

would warrant APHIS altering its preliminary regulatory determination or FONSI, substantially changing the proposed action identified in the EA, or substantially changing the analysis of impacts in the EA, our preliminary regulatory determination will become final and effective upon notification of the public through an announcement on our Web site. APHIS will also furnish a response to the petitioner regarding our final regulatory determination. No further **Federal Register** notice will be published announcing the final regulatory determination.

Should APHIS determine that we have received substantive new information within 30 days of publication of the **Federal Register** notice that would warrant APHIS altering our preliminary regulatory determination or FONSI, substantially changing the proposed action identified in the EA, or substantially changing the analysis of impacts in the EA, our preliminary determination will not become effective. In this case, APHIS intends to notify the public through an announcement on our Web site of our intent to conduct additional analysis. APHIS will also inform the petitioner of our intent.

Based on the information APHIS received and our further analysis, the Agency will prepare an amended EA, a new FONSI, and/or a revised PPRA, as necessary. APHIS will then publish a notice in the **Federal Register** announcing the availability of these documents for public review and APHIS' preliminary regulatory determination. After reviewing and evaluating any additional information received within 30 days of publication of this **Federal Register** notice, our preliminary regulatory determination will become final and effective upon notification of the public through an announcement on our Web site. APHIS will also furnish a response to the petitioner regarding our final regulatory determination. No further **Federal Register** notice will be published announcing the final regulatory determination.

### Approach 2

A second approach for public participation will be used when APHIS determines that the petition for a determination of nonregulated status is for a GE organism that raises substantive new issues. This could include petitions involving a recipient organism that has not previously been determined by APHIS to have nonregulated status or when APHIS determines that gene modifications raise substantive biological, cultural, or ecological issues

not previously analyzed by APHIS. Substantive issues would be identified by APHIS based on our review of the petition and our evaluation and analysis of comments received from the public during the 60-day comment period on the petition.

Under this approach, APHIS will solicit written comments on a draft EA and PPRA for 30 days through the publication of a **Federal Register** notice. The draft EA and PPRA will be made available as indicated in the **Federal Register** notice. Upon completion of the 30-day comment period, APHIS will review and evaluate all written comments received during the comment period and any other relevant information. After reviewing and evaluating the comments on the draft EA and PPRA and other information, APHIS will revise the PPRA as necessary and prepare a final EA. Based on the final EA, APHIS will prepare a NEPA decision document—either a FONSI or NOI to prepare an EIS. If a FONSI is reached, APHIS will furnish a response to the petitioner, either approving or denying the petition. APHIS will publish a notice in the **Federal Register** announcing the regulatory status of the GE organism and the availability of APHIS' final EA, PPRA, FONSI, and our regulatory determination.

These changes to the public participation process are effective March 6, 2012. All petitions for determinations of nonregulated status for GE organisms received by APHIS on or after this date will be handled using the new process for handling petitions described in this notice. For petitions received before this date and currently under consideration by APHIS, our ability to transition to the new process will depend upon the current status of the petition. For those petitions where APHIS has not completed a draft EA and PPRA, APHIS will follow the new process, i.e., the complete petition will be published for a 60-day comment period followed by later public involvement regarding the EA and PPRA. For those petitions where APHIS has completed or is nearing completion of a draft EA and PPRA, APHIS will follow our previous process, i.e., the petition, draft EA, and PPRA will be made available in a single **Federal Register** notice for a 60-day comment period. APHIS will notify petitioners which process their petition will follow and will make this information available at [http://www.aphis.usda.gov/biotechnology/pet\\_proc\\_imp.shtml](http://www.aphis.usda.gov/biotechnology/pet_proc_imp.shtml).

These public participation process changes are consistent with (1) 7 CFR part 340, (2) the National Environmental

Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), (3) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (4) USDA regulations implementing NEPA (7 CFR part 1b), and (5) APHIS' NEPA Implementing Procedures (7 CFR part 372).

**Authority:** 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 29th day of February 2012.

**Kevin Shea,**

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

[FR Doc. 2012–5364 Filed 3–5–12; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2012–0005]

#### Notice of Availability of a Pest Risk Analysis for the Importation of Litchi, Longan, and Rambutan From the Philippines into the Continental United States

**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 prepared a pest risk analysis that evaluates the risks associated with the importation into the continental United States of fresh litchi, longan, and rambutan fruit from the Philippines. Based on that analysis, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh fruit of litchi, longan, and rambutan from the Philippines. We are making the pest risk analysis available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before May 7, 2012.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2012-0005-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2012–0005, 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-2012-0005> 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) 690-2817 before coming.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Regulatory Policy Coordinator, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 851-2352.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56-1 through 319.56-54, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56-4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section.

APHIS received a request from the Government of the Philippines to allow the importation of fresh fruit of litchi (*Litchi chinensis*), longan (*Dimocarpus longan*), and rambutan (*Nephelium lappaceum*) from the Philippines into the continental United States. Currently, fresh fruits of litchi, longan, and rambutan are not authorized for entry from the Philippines. We have completed a pest risk analysis for the purpose of evaluating the pest risks associated with the importation of fresh fruit of litchi, longan, and rambutan into the continental United States. The analysis consists of a pest list identifying pests of quarantine significance that are present in the Philippines and could follow the pathway of importation into the United States and a risk management document identifying phytosanitary measures that could be applied to the commodities to mitigate the pest risk.

We have concluded that fresh fruit of litchi, longan, and rambutan can be safely imported into the continental United States from the Philippines using one or more of the five designated phytosanitary measures listed in § 319.56-4(b). The requirements for shipments of fresh fruit of litchi, longan, and rambutan from the Philippines would be as follows:

- The fresh fruit of litchi, longan, and rambutan may be imported into the continental United States in commercial consignments only;
- The fresh fruit of litchi, longan, and rambutan must be irradiated in accordance with 7 CFR part 305 with a minimum absorbed dose of 400 Gy;
- If the irradiation treatment is applied outside the United States, each consignment of fresh fruit of litchi, longan, and rambutan must be jointly inspected by APHIS and the national plant protection organization (NPPO) of the Philippines and accompanied by a phytosanitary certificate attesting that the fruit received the required irradiation treatment. In the case of fresh rambutan fruit, the phytosanitary certificate must also include an additional declaration stating that the consignment was inspected and found free of the powdery mildew *Oidium nephelii*;
- If irradiation is applied upon arrival in the United States, each consignment of fresh fruit of litchi, longan, and rambutan must be inspected by the NPPO of the Philippines prior to departure. In the case of fresh rambutan fruit, the phytosanitary certificate must also include an additional declaration stating that the consignment was inspected and found free of the powdery mildew *Oidium nephelii*; and
- The fresh fruit of litchi, longan, and rambutan are subject to inspection upon arrival at the U.S. port of entry.

Therefore, in accordance with § 319.56-4(c), we are announcing the availability of our pest risk analysis for public review and comment. The pest risk analysis 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 request paper copies of the pest risk analysis by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the pest risk analysis you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of fresh fruit of litchi, longan, and rambutan from the Philippines in a subsequent notice. If

the overall conclusions of the analysis and the Administrator's determination of risk remain unchanged following our consideration of the comments, then we will authorize the importation of fresh fruit of litchi, longan, and rambutan from the Philippines into the continental United States subject to the requirements specified in the risk management document.

**Authority:** 7 U.S.C. 450, 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 29th day of February 2012.

**Kevin Shea,**

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

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**BILLING CODE 3410-34-P**

**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**Request for Applications: The Community Forest and Open Space Conservation Program**

**AGENCY:** Forest Service.

**ACTION:** Notice; Correction.

**SUMMARY:** The Department of Agriculture (USDA), Forest Service, State and Private Forestry, Cooperative Forestry staff, published a document in the **Federal Register** of February 15, 2011, concerning requests for applications for the Community Forest and Open Space Conservation Program (Community Forest Program or CFP). The document contained incorrect funding information in section 2 (Award).

**ADDRESSES:** All local governments' and qualified nonprofit organizations' applications must be submitted to the State Forester of the State where the property is located. All Indian tribal applications must be submitted to the equivalent official of the Indian tribe. The Forest Service encourages applicants to contact and work with their State Forester or equivalent official of the Indian tribe when developing their proposal. The State Forester's contact information may be found at <http://www.fs.fed.us/spf/coop/programs/loa/cfp.shtml>.

All applicants must also send an email to [communityforest@fs.fed.us](mailto:communityforest@fs.fed.us) to confirm an application has been submitted for funding consideration.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding the grant application or administrative regulations, contact Kathryn Conant, Program Manager, 202-401-4072,