

personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Any adverse comments will be reviewed by the BLM Nevada State Director. In the absence of any adverse comments, the classification of the land described in this notice will become effective February 11, 2008. The land will not be available for lease/conveyance until after the classification becomes effective.

(Authority: 43 CFR part 2740)

Dated: December 6, 2007.

**Mark R. Chatterton,**

*Assistant Field Manager, Non-Renewable Resources, Las Vegas Field Office, NV.*

[FR Doc. E7-24147 Filed 12-12-07; 8:45 am]

**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Winter Use Plans, Final Environmental Impact Statement, Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway, Wyoming

**AGENCY:** National Park Service, Department of the Interior.

**ACTION:** Notice of Availability of a Record of Decision on the Final Environmental Impact Statement for the Winter Use Plans, Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway.

**SUMMARY:** Pursuant to § 102(2)(C) of the National Environmental Policy Act of 1969, 83 Stat. 852, 853, codified as amended at 42 U.S.C. 4332(2)(C), the National Park Service announces the availability of the Record of Decision for the Winter Use Plans, Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway, Wyoming. On November 20, 2007, the Director, Intermountain Region, approved the Record of Decision for the project.

Beginning in the winter of 2007–2008, the National Park Service (NPS) will begin to implement this Decision, although certain provisions will not apply until implementing regulations are promulgated, as described in the Revised Preferred Alternative (Alternative 7) contained in the FEIS issued on October 5, 2007. The following course of action will occur under Alternative 7 as modified in the

ROD: 540 Best Available Technology (BAT) snowmobiles and 83 snowcoaches will be allowed per day in Yellowstone. All snowmobiles and snowcoaches will be 100% commercially guided. For the winter season of 2007–2008 Sylvan Pass will be managed continuing the combined program outlined in the 2004 Temporary Plan. After the winter of 2007–2008, in order to maximize risk reduction, the pass would be open and managed using full avalanche forecasting (as defined in the Sylvan Pass Operational Risk Management Assessment). When full forecasting indicates the pass is safe, the pass will be open to oversnow travel (both motorized and non-motorized access).

The NPS will, in good faith, work cooperatively with the State of Wyoming, Park County, Wyoming, and the City of Cody to determine how to provide continued snowmobile and snowcoach motorized oversnow access to Yellowstone National Park through the East Gate via Sylvan Pass in the winter use seasons beyond 2007–2008.

Beginning with the 2011–2012 season, all snowcoaches operating in the parks will be required to meet BAT emission and sound level requirements.

In Grand Teton and the Parkway, grooming and motorized oversnow travel on the Continental Divide Snowmobile Trail (CDST) between Moran Junction and Flagg Ranch will be discontinued. However, those interested in through travel on the CDST may transport their snowmobiles on trailers between these locations.

Twenty-five snowmobiles a day will be allowed to travel on the Grassy Lake Road with no BAT or guiding requirement. Forty unguided BAT snowmobiles a day will be allowed on Jackson Lake to facilitate ice fishing by those possessing appropriate fishing gear and a valid State of Wyoming fishing license.

This course of action and seven alternatives were analyzed in the Draft and Final Environmental Impact Statements. The full range of foreseeable environmental consequences was assessed, and appropriate mitigating measures were identified.

The Record of Decision includes a statement of the decision made, synopses of other alternatives considered, the basis for the decision, a description of the environmentally preferred alternative, a finding on impairment of park resources and values, a listing of measures to minimize environmental harm, and an overview of public involvement in the decision-making process.

**FOR FURTHER INFORMATION CONTACT:** John Sacklin, P.O. Box 168, Yellowstone National Park, WY 82190, (307) 344–2019, [yell\\_winter\\_use@nps.gov](mailto:yell_winter_use@nps.gov).

**SUPPLEMENTARY INFORMATION:** Copies of the Record of Decision may be obtained from the contact listed above or online at <http://parkplanning.nps.gov>.

Dated: November 20, 2007.

**Michael D. Snyder,**

*Regional Director, Intermountain Region, National Park Service.*

[FR Doc. E7-24165 Filed 12-12-07; 8:45 am]

**BILLING CODE 4312-CT-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-444-446 (Final) and 731-TA-1107-1109 (Final)]

### Coated Free Sheet Paper From China, Indonesia, and Korea

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1671d(b) and 1673d(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded,<sup>2</sup> by reason of imports from China, Indonesia, and Korea of coated free sheet paper, provided for in subheadings 4810.13.19, 4810.13.20, 4810.13.50, 4810.13.70, 4810.14.19, 4810.14.20, 4810.14.50, 4810.14.70, 4810.19.19, and 4810.19.20 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be subsidized by the Governments of China, Indonesia, and Korea and to be sold in the United States at less than fair value (LTFV).

#### Background

The Commission instituted these investigations effective October 31, 2006, following receipt of a petition filed with the Commission and Commerce by NewPage Corp., Dayton, OH. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of coated free sheet paper from China, Indonesia, and

<sup>1</sup> The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Charlotte R. Lane dissenting.

Korea were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of July 5, 2007 (72 FR 36719). The hearing was held in Washington, DC, on October 18, 2007, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on December 6, 2007. The views of the Commission are contained in USITC Publication 3965 (December 2007), entitled *Coated Free Sheet Paper from China, Indonesia, and Korea: Investigation Nos. 701-TA-444-446 (Final) and 731-TA-1107-1109 (Final)*.

By order of the Commission.

Issued: December 7, 2007.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. E7-24103 Filed 12-12-07; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

RIN 1210-ZA13

#### Proposed Class Exemption for Plan Fiduciaries When Plan Service Arrangements Fail To Comply With ERISA Section 408(b)(2)

**AGENCY:** Employee Benefits Security Administration.

**ACTION:** Notice of proposed class exemption.

**SUMMARY:** This document contains a notice of pendency before the Department of Labor (the Department) of a proposed class exemption from certain prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act or ERISA). If granted, the proposed exemption would relieve a plan fiduciary from engaging in a transaction that constitutes a prohibited furnishing of services to an employee benefit plan. The exemption would apply to a plan fiduciary who enters into (or extends or renews) a written contract or arrangement for the

provision of services to an employee benefit plan by a service provider to the plan when the resulting contract or arrangement between the plan and the service provider fails to constitute a "reasonable contract or arrangement" due to the service provider's failure to comply with its contractual obligation to disclose certain information as required by 29 CFR § 2550.408b-2(c)(1), as amended ("disclosure obligations"). The proposed exemption, if granted, would also affect participants and beneficiaries of employee benefit plans to the extent such plans enter into any contracts or arrangements for "necessary services" with entities that do not provide sufficient disclosures to the plan to enable the responsible plan fiduciary to determine that there is a "reasonable contract or arrangement" that complies with ERISA section 408(b)(2).

**DATES:** Written comments must be received by the Department on or before February 11, 2008.

**ADDRESSES:** To facilitate the receipt and processing of comment letters, the Employee Benefits Security Administration (EBSA) encourages interested persons to submit their comments electronically by e-mail to [e-ORI@dol.gov](mailto:e-ORI@dol.gov), or by using the Federal eRulemaking portal at <http://www.regulations.gov> (follow instructions for submission of comments). Persons submitting comments electronically should not submit paper copies. Persons interested in submitting paper copies should send or deliver their comments to the Office of Regulations and Interpretations, Employee Benefits Security Administration, Attn: Plan Fiduciary Class Exemption for Section 408(b)(2) Amendment, Room N-5655, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. All comments will be available to the public, without charge, online at <http://www.regulations.gov> or <http://www.dol.gov/ebsa> and at the Public Disclosure Room, N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Fil Williams, Office of Regulations and Interpretations, Employee Benefits Security Administration, (202) 693-8510. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** This document contains a notice of pendency before the Department of a proposed class exemption from the restrictions of section 406(a)(1)(C) of the Act. The Department is proposing the class exemption on its own motion pursuant

to section 408(a) of the Act, and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990).

### I. Executive Order 12866

Under Executive Order 12866, the U.S. Department of Labor (the Department) must determine whether a regulatory action is "significant" and therefore subject to the requirements of the Executive Order and subject to review by the Office of Management and Budget (OMB). Under section 3(f) of the Executive Order, a "significant regulatory action" is an action that likely will result in a rule: (1) Having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

It has been determined that the proposed exemption is significant under section 3(f)(1) of the executive order because it likely will materially affect a sector of the economy. Accordingly, the proposed exemption has been reviewed by OMB.

As explained in the preamble above, the proposed exemption will only be used in connection with the proposed regulation published in this same **Federal Register** entitled "Reasonable Contract or Arrangement Under Section 408(b)(2)—Fee Disclosure." The Department conducted a Regulatory Impact Analysis (RIA) for the proposed regulation, published elsewhere in this issue of the **Federal Register**. The RIA discusses the costs and benefits of the proposed regulation and quantifies the costs to service providers. In considering costs to plans, the Department determined that, because fiduciaries already have a duty to evaluate the reasonableness of contracts and arrangements with service providers, the proposed regulation generally reduces the time and effort fiduciaries need to spend to obtain the necessary information. The Department acknowledges that some plans may incur increased costs from the proposed