

assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the request for Office of Management and Budget approval.

Dated: November 26, 2007.

**Gloria Manning,**

*Associate Deputy Chief, National Forest System.*

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**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Information Collection; Small Business Timber Sale Set-Aside Program; Appeal Procedures on Recomputation of Shares**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; Request for Comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the extension of a currently approved information collection, Small Business Timber Sale Set-Aside Program: Appeal Procedures on Recomputation of Shares.

**DATES:** Comments must be received in writing on or before February 8, 2008 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Comments concerning this notice should be addressed to Sharon Nygaard-Scott, Forest Management Staff, Forest Service, USDA, Mail Stop 1103, 1400 Independence Avenue, SW., Washington, DC 20250.

Comments also may be submitted via facsimile to 202-205-1045 or by e-mail to: [wosbaprocess@fs.fed.us](mailto:wosbaprocess@fs.fed.us). In addition, comments may be submitted via the World Wide Web/Internet at: <http://www.regulations.gov>.

The public may inspect comments received at the Forest Service, Forest Management Staff Office, Third Floor SW, 201 14th Street, SW., Washington, DC, during normal business hours. Visitors are encouraged to call ahead to

202-205-1766 to facilitate entrance into the building.

#### **FOR FURTHER INFORMATION CONTACT:**

Sharon Nygaard Scott, Forest Management Staff, at 202-205-1766. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339, 24 hours a day, every day of the year, including holidays.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Small Business Timber Sale Set-Aside Program; Appeal Procedures on Recomputation of Shares

*OMB Number:* 0596-0141

*Expiration Date of Approval:* July 31, 2008

*Type of Request:* Extension of a currently approved collection

*Abstract:* The Forest Service adopted the Small Business Timber Sale Set-Aside Program on July 26, 1990 (55 FR 30485). The Agency administers the program in cooperation with the Small Business Administration (SBA) under the authorities of the Small Business Act of 1998, the National Forest Management Act of 1976, and SBA regulations in 13 CFR part 121. The program is designed to ensure that small business timber purchasers have the opportunity to purchase a fair proportion of National Forest System timber offered for sale.

Under the program, the Forest Service must recompute the shares of timber sales to be set aside for qualifying small businesses every 5 years based on the actual volume of saw timber that has been purchased by small businesses. Shares must be recomputed if there is a change in manufacturing capability, if the purchaser size class changes, or if certain purchasers discontinue operations.

In 1992, the Agency adopted new administrative appeal procedures (36 CFR part 215), which excluded the Small Business Timber Sale Set-Aside Program. Prior to adoption of 36 CFR part 215, the Agency had accepted appeals of recomputation decisions under 36 CFR part 217; and therefore decided to establish procedures for providing notice to affected purchasers offering an opportunity to comment on the recomputation of shares (61 FR 7468). The Conference Report accompanying the 1997 Omnibus Appropriation Act directed the Forest Service to reinstate an appeals process for decisions concerning recomputation of Small Business Set-Aside shares, structural recomputations of SBA shares, or changes in policies impacting the Small Business Timber Set-Aside Program prior to December 31, 1996. The Small Business Timber Sale Set-

Aside Program; Appeal Procedures on Recomputation of Shares (36 CFR part 223) outlines the types of decisions that are subject to appeal, who may appeal decisions, the procedures for appeal decisions, the timelines for appeal, and the contents of the notice of appeal.

The Forest Service provides qualifying timber sale purchasers 30 days for predecisional review and comment on draft decisions to reallocate shares, including the data used in making the proposed recomputation decision. Within 15 days after the close of the 30-day predecisional review period, an Agency official makes a decision on the shares to be set aside for small businesses and gives written notice of the decision to all parties on the national forest timber sale bidders list for the affected area. The written notice provides the date by which the appeal may be filed and how to obtain information on appeal procedures.

Only those timber sale purchasers, or their representatives, affected by small business share timber sale set-aside recomputation decisions who have submitted predecisional comments may appeal recomputation decisions. The appellant must file a notice of appeal with the appropriate Forest Service official within 20 days of the date of the notice of decision. The notice of appeal must include:

1. The appellant's name, mailing address, and day-time telephone number;
2. The title and date of the decision;
3. The name of the responsible Forest Service official;
4. A brief description and date of the decision being appealed;
5. A statement of how the appellant is adversely affected by the decision being appealed;
6. A statement of facts in dispute regarding the issue(s) raised by the appeal;
7. Specific references to law, regulation, or policy that the appellant believes have been violated (if any) and the basis for such an allegation;
8. A statement as to whether and how the appellant has tried to resolve the appeal issues with the appropriate Forest Service official, including evidence of submission of written comments at the predecisional stage; and
9. A statement of the relief the appellant seeks.

The data gathered in this information collection is not available from other sources.

*Estimate of Annual Burden:* 4 hours.

*Type of Respondents:* Timber sale purchasers, or their representatives,

who are affected by recomputations of the small business share of timber sales.

*Estimated Annual Number of Respondents:* 40.

*Estimated Annual Number of Responses per Respondent:* 2.

*Estimated Total Annual Burden on Respondents:* 320.

Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the request for Office of Management and Budget approval.

Dated: November 27, 2007.

**Gloria Manning,**

*Associate Deputy Chief, National Forest System.*

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BILLING CODE 3410-11-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Bridger-Teton National Forest, Wyoming, Supplemental Analysis To Consider Potential Field Development (Master Development Plan) Subsequent to Proposed Exploratory Drilling by Plains Exploration and Production Company (PXP) Within the South Rim Unit on the Big Piney Ranger District**

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Bridger-Teton National Forest prepared a Draft Environmental Impact Statement (DEIS) in response to a request from PXP to drill an exploratory well on the Big Piney Ranger District, along with two additional wells on the same drill pad

should the initial well be productive. After release of the DEIS for the Eagle Prospect exploratory wells and in response to public comments and a request from PXP relative to cumulative effects, the Forest will expand the analysis to address a potential field development scenario or master Development Plan, as provided for in the newly revised Onshore Order No. 1. this constitutes a substantial change in the proposed action analyzed in the DEIS and therefore requires the Forest to revise the analysis and prepare a new DEIS.

**DATES:** Comments concerning the expanded scope of the analysis must be postmarked by February 7, 2008. Comments previously submitted as part of the original scoping or comments submitted on the Eagle Prospect DEIS released in February of 2007 need not be re-submitted. The new DEIS is expected in May of 2008 and the Final Environmental Impact Statement (FEIS) is expected in March of 2009.

**ADDRESSES:** Send written comments to Greg Clark, District Ranger, Big Piney Ranger District, P.O. Box 218, Big Piney, Wyoming 83113 (307-276-5810). Send electronic comments to: *comments-intermt-n-bridger-teton@fs.fed.us*, Subject "PXP Master Development Plan."

**FOR FURTHER INFORMATION CONTACT:** Greg Clark, District Ranger, Big Piney Ranger District, P.O. Box 218, Big Piney, Wyoming 83113 (307-276-5810).

**SUPPLEMENTARY INFORMATION:** Plains Exploration and Production Company (PXP) submitted an Application for Permit to Drill (APD) for the Eagle 1-8 exploratory well and APDs for the Eagle 2-8 and 3-8 wells, which would be drilled from the same well pad. A DEIS for this project was released to the public in February 2007. Based on comments received and discussions with various agencies, PXP has decided to incorporate a Master Development Plan into their original exploratory proposal for the Eagle Prospect. The intent is to drill the originally proposed well and if successful, drill the Eagle 2-8 and 3-8 wells. The Master Development Plan provides a potential development scenario that could occur based on the results of the initial wells. Consideration of the Master Development Plan allows for analysis of potential cumulative effects early in the process. If subsequent development occurs, and occurs within the parameters of the approved Master Development Plan, further analysis will not be required. The Master Development Plan includes planned,

anticipated, and potential development facilities which will be dependent on the results of the first wells drilled. Some or all of the Master Development Plan may never occur. If full implementation of the Master Development Plan occurs, including exploratory drilling and potential development scenario, the plan would potentially involve 136 wells being drilled from 17 well pads, construction of 15 miles of new non-system roads, and reconstruction or realignment of 14 miles of existing system roads on National Forest System (NFS) lands. About 400 acres of potential new surface disturbance from roads, well pads, gathering lines for gas and produced liquids buried immediately adjacent to roads, and other facilities would be anticipated. The total potential disturbance represents about one well pad per section and a 40-acre spacing for well bottomhole locations.

### Purpose and Need for Action

The Forest Service has previously approved surface operating requirements in the form of lease stipulations and notices, and BLM has incorporated these provisions within oil and gas leases which authorize the exploration for and the development of federal oil and gas resources in this area. The purpose and need for action is to determine whether and how (with what conditions of approval) to approve the exploration and potential development identified in the Master Development Plan submitted by PXP for lease operations on the Big Piney District, Bridger-Teton National Forest. The Forest Service needs to make a decision regarding the Master Surface Use Plan of Operations and the BLM needs to make a decision regarding the overall Master Development Plan and associated APDs.

### Proposed Action

The proposed action is for the Forest Service to approve, with appropriate mitigation, the Master Surface Use Plan of Operations portion of the Master Development Plan, including necessary access and related facilities associated with the exercise of PXP's lease rights, and for the BLM to approve, with appropriate conditions of approval, the Master Development Plan and associated APDs.

### Possible Alternatives

The alternatives to be considered for the Master Development Plan will focus on parameters for development rather than specific orientation of the well pad or a surveyed access road location. Specific surveys and designs will be completed before approval of