

Notices

Federal Register

Vol. 75, No. 125

Wednesday, June 30, 2010

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

Agricultural Research Service

Notice of Intent To Request an Extension of a Currently Approved Information Collection

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Research Service's (ARS) intention to request an extension of a currently approved information collection, Form AD-761, USDA Patent License Application for Government Invention that expires October 29, 2010.

DATES: Comments must be received on or before September 3, 2010.

ADDRESSES: Comments may be sent to June Blalock, USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Room 4-1174, Beltsville, Maryland 20705-5131; Telephone Number 301-504-5989.

FOR FURTHER INFORMATION CONTACT: June Blalock, USDA, ARS, Office of Technology Transfer, 301-504-5989.

SUPPLEMENTARY INFORMATION:

Title: USDA Patent License Application for Government Invention.
OMB Number: 0518-0003.

Expiration Date of Approval: October 29, 2010.

Type of Request: To extend a currently approved information collection.

Abstract: The USDA patent licensing program grants patent licenses to qualified businesses and individuals who wish to commercialize inventions arising from federally supported research. The objective of the program is to use the patent system to promote the utilization of inventions arising from such research. The licensing of federally owned inventions must be done in

accordance with the terms, conditions and procedures prescribed under 37 CFR part 404. Application for a license must be addressed to the Federal agency having custody of the invention. Licenses may be granted only if the license applicant has supplied the Federal agency with a satisfactory plan for the development and marketing of the invention and with information about the applicant's capability to fulfill the plan. 37 CFR 404.8 sets forth the information which must be provided by a license applicant. For the convenience of the applicant, USDA has itemized the information needed on Form AD-761, and instructions for completing the form are provided to the applicant. The information submitted is used to determine whether the applicant has both a complete and sufficient plan for developing and marketing the invention and the necessary manufacturing, marketing, technical and financial resources to carry out the submitted plan.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 3 hours per response.

Description of Respondents: Businesses or other for profit individuals.

Estimated Number of Respondents: 75.

Frequency of Responses: One time per invention.

Estimated Total Annual Burden on Respondents: 225 hours.

This data will be collected under the authority of 44 U.S.C. #3506(c)(2)(A).

Copies of this information collection and related instructions can be obtained without charge from June Blalock, USDA, ARS, Office of Technology Transfer by calling 301-504-5989.

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 will have 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 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, such as through the use of appropriate

automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Comments may be sent to USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Room 4-1174, Beltsville, Maryland 20705-5131. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Richard J. Brenner,

Assistant Administrator.

[FR Doc. 2010-15815 Filed 6-29-10; 8:45 am]

BILLING CODE 3410-03-P

DEPARTMENT OF AGRICULTURE

Forest Service

White River National Forest, Colorado, Oil and Gas Leasing Environmental Impact Statement

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The White River National Forest (WRNF) is initiating the preparation of an environmental impact statement (EIS). The EIS will disclose the potential effects of a proposal to revise the existing WRNF 1993 Oil and Gas Leasing and Final EIS and Record of Decision. The proposed revision includes the following: Changing what lands will be available for oil and gas leasing; changing or adding stipulations to be attached to oil and gas leases for the protection of other resources; and amending the WRNF Land and Resource Management Plan 2002 Revision (Forest Plan) to incorporate the revised oil and gas leasing decision. The EIS will document changed conditions and new information since the WRNF 1993 Oil and Gas Leasing Final EIS and Record of Decision and incorporate that information into the analysis of potential effects of leasing on other resources. Changes in conditions and information since the 1993 leasing EIS and decision include the completion of the WRNF Forest Plan; new and improved oil and gas drilling, completion, and production technology; an increase in demand and public need for oil and natural gas; the increasing rate of oil and gas development adjacent

to and on the WRNF, and a projection of substantial increase in oil and gas development on the WRNF.

The EIS will address current applicable guidance, policy, regulation, and law pertinent to roadless areas, land ownership, and threatened, endangered, and sensitive species. The scope of the analysis is forest-wide.

DATES: Comments concerning the scope of the analysis must be received by July 30, 2010. The draft environmental impact statement is expected January 2011 and the final environmental impact statement is expected April 2011.

The public open house date is:

1. Wednesday, 14 July 2010, 2:30 p.m. to 8 p.m., Silt, CO.

ADDRESSES: Send written comments to: White River National Forest Oil and Gas Scoping, P.O. Box 1919, Sacramento, CA 95812; Submit electronic comments and other data to WRNFOilandgas.comments@fscomments.org. See **SUPPLEMENTARY INFORMATION** for other information about electronic and fax filing.

The public meeting location is the following:

1. Silt, CO—Bureau of Land Management Colorado River Valley Field Office, Silt Conference Room, 2300 River Frontage Road, Silt, CO 81652.

For further information on this project please visit <http://www.fs.fed.us/r2/whiteriver/projects/>.

For additional information, mail correspondence to David Francomb, Leasable Minerals Program Manager, White River National Forest, 900 Grand Ave., P.O. Box 948, Glenwood Springs, Colorado 81602.

FOR FURTHER INFORMATION CONTACT: David Francomb, 970.945.3293.

SUPPLEMENTARY INFORMATION:

Need for Action

The White River National Forest (WRNF) issued its current oil and gas leasing availability decision in 1993 (Oil and Gas Leasing Final Environmental Impact Statement and Record of Decision). Since 1993, information and circumstances considered for that decision have changed, including the WRNF issuance of a revised Land and Resource Management Plan (LRMP), technological advances in oil and gas exploration and development that expand development potential of previously uneconomic resources, and increased level of projected oil and gas development activities on the WRNF. Consequently, the Forest Supervisor of the WRNF has identified a need to: (1) Revise the 1993 Oil and Gas Leasing

Final Environmental Impact Statement and Record of Decision as necessary to address information and circumstances that are new and different from those analyzed for the existing (1993) oil and gas leasing decision; (2) Identify what NFS lands administered by the White River National Forest will continue to be available for oil and gas leasing and what lease stipulations should apply to those lands for the protection of other resources; (3) Amend the WRNF Land and Resource Management Plan—2002 Revision to ensure consistency with the oil and gas leasing analysis and decision; and (4) Produce an Environmental Impact Statement (EIS) that will support the BLM's independent decision to include NFS lands administered by the WRNF in future competitive oil and gas lease sales.

Purpose for Action

The purpose of the proposed action is to: (1) Ensure oil and gas leasing availability and lease stipulations are consistent with the WRNF Land and Resource Management Plan; (2) Ensure oil and gas leasing availability and lease stipulations are consistent with current applicable laws and regulations; (3) Enable the Forest Service and BLM to respond to Expressions of Interest for oil and gas leases representing the public's demand for energy, consistent with statutory and regulatory direction; (4) Fulfill the federal government's policy to "foster and encourage private enterprise in the development of economically sound and stable industries, and in the orderly and economic development of domestic resources to help assure satisfaction of industrial, security, and environmental needs" (Mining and Minerals Policy Act of 1970) while continuing to sustain the land's productivity for other uses and capability to support biodiversity goals (Forest Service Minerals Program Policy); and (5) Enable the BLM to fully exercise its discretionary authority to offer and issue leases on NFS lands administered by the WRNF.

Proposed Action

The Forest Service proposes to revise the existing 1993 Oil and Gas Leasing availability decision for the White River National Forest (WRNF). The Proposed Action makes revisions to the availability of NFS lands administered by the WRNF for oil and gas leasing and to the stipulations on lands available for lease in the Analysis Area. Lease stipulations are proposed only on lands identified as available for lease.

The Proposed Action includes the following: (1) Addressing information

and circumstances that are new and different from those analyzed for the 1993 leasing decision; (2) Changing the 1993 leasing decision to identify 266,599 acres as administratively available for oil and gas leasing; (3) Attaching lease stipulations on future leases, where needed on lands identified as administratively available for leasing, for the purpose of protecting other resources including:—(a) No Surface Occupancy (NSO) stipulations for certain—Wallace Creek Wildlife Seclusion Area; raptor species breeding territories; threatened, endangered, proposed or candidate species populations and habitats; critical bighorn sheep habitats; Colorado River cutthroat and greenback trout habitat; Battlement Reservoir watershed; wetlands and fens; water influence zones; municipal supply watersheds; areas with known high and very high geologic instability and/or slopes > 50%; authorized sites and facilities; summer non-motorized recreation and special interest areas; very high and high scenic integrity objective areas; Research Natural Areas; and inventoried roadless areas; (b) Controlled Surface Use (CSU) stipulations for certain—big game production areas, summer concentration areas, and migration corridors; big game winter ranges; road density in watersheds with Colorado River cutthroat trout conservation populations; ground water resources; known and/or potential habitats for sensitive species; areas with potential for geologic instability and/or slopes 30% to 50%; areas with erodible soils; authorized sites and facilities; designated winter groomed routes under special use permit; moderate scenic integrity objective areas and scenic byways; high concern level travel routes; communication sites; and plant species of local concern; (c) Timing Limitations (TL) for certain—big game winter and summer concentration ranges; and raptor species breeding territories; (4) Changing the 1993 leasing decision to identify 1,159,796 acres as closed for oil and gas leasing through management direction; (5) Changing the 1993 leasing decision to identify 857,512 acres as legally closed for oil and gas leasing; (6) Amending the 2002 WRNF Forest Plan to incorporate the new leasing decision.

The proposed changes to the existing 1993 leasing decision brought forward in the Proposed Action will not affect the terms of existing leases. Existing leases will remain in effect, with their existing terms, until they are terminated, relinquished, or cancelled. Proposed land availability and lease

stipulation changes will affect only leases issued after the decision is implemented. The proposed changes will apply to new leases on lands that are currently leased after existing leases have been terminated, relinquished, or cancelled, and those lands are subsequently nominated for lease.

Possible Alternatives

(1) *No New Leasing*—Under this alternative, no NFS lands administered by the WRNF would be available in the future for oil and gas leasing. Operations on existing leases would continue under applicable lease terms, statutory and regulatory direction, and Forest Plan direction. Existing federal oil and gas leases on the WRNF that are not extended by production would terminate at the conclusion of their primary term, and those lands would not be available for further leasing. Implementation of this alternative would require a Forest Plan amendment to identify lands as closed to oil and gas leasing.

(2) *No Action (Current Management)*—This alternative would continue oil and gas leasing on the WRNF as directed by the RODs for the White River National Forest Oil and Gas Leasing EIS (May 26, 1993) and the Land and Resource Management Plan 2002 Revision (April 2, 2002).

Lead and Cooperating Agencies

The Forest Service is the lead agency. As the agency responsible for offering, selling, and issuing leases, the BLM will participate as a cooperating agency under a Memorandum of Understanding (MOU). Additionally, the United States Fish and Wildlife Service and the Colorado Department of Natural Resources will participate as cooperating agencies, under separate MOUs, to provide resource specific expertise when needed.

Responsible Official

The Forest Service responsible official is Scott Fitzwilliams, Forest Supervisor, White River National Forest, 900 Grand Avenue, P.O. Box 948, Glenwood Springs, Colorado 81602.

The BLM responsible official responsible is Jamie, C. Connell, District Manager, Northwest District Office, 2815 H Road, Grand Junction, Colorado 81506.

Nature of Decision To Be Made

The Forest Service will determine whether and how the current oil and gas leasing decision, as it relates to land availability and lease stipulations, should be changed based on current information and analysis. The Forest

Supervisor will decide which lands administered by the WRNF will be administratively available for oil and gas leasing, which lands will be closed for oil and gas leasing through management direction or legal reasons, and what lease stipulations will be applied to future oil and gas leases for the protection of other resources [36 CFR 228.102(c)]. Subsequent to the Forest Supervisor's decision, the Regional Forester will authorize the BLM to offer specific lands for lease. When lands are nominated for leasing, the Forest Service will (1) Verify that leasing the specific lands has been adequately addressed in a NEPA document and is consistent with the Forest Plan, and that no significant new information or circumstances would require further environmental analysis; (2) ensure that conditions of surface occupancy are properly included as stipulations in resulting leases; and (3) determine that operations and development could be allowed somewhere on each proposed lease, except where stipulations will prohibit all surface occupancy [36 CFR 228.102(e)]. The BLM is responsible for offering, selling, and issuing oil and gas leases on NFS lands under the Mineral Leasing Act of 1920, as amended, and Federal Regulations at 43 CFR 3101.7. The BLM State Director must decide whether to offer for lease specific lands authorized for leasing by the WRNF, and must include Forest Service stipulations on any leases offered on NFS lands.

Scoping Process

The first formal opportunity to comment on the revised oil and gas leasing availability and stipulations proposal is during the scoping process (40 CFR 1501.7), which begins with the issuance of this Notice of Intent. The Forest Service requests comments on the nature and scope of the environmental, social, and economic issues, and possible alternatives related to oil and gas leasing on NFS lands administered by the WRNF. The Forest Service will work with tribal governments to address issues that would significantly or uniquely affect them.

One open house meeting is planned. The time the meeting will be held and the address of the meeting location are noted above under **DATES** and **ADDRESSES**. The meeting location at the Bureau of Land Management Silt Office can be reached from the Silt exit (#97) on Interstate 70. Exit onto 9th Street and proceed over the interstate headed south to the t-intersection. Take a left on River Frontage Road headed east for about 1

mile to the BLM Silt Office on the right, after the Holiday Inn Express Hotel. Further information regarding this meeting will be posted on the WRNF Web site at <http://www.fs.fed.us/r2/whiteriver/projects> as it becomes available.

Comment Requested

This Notice of Intent initiates the scoping process that guides the development of the WRNF Oil and Gas Leasing Revision. Through the 1993 Oil and Gas Leasing EIS and decision and Forest Plan efforts, the WRNF has an understanding of the broad range of perspectives on the resource issues and social values attributed to resource activities on the WRNF. Consequently, site-specific comments or concerns are the most important types of information needed for this EIS.

Send written comments to the address noted above under **ADDRESSES**. Send electronic comments to: WRNFoilandgascomments@fscomments.org with the subject clearly titled "WRNF Oil and Gas Leasing EIS". Comments must include the full name and physical mailing address of the commenter, and should indicate whether the commenter would like to be informed of the availability of the Oil and Gas Leasing EIS. Submit faxed comments to 916.456.6724.

Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft environmental impact statement will be prepared for comment. The comment period on the DEIS is expected to be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**. 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 reviewer's 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 scoping comment period, 1 March 2010, 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 should be as specific as possible.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

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

Dated: June 24, 2010.

Scott Fitzwilliams,
Forest Supervisor.

[FR Doc. 2010-15871 Filed 6-29-10; 8:45 am]

BILLING CODE 3410-11-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2010-0019]

Measuring Progress on Food Safety: Current Status and Future Directions; Public Meeting

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: This notice is announcing that the Food Safety and Inspection Service (FSIS), the Food and Drug Administration (FDA), and the Centers for Disease Control and Prevention (CDC), are jointly hosting two public meetings to obtain stakeholder input. The first is on July 21, 2010, in Chicago, IL. The second will be held on October 20, 2010, in Portland, OR. The Agencies are requesting information from all stakeholders, including the regulated food industry, State regulators, and consumer groups, on appropriate metrics to be used to assess performance in food safety. The Agencies are also interested in input on stakeholders' understanding and perceptions of metrics currently being used by the Federal Agencies. Although the Agencies are primarily interested in obtaining stakeholder input, the Agencies will present a limited amount of background on the Food Safety Working Group's charge to create meaningful metrics to measure the

effectiveness of the Nation's food safety system and the Agency's current thinking on these issues.

DATES: The public meetings will be held on Wednesday, July 21, 2010, 9 a.m. to 5 p.m. in Chicago, IL, and on October 20, 2010, 9 a.m. to 5 p.m. in Portland, OR.

Any changes to public meeting dates, times, location, and agenda will be posted on the FSIS Web site and announced in the Agency's Constituent Update.

For Registration Information Contact: Jodee Warner, EDJ Associates, Inc., 11300 Rockville Pike, Suite 1001, Rockville, MD 20852, telephone: (240) 221-4296, Fax: (301) 945-4295, e-mail: jwarner@edjassociates.com.

For general questions about the public meeting, request to make an oral presentation and submission of a presentation, and for special accommodations due to a disability, contact: Juanita Yates, Center for Food Safety and Applied Nutrition, FDA, (301) 436-1731, e-mail: juanita.yates@fda.hhs.gov.

Due to limited space, we encourage all persons who wish to attend the public meeting, including those requesting an opportunity to make an oral presentation at the public meeting, to register in advance.

We encourage attendees to register electronically at http://www.fsis.usda.gov/regulations_&_policies/2010_Notices_Index/index.asp. You may also register by fax, e-mail or telephone by providing information, including: Name, organization, address, telephone number and e-mail address to the Registration Contact (see For Registration Information Contact).

First Public Meeting

July 21, 2010, 9 a.m.-5 p.m., Hyatt Regency Chicago, 151 East Wacker Drive, Chicago, IL 60601.

Please note the following important deadlines:

July 6, 2010: Request To Make Oral Presentation.

July 13, 2010: Advance Registration.

July 13, 2010: Request Special Accommodations Due to Disability.

Second Public Meeting

October 20, 2010, 9 a.m.-5 p.m., The Crowne Plaza Portland Downtown, 1441 NE Second Avenue, Portland, OR 97232.

Please note the following important deadlines:

September 24, 2010: Request To Make Oral Presentation.

October 8, 2010: Advance Registration.

October 8, 2010: Request Special Accommodation Due to Disability.

All documents related to the public meeting will be available for public inspection in the FSIS Docket Room, USDA, FSIS, Room 2-2127, George Washington Carver Center, 5601 Sunnyside Avenue, Mailstop 5474, Beltsville, MD 20705-5474 between 8:30 a.m. and 4:30 p.m., Monday through Friday, as soon as they become available.

FDA: Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Room 1061, Rockville, MD 20852.

SUPPLEMENTARY INFORMATION: All stakeholders in the U.S. food safety system are pursuing major new efforts to reduce foodborne illness that include science-based preventive controls in food production and processing. As recommended by President Obama's Food Safety Working Group, one element of the Federal Government's food safety initiatives includes regularly assessing performance metrics for measuring progress in reducing foodborne illness. FSIS, FDA, and CDC are collaborating to address the methodological and data challenges involved in the development of feasible and effective food safety performance metrics.

An initial 1-day public meeting on measuring progress on food safety was held on March 30, 2010, in Washington, DC (75 FR 9232). The public meetings announced in this notice are extensions of that initial public workshop. A transcript of the initial public workshop held on March 30, 2010, is accessible at <http://www.regulations.gov>. It may be viewed at the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Room 1061, Rockville, MD 20852.

I. Background

At our March 30, 2010, workshop, FDA, FSIS, and CDC presented their current thinking on performance metrics. The Agencies presented information on various epidemiological and non-epidemiological measures for food safety. Workshop participants recommended that the Agencies provide an opportunity for stakeholders to provide more detail on their views regarding metrics and on current methods being used. Accordingly, the Agencies will hold two regional public meetings specifically to allow stakeholders to make presentations on metrics for food safety. The Agencies will also provide updated information about their use of metrics to measure food safety.

The Agencies are interested in gathering information on metrics from members of industry, consumer groups,