

markets for U.S. products that might otherwise be closed due to the presence of LBAM in the United States. We agree that the introduction of LBAM has led to increased costs for U.S. producers. However, implementation of the regulatory framework has maintained domestic and international markets with, for example, Canada and Mexico, for California agricultural exports. It is likely that some noninfested States would enact restrictions on the movement of host material to safeguard against LBAM spread if there were no Federal program. California producers would then need to meet potentially varying requirements for shipments to each State, which could lead to both increased pesticide use and increased operational costs.

The LBAM program requires that shipments containing LBAM host materials only be free of LBAM prior to movement from the quarantined area; this requirement is parallel to the requirements for foreign shipments. There are several ways for producers to meet this requirement, including applying organic treatments, such as Spinosad and horticultural oils; applying chemical treatments; or implementing best management practices. Such practices include training of staff, scouting and monitoring of property to determine the need for treatments, and maintaining management records.

Many commenters stated that APHIS has overstated the damage done by LBAM and the potential for damage by LBAM; that the LBAM program is expensive and wasteful; and that plants listed as potential LBAM host plants were not hosts of LBAM. Many commenters stated that the only evidence of LBAM damage came from two organic berry fields in 2009, and that it was not conclusively determined that the pest that attacked those fields was LBAM.

APHIS' cost-benefit analysis indicates that if LBAM were to be reclassified as a non-actionable pest and APHIS' regulatory program for LBAM to be terminated, annual sales losses from LBAM damages of at least approximately \$694 million would occur (Fowler et al., 2009). Because of the APHIS regulatory program, the amount of avoided losses in annual sales, in comparison with the Federal funding available in the LBAM emergency response effort of almost \$100 million, indicates a potential positive benefit-to-cost ratio of at least 6.9 to 1. This does not include potential environmental losses due to factors such as increased pesticide use and other costs associated with widespread

establishment of the pest. Additionally, deregulation of LBAM domestically is likely to trigger increased restrictions for LBAM-host commodities by trading partners, which are expected to have a much greater impact on American farms if LBAM were allowed to spread beyond the current quarantined area. The cost-benefit analysis supports our conclusion that LBAM is an economically important invasive pest that meets the criteria for Federal regulation, including phytosanitary regulations and mandatory procedures with the objective of containment and suppression as an actionable quarantine pest.

#### *Miscellaneous*

One commenter stated that APHIS was legally required to submit its response to the petitions to reclassify LBAM to NAS for review.

There are no requirements for petition responses to be reviewed by third parties. APHIS elected to submit the revised petition response to NAS.

One commenter supported the continued LBAM quarantine, but stated that the current LBAM program is in need of review because it does not take into account the additional regulatory response that will be needed when LBAM populations expand into other areas of California and the United States. The commenter further stated that the regulations for the movement of cut plant material and nursery stock need to be strengthened. One commenter also supported the continued LBAM quarantine, but stated that APHIS should continually review the quarantine and lift it if the pest is found outside of the quarantined areas and the quarantine becomes uneconomical.

We continually review the LBAM program, as well as other pest programs, to ensure that the program's goals are being met. In the event that LBAM is found within the continental United States outside of California, APHIS and the affected State(s) will take appropriate action, which may include additional detection activities and regulatory protocols, to control its spread.

Therefore, for the reasons discussed in our draft responses to petitions and in this document, we are retaining our classification of LBAM as an actionable quarantine pest to prevent its further spread into noninfested areas of United States and to maintain trade markets for U.S. agricultural products.

**Authority:** 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 3rd day of February 2014.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2014–02764 Filed 2–7–14; 8:45 am]

**BILLING CODE 3410–34–P**

## **DEPARTMENT OF AGRICULTURE**

### **Animal and Plant Health Inspection Service**

**[Docket No. APHIS–2013–0094]**

#### **Notice of Availability of a Treatment Evaluation Document for Heat Treatment for Asian Longhorned Beetle**

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

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

**SUMMARY:** We are advising the public that we have determined that it is necessary to add a treatment schedule for Asian longhorned beetle in the Plant Protection and Quarantine Treatment Manual. Thus, we have prepared a treatment evaluation document that discusses the existing treatment schedule and explains why this change is necessary. We are making this treatment evaluation document available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before April 11, 2014.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0094-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2013–0094, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0094> or in our reading room, which 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) 799–7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, M.S., Regulatory

Policy Specialist, Regulations, Permits and Manuals, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road Unit 135, Riverdale, MD 20737-1236; (301) 851-2352.

#### SUPPLEMENTARY INFORMATION:

##### Background

The regulations in 7 CFR chapter III are intended, among other things, to prevent the introduction or dissemination of plant pests and noxious weeds into or within the United States. Under the regulations, certain plants, fruits, vegetables, and other articles must be treated before they may be moved into the United States or interstate. The phytosanitary treatments regulations contained in part 305 of 7 CFR chapter III (referred to below as the regulations) set out standards for treatments required in parts 301, 318, and 319 of 7 CFR chapter III for fruits, vegetables, and other articles.

In § 305.2, paragraph (b) states that approved treatment schedules are set out in the Plant Protection and Quarantine (PPQ) Treatment Manual.<sup>1</sup> Section 305.3 sets out a process for adding, revising, or removing treatment schedules in the PPQ Treatment Manual. In that section, paragraph (a) sets out the process for adding, revising, or removing treatment schedules when there is no immediate need to make a change. The circumstances in which an immediate need exists are described in § 305.3(b)(1).

Currently, heat treatment schedule T314-c, which is used as a general treatment for various wood pests, is designated as a treatment for regulated articles moved from an Asian longhorned beetle (ALB) quarantined area. Although effective, we have determined that the treatment temperature and duration prescribed by T314-c are greater than what is necessary to eliminate ALB. In accordance with § 305.3(a)(1), we are providing notice that we have determined that treatment schedule T314-a, which provides a heat treatment schedule for ash logs, including firewood, and all hardwood firewood that are moved from emerald ash borer quarantined areas, is also an effective treatment against ALB. Therefore, we have determined that it is necessary to add ALB to heat treatment schedule T314-a.

The reasons for this change are described in a treatment evaluation document (TED) we have prepared to support this action. The TED may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may also request paper copies of the TED by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**.

After reviewing the comments we receive, we will announce our decision regarding the changes to the PPQ Treatment Manual that are described in the TED in a subsequent notice.

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 3rd day of February 2014.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### White River National Forest; Summit County, CO; Breckenridge Ski Resort Multi-Season Recreation Projects EIS

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** Breckenridge Ski Resort (BSR) has submitted a proposal to the White River National Forest (WRNF) to pursue approval of proposed projects included in its 2013 Master Development Plan (MDP) Addendum. The WRNF has accepted this proposal, and is preparing an Environmental Impact Statement (EIS) to analyze and disclose the potential environmental effects of implementing the projects. The Proposed Action is a range of projects designed to improve year-round recreation opportunities and better meet the changing needs and expectations of visitors to Breckenridge and the WRNF. The proposal hopes to better support a year-round economy in Breckenridge and Summit County by providing a diversity of attractions and outdoor activities that would attract visitors to the area. By providing a greater variety of activities and a longer season to visit BSR, the proposed educational and recreational opportunities would connect a more diverse group of visitors to our National Forest and the outdoors.

**DATES:** Comments concerning the scope of the analysis must be received by March 12, 2014. The Draft EIS is expected to be available for public review in the Fall/Winter of 2014 and the Final EIS is expected in the Spring/Summer of 2015.

**ADDRESSES:** Send written comments to: Scott Fitzwilliams, Forest Supervisor, c/o Roger Poirier, Project Leader, 120 Midland Ave, Suite 140, Glenwood Springs, CO 81601; FAX (970) 945-9029 or electronically to: <https://cara.ecosystem-management.org/Public/CommentInput?Project=43291>.

**FOR FURTHER INFORMATION CONTACT:** Additional information related to the proposed project can be obtained from: Roger Poirier, Project Leader, 120 Midland Ave, Suite 140, Glenwood Springs, CO 81601. Mr. Poirier can be reached by email at [rogierpoirier@fs.fed.us](mailto:rogierpoirier@fs.fed.us).

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

#### SUPPLEMENTARY INFORMATION:

**Purpose and Need for Action:** Summer recreational opportunities have been offered at BSR since the 1970s. These opportunities are, and continue to be, important to BSR and its guests, in providing outdoor recreation activities in the National Forest in a comfortable setting. The current summer guest experience at BSR is primarily defined by more developed activities on private lands and dispersed activities on National Forest System (NFS) lands. Specific to the activities on NFS lands within the BSR SUP area, guests primarily participate in lift-served and non-lift-served hiking and mountain biking via the Colorado SuperChair and trails dispersed across Peaks 7, 8 and 9.

Through ongoing, year-round tourism growth, BSR is becoming a summer destination for guests primarily from the United States, and from Colorado in particular. In both winter and summer, BSR caters to a broad spectrum of guests of all ages, abilities, and experience with the outdoors. Since 2010 the Peak 8 Fun Park (located on private lands), which includes an alpine slide, a coaster, mini-golf, and other activities, has experienced approximately 18 percent annual growth in its summer activity usage. The proposed projects would complement these current activities by offering an even broader range of passive and active recreation opportunities in the Forest to engage visitors.

<sup>1</sup> The PPQ Treatment Manual is available on the Internet at [http://www.aphis.usda.gov/import\\_export/plants/manuals/index.shtml](http://www.aphis.usda.gov/import_export/plants/manuals/index.shtml) or by contacting the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Manuals Unit, 92 Thomas Johnson Drive, Suite 200, Frederick, MD 21702.