

S.N. 09/741,467, "Fiber Enriched Foods"

June Blalock,

Technology Licensing Coordinator.

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DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Notice of Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

AGENCY: Agricultural Research Service.

ACTION: Notice of settlement.

SUMMARY: Notice is hereby given that a proposed Settlement Agreement in the matter of: USDA Cotton Research Station, Shafter, Kern County, California, Kern County Agt. #1098-2000, was entered into by the United States Department of Agriculture, Agricultural Research Service (USDA), and the County of Kern, a political subdivision of the State of California (County), pursuant to Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 6922(h)(1), and the Federal Tort Claims Act (FTCA), 28 U.S.C. 1346(b), 2671, *et seq.* The Settlement Agreement resolves any claims that the United States may have against the County under section 7 of CERCLA, 42 U.S.C. 9607, for response costs incurred at the former USDA Cotton Research Station, located on the Shafter Experimental Farm (Site), near Shafter, California. The Settlement Agreement also resolves any claims that the County may have against the United States under CERCLA and the FTCA for damages resulting from contamination at the Site. Finally, the Settlement Agreement authorizes USDA to conduct a proposed response action by implementing a Closure Plan at Drywell No. 1 at the Site.

The proposed Settlement Agreement provides that the United States will covenant not to sue, subject to certain reservation of rights, the County pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), to recover response costs relating to the Site. The proposed Settlement Agreement also provides that the County will release the United States from liability relating to the Site, including under CERCLA, FTCA, or State law.

USDA will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed settlement. In accordance with

section 122(i)(3) of CERCLA, 42 U.S.C. 9622(i)(3), USDA may modify or withdraw its consent to this Agreement if comments received disclose facts or considerations which indicate that this Agreement is inappropriate, improper, or inadequate. Comments should be addressed to Mr. Michael P. Blanchette at the United States Department of Agriculture, Agricultural Research Service, Safety, Health, and Environmental Management Branch, 5601 Sunnyside Avenue, Mail Stop 5127, Beltsville, Maryland 20705-5127, and should refer to In The Matter of: USDA Cotton Research Station, Shafter, Kern County, California, Kern County Agt. #1098-2000.

The proposed Settlement Agreement may be examined at the office of Mr. Alvin Humphrey, Area Safety and Health Manager, Pacific West Area, Agricultural Research Service, USDA, 800 Buchanan Street, Albany, California 94710. A copy may also be requested by mail from Mr. Humphrey.

Dated: February 12, 2001.

Edward B. Knippling,

Associate Administrator, Agricultural Research Service.

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DEPARTMENT OF AGRICULTURE

Forest Service

Kelsey-Beaver EIS; Kootenai National Forest, Lincoln County, Montana

AGENCY: Forest Service, USDA.

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

SUMMARY: The Forest Service will prepare an Environmental Impact Statement (EIS) to analyze and disclose the environmental impacts of fire recovery activities. The project is located on the Three Rivers Ranger District, Kootenai National Forest, Lincoln County, Montana, approximately 30 air miles northeast of Troy, Montana.

The Proposed Action was developed in response to major fire events that burned over 12,100 acres in the Kelsey Creek, Roderick South, and Upper Beaver Cr. areas in August 2000. These fires resulted in significant tree mortality as well as increases in future fuel levels. The fires burned within approximately 1,200 acres of designated old growth. Increases in peak water flows in many streams are predicted to exceed maximum levels allowed by the Kootenai Forest Plan as a result of vegetation loss associated with the fires.

Following the fires, the forest conducted an assessment to develop a framework upon which to base further recovery efforts (Forest Assessment of Major Fires 2000, October 2000). This assessment identified opportunities for rehabilitation and restoration that have been carried forward into this proposal.

This project proposes to salvage timber, revegetate burned areas, improve road drainage conditions, and implement access management decisions.

The purpose and need for these activities is to: (1) Reduce fuel accumulations and the potential for reburn; (2) Recover the economic value of dead timber; (3) Increase the mature forest component in the project area; (4) Restore vegetative species appropriate to burned sites; (5) Contribute to watershed recovery processes by correcting chronic sources of sediment; (6) Provide access for fire recovery projects and public use while maintaining wildlife security.

Overall guidance of land management activities on the Kootenai National Forest, including timber harvest and road management, is provided by the Kootenai National Forest Land and Resource Management Plan (Forest Plan, September, 1987). Harvest activities may take place in the following Management Areas (MA) 10 and 11—Big Game Winter Range, MA 12—Big Game Summer Range, MA 14—Grizzly Habitat Management, MA 15—Timber Production, MA 16—Timber with Viewing, MA 17—Viewing with Timber, and MA 19—Steep Lands, as defined by the Kootenai National Forest Plan.

The Proposed Action may require a Kootenai National Forest Plan project-specific amendment to suspend MA 12 standards that require movement corridors and adjacent hiding cover be retained. The wildfires burned around some pre-fire openings, removing cover in corridors and creating larger openings. The proposed activities would remove burned material that previously provided corridor cover. Live trees and some snags and coarse woody material would be left to provide wildlife habitat and maintain soil productivity. In the larger openings, patches and corridors would be left to provide some level of security for wildlife movement through the fire areas. Openings over 40 acres would result from these proposed activities or when considered with openings created by fire.

The DEIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on National