

# 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

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2008-0141]

#### Availability of an Environmental Assessment for a Biological Control Agent for *Arundo donax*

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

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment relative to the control of *Arundo donax* (giant reed, Carrizo cane). The environmental assessment considers the effects of, and alternatives to, the release of a wasp, *Tetramesa romana*, into the continental United States for use as a biological control agent to reduce the severity of *A. donax* infestations. We are making the environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before April 6, 2009.

**ADDRESSES:** You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0141> to submit or view comments and to view supporting and related materials available electronically.

- Postal Mail/Commercial Delivery: Please send two copies of your comment to Docket No. APHIS-2008-0141, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2008-0141.

**Reading Room:** You may read any comments that we receive on the environmental assessment 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.

**Other Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Carmen Soileau, Senior Entomologist, Evaluation and Permitting of Regulated Organisms and Soil, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1237; (301) 734-5055.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for the release of a wasp, *Tetramesa romana*, into the continental United States for use as a biological control agent to reduce the severity of *Arundo donax* infestations.

*A. donax* is a highly invasive, bamboo-like weed that was introduced to North America in the early 1500s for its fiber uses. It is among the fastest growing plants in the continental United States, making it a severe threat to riparian areas, where it causes erosion, damages bridges, alters channel morphology, increases costs for chemical and mechanical control along transportation corridors, and impedes law enforcement activities along international borders. Additionally, *A. donax* consumes excessive amounts of water, competing for water resources in arid regions where these resources are critical to the environment, agriculture, and municipal users.

Existing *A. donax* management options include herbicides, prescribed fires, biomass removal, and other methods. However, these management measures are ineffective, expensive, temporary, and have impacts on species other than *A. donax*. Therefore, APHIS is proposing to issue permits for the release of a wasp, *T. romana*, into the continental United States in order to

reduce the severity and extent of *A. donax* infestations.

The proposed biological control agent, *T. romana*, is a wasp in the insect family Eurytomidae. It has a widespread presence around the Mediterranean basin, from Turkey to Spain and Morocco, and was also found at one site in southern Africa and one site in China. Two populations of *T. romana* have recently been discovered near Santa Barbara, CA, and in Austin, TX. The establishment of *T. romana* in Texas indicates that the wasp has a moderate level of cold hardiness and is therefore expected to establish throughout the range of *A. donax*.

Female wasps lay their eggs inside the shoot cavity of the target weed, *A. donax*. A few days after eggs are laid, an abnormal overgrowth of plant tissue called gall tissue develops inside the *A. donax* shoot cavity. The wasp larvae feed on the expanding gall tissue during their 26- to 48-day generation period, resulting in stunted stem growth and sometimes death of the stem.

Field studies were conducted throughout Mediterranean Europe to test the host specificity of *T. romana* using non-target species that were morphologically similar to *A. donax* or native to the southern United States. The development of *T. romana* was recorded only on *A. donax* and *A. formosana*, an exotic ornamental plant native to Taiwan, with greater reproduction and faster development time on *A. donax*. Based on these studies, *T. romana* is determined to be host specific to the *Arundo* genus.

*T. romana* may not be successful in reducing the *A. donax* population in the continental United States, but its use is expected to be effective in combination with other control methods or biological control agents that may be released in the future.

APHIS' review and analysis of the proposed action are documented in detail in an environmental assessment (EA) entitled "Field Release of the Arundo Wasp, *Tetramesa romana* (Hymenoptera: Eurytomidae), an Insect for Biological Control of *Arundo donax* (Poaceae), in the Continental United States" (October 2008). We are making the EA available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

The EA may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the environmental EA by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the EA when requesting copies.

The EA has 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 3rd day of March 2009.

**Kevin Shea,**

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

[FR Doc. E9–4881 Filed 3–5–09; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### **Agency Information Collection Activities: Proposed Collection; Comment Request: Supplemental Nutrition Assistance Program, Administrative Review Requirements—Food Retailers and Wholesalers**

**AGENCY:** Food and Nutrition Service (FNS), USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on proposed information collections. The proposed collection is a revision of a currently approved collection.

**DATES:** Written comments must be received on or before May 5, 2009 to be assured of consideration.

**ADDRESSES:** Comments are invited on (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the

information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to Andrew Furbee, Acting Chief, Administrative Review Branch, Benefit Redemption Division, U.S. Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 608, Alexandria, Virginia 22302. Comments may also be submitted via fax to the attention of Andrew Furbee at (703) 305–2821, or via e-mail to [brdhdq-web@fns.usda.gov](mailto:brdhdq-web@fns.usda.gov).

All written comments will be open for public inspection at the office of the Food and Nutrition Service during regular business hours (8:30 a.m. to 5 p.m., Monday through Friday) at 3101 Park Center Drive, Alexandria, Virginia 22303, Room 608.

All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will be a matter of public record.

#### **FOR FURTHER INFORMATION CONTACT:**

Requests for additional information should be directed to Andrew Furbee, (703) 305–2822.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Request for Administrative Review.

*OMB Number:* 0584–0520.

*Expiration Date:* July 31, 2009.

*Type of Request:* Revision of a currently approved collection of information.

*Abstract:* The Food and Nutrition Service (FNS) of the U.S. Department of Agriculture is the Federal agency responsible for the Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program. The Food and Nutrition Act of 2008 (7 U.S.C. 2011–2036) requires that the FNS determine the eligibility of retail food stores and certain food service organizations in order to participate in SNAP. If a food retailer or wholesale food concern is aggrieved by certain administrative action by FNS, that store has the right to file a written request for review of the administrative action with FNS.

*Respondents:* Retail food stores and wholesale food concerns.

*Estimated Number of Respondents:* 589.

*Number of Responses per Respondent:* 1.2.

*Estimated Time per Response:* Public reporting burden for this collection of

information is estimated to average 0.17 of an hour per response.

*Estimated Total Annual Burden on Respondents:* 120.16 hours.

Dated: March 3, 2009.

**E. Enrique Gomez,**

*Acting Administrator, Food and Nutrition Service.*

[FR Doc. E9–4817 Filed 3–5–09; 8:45 am]

**BILLING CODE 3410–30–P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### **Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Income Eligibility Guidelines**

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Department announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children Program (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations.

**DATES:** *Effective Date:* July 1, 2009.

#### **FOR FURTHER INFORMATION CONTACT:**

Debra Whitford, Branch Chief, Policy and Program Development Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305–2746.

#### **SUPPLEMENTARY INFORMATION:**

#### **Executive Order 12866**

This notice is exempt from review by the Office of Management and Budget under Executive Order 12866.

#### **Regulatory Flexibility Act**

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of this Act.

#### **Paperwork Reduction Act of 1995**

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

#### **Executive Order 12372**

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive