kaycee and the area within and downstream of Kaycee that is impacted under the 100-year floodplain. Water quality would remain unchanged if the recommended plan is implemented. Sediment from upstream will continue to flow through the project area, with no effect to the current sediment loads. Downstream effects will not be changed from existing conditions.

The recommended action will have little or no effect on wetlands. Small areas of wetlands adjacent to the channel would not be impacted by the action of the recommended plan. There are 16.2 acres of wetlands, of which 10.0 acres are water. The remaining 6.2 acres of wetlands are 0.041 percent of the project area.

A file search of the State Historic Preservation Office (SHPO) records was conducted for the project area. Three sections showed known sites, eligibility unknown, or noncontributing segment. Most of the sites reported are connected with the Bozeman Trail. As there are very few segments of the Bozeman Trail that are identifiable, any trace or records found of the trail will require an evaluation by either the NRCS and/or the U.S. Army Corps of Engineers (COE) archeologists. The NRCS State Archeologist conducted a reconnaissance survey of the proposed dike locations for possible cultural resources. No sites were identified within the town of Kaycee boundaries. The survey and file search concludes that no significant adverse impacts will occur to cultural resources in the project area should the recommended plan be implemented. However, construction of the dikes and flood wall do have the potential to disrupt possible individual sites. Therefore, caution shall be exercised in planning and installing the recommended plan to avoid serious disruption of areas having potential as individual cultural sites. NRCS cultural resource procedures, as described in the NRCS Northern Plains Region procedures, will be followed when ground disturbances are planned.

Significant cultural resources identified during implementation will be avoided or otherwise preserved in place to the fullest practical extent. If significant cultural resources cannot be avoided or preserved, pertinent information will be recovered before construction. If there is a significant cultural resource discovery during construction, appropriate notice will be made by NRCS to the State Historic Preservation Officer. Consultation and coordination have been, and will continue to be, used to ensure the provisions of Section 106 of Public Law 89–665 have been met and to include provisions of Public Law 89–523, as amended by Public Law 93–291. NRCS will take necessary action to be in compliance with National Environmental Policy Act (NEPA) protection rules and will follow the procedures in the NRCS General Manual, section 190 and 420, respectively.

No wilderness areas are in the watershed.

There are no known resident threatened or endangered animals within the project area. This determination was arrived at with section 7(a)(2) of the Endangered Species Act of 1973, as amended (50 CFR 402.13) consultation with the U.S. Fish and Wildlife Service. The recommended action will increase vegetative cover suitable for wildlife and reduce noxious and invasive Russian olive. Fish habitat will not be affected. The recommended action will not disproportionately affect any protected groups.

No significant adverse environmental impacts will result from installation of the recommended action.

#### *Alternatives*

All alternatives brought forward through the assessment process were analyzed for four criteria: Completeness, effectiveness, efficiency, and acceptability and against the following five factors: Satisfaction of purpose and needs statement, relative costs, technological feasibility, logistics, and environmental consequences. Alternatives that failed to meet the criteria were eliminated from further study.

The No Action Alternative and Alternative 2-Dikes/Flood Wall/Relocation were evaluated and studied in detail as presented in the EA. The recommended action meets the four criteria and five factors listed above and is the most practical means of protecting the citizens of the town of Kaycee, Wyoming.

#### *Consultation—Public participation*

A Letter of Request was received on November 13, 2002, from the Project Sponsors for the development of a watershed planning effort to construct flood protection under the authority of the Watershed Protection and Flood Prevention Act, Public Law (Pub. L.) 83–566, as amended (126 U.S.C. 10011008).

In August 2004, the Wyoming Board of Agriculture reviewed the Public Law 83–566 Application for Federal Assistance, ranked the project as a high priority, and recommended the project for planning assistance.

Through a collaborative effort the NRCS and the COE completed the Flood Damage Reduction Preliminary Investigation Report (PIR) in December 2004.

Scoping meetings were held in March 2005 and March 2006 and interdisciplinary efforts were used in the scoping process. Several federal, state, county, and local agencies were involved in part, or all, of the scoping and planning process.

Specific consultation was conducted with the State Historic Preservation Officer concerning cultural resources in the project area of the watershed.

The draft Watershed Project Plan—EA was distributed or made available to all participating and interested agencies, groups, and individuals for review and comment from November 5 to December 20, 2007. On December 6, 2007, the Sponsors held a public meeting to identify concerns of the local citizens regarding the draft Watershed Project Plan—EA.

Agency consultation and public participation to date have shown no unresolved conflicts with the implementation of the selected plan.

#### *Conclusion*

The EA summarized above indicates that this federal action will not cause significant local, regional, or national impacts on the environment. Therefore, based on the above findings, I have determined that an Environmental Impact Statement for the Kaycee Flood Protection Project, Middle Fork Powder River Watershed, Johnson County, Wyoming, is not required.

Additional Information or questions can be directed to:

J. Xavier Montoya, State Conservationist, USDA—Natural Resources Conservation Service, 100 East B Street, Room 3124, P.O. Box 33124, Casper, WY 82602–5011, Phone: 307–233–6750, E-mail: [xavier.montoya@wy.usda.gov](mailto:xavier.montoya@wy.usda.gov).

Dated: February 11, 2008.

**Jay T. Mar,**

*Acting State Conservationist.*

[FR Doc. E8-3296 Filed 2-21-08; 8:45 am]

BILLING CODE 3410-16-P

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Notice of Proposed Change to Section IV of the North Carolina State Technical Guide

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

**ACTION:** Notice of availability of proposed changes in the North Carolina NRCS State Technical Guide for review and comment.

**SUMMARY:** It has been determined by the NRCS State Conservationist for North Carolina that changes must be made in the NRCS State Technical Guide specifically in practice standard #330, Contour Farming to account for improved technology. This practice can be used in systems that treat highly erodible land.

**DATES:** Comments will be received for a 30-day period commencing with this date of publication.

**ADDRESSES:** Address all requests and comments to Mary K. Combs, State Conservationist, Natural Resources Conservation Service (NRCS), 4405 Bland Rd., Ste. 205, Raleigh, NC 27609. Copies of this standard will be available online for viewing at [ftp://ftp-fc.sc.egov.usda.gov/NC/NCweb/Technical/draft-standards/Draft\\_NC330ContourFarming.pdf](ftp://ftp-fc.sc.egov.usda.gov/NC/NCweb/Technical/draft-standards/Draft_NC330ContourFarming.pdf). You may submit electronic requests and comments to [evelyn.whitesides@nc.usda.gov](mailto:evelyn.whitesides@nc.usda.gov).

**FOR FURTHER INFORMATION, CONTACT:** Mary K. Combs, State Conservationist, Natural Resources Conservation Service, 4405 Bland Rd., Ste. 205, Raleigh, NC 27609; 919-873-2101; 919-873-2156.

**SUPPLEMENTARY INFORMATION:** Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law to NRCS State technical guides used to carry out highly erodible land and wetland provisions of the law shall be made available for public review and comment. For the next 30 days the NRCS will receive comments relative to the proposed changes. Following that period a determination will be made by the NRCS regarding disposition of those

comments and a final determination of change will be made to the subject standard(s).

Dated: February 4, 2008.

**Mary K. Combs,**

*State Conservationist.*

[FR Doc. E8-3382 Filed 2-21-08; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Notice of Proposed Change to Section IV of the Virginia State Technical Guide

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

**ACTION:** Notice of Availability of proposed changes in the Virginia NRCS State Technical Guide for review and comment.

**SUMMARY:** It has been determined by the NRCS State Conservationist for Virginia that changes must be made in the NRCS State Technical Guide specifically to add practice standard: #395, Stream Habitat Improvement and Management. This practice will be used to maintain, improve or restore stream habitat necessary for meeting the life history requirements of desired aquatic species.

**DATES:** Comments will be received for a 30-day period commencing with the date of this publication.

**FOR FURTHER INFORMATION CONTACT:** Inquire in writing to John A. Bricker, State Conservationist, Natural Resources Conservation Service (NRCS), 1606 Santa Rosa Road, Suite 209, Richmond, Virginia 23229-5014; Telephone number (804) 287-1691; Fax number (804) 287-1737. Copies of the practice standards will be made available upon written request to the address shown above or on the Virginia NRCS Web site: <http://www.va.nrcs.usda.gov/technical/draftstandards.html>.

**SUPPLEMENTARY INFORMATION:** Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law to NRCS State technical guides used to carry out highly erodible land and wetland provisions of the law shall be made available for public review and comment. For the next 30 days, the NRCS in Virginia will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Virginia regarding disposition of those comments

and a final determination of change will be made to the subject standards.

Dated: February 13, 2008.

**W. Ray Dorsett,**

*Acting State Conservationist, Natural Resources Conservation Service, Richmond, Virginia.*

[FR Doc. E8-3384 Filed 2-21-08; 8:45 am]

BILLING CODE 3410-16-P

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Webber Pond Fish Passage, Webber Pond Watershed, Vassalboro, ME

**AGENCY:** Natural Resources Conservation Service, USDA.

**ACTION:** Notice of availability of Finding of No Significant Impact.

**SUMMARY:** The Natural Resources Conservation Service (NRCS) has prepared an Environmental assessment (EA) for the Webber Pond Fish Passage Project, Vassalboro, Maine. NRCS has found that the installation of an Alaska Steep Pass Fishway, American eel passage ladder and water control structure would not result in a significant impact on the quality of the human environment, particularly when focusing on the significant adverse effects that National Environmental Policy Act (NEPA) is intended to help decision makers avoid and mitigate. Therefore, NRCS has prepared a Finding of No Significant Impact (FONSI) in compliance with the (NEPA), as amended, and gives notice that an environmental impact statement is not being prepared.

**FOR FURTHER INFORMATION CONTACT:** Single copies of the EA and FONSI documents, may be obtained by contacting Amanda Burton, Soil Conservationist, USDA-NRCS, 21 Enterprise Drive, Suite 1, Augusta, ME 04330, (207) 622-7847 ext. 3. For additional information related to this notice, contact Dianne C. Guidry, Acting State Conservationist, Natural Resources Conservation Service, 967 Illinois Avenue, Suite 3, Bangor, Maine 04401-2700; telephone (207) 990-9100 ext. 3.

**DATES:** Effective Date: Comments on the EA and FONSI must be received on or before the effective date on March 28, 2008.

**SUPPLEMENTARY INFORMATION:** The sponsoring local organization, Maine Department of Marine Resources (MDMR), concurs with this determination and agrees with carrying forward the proposed project. The