

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Office of the Assistant Secretary for Civil Rights; Notice of Intent To Seek Approval of a New Information Collection

**AGENCY:** Office of the Assistant Secretary for Civil Rights, U.S. Department of Agriculture.

**ACTION:** Notice; request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary for Civil Rights (OASCR) is seeking comments from all interested individuals and organizations on a new information collection. This notice announces the OASCR's intention to request approval for a new information collection aimed at standardizing and consolidating the race, ethnicity, sex, national origin, disability and age (RESNODA) data for agencies within the U.S. Department of Agriculture (USDA) that serve agricultural producers and landowners. This information collection will assist the USDA agencies in the compilation of program application and participation rate data for socially disadvantaged farmers or ranchers for programs that serve agricultural producers and landowners. USDA continues to seek ways to improve delivery of program services and benefits, fulfill various civil rights responsibilities, and increase participation for those who are eligible to receive benefits and assistance.

**DATES:** We will consider comment that we receive by July 13, 2009.

**ADDRESSES:** We invite you to submit comments on this notice. In your comment, include date, and page number of this issue of the **Federal Register**. You may submit comments by any of the following methods:

- *E-mail:* Send comments to: Rhonda.davis@usda.gov.
- *Mail:* Ms. Rhonda Davis, Director, Planning, Performance and

Accountability Division, OASCR, USDA, 1400 Independence Avenue, SW., Mailstop 9475, Washington, DC 20250.

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Rhonda Davis, Director, Planning, Performance and Accountability Division, phone (202) 720-1010.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 14006 of the Food, Conservation and Energy Act of 2008 (2008 Farm Bill; Pub. L. 110-246) requires the Secretary of Agriculture to compile program application and participation rate data on socially disadvantaged farmers or ranchers by race, ethnicity, and gender. The collection of data is necessary to provide USDA with the composition of its constituents, particularly from a race and ethnicity standpoint. Further, data is necessary to give USDA a baseline on its applicants and participants and assist it in planning and assisting its constituents.

The goal of a farm program focused collection of RESNODA data is to reduce the burden on citizens to provide this type of information by creating a single voluntary survey transaction where the data is collected, one time in a standard format. For subsequent transactions where this information is needed to report on application or participation rates or to improve program participation, the Department will provide the opportunity for the applicant or participant to revise their data. If no revisions are made, USDA will reuse the data previously collected.

This information collection request is intended over a period time to consolidate a number of agency collections of RESNODA data and to minimize the number of separate forms and transactions required to obtain USDA services, thereby reducing the burden in collecting this information from the public.

When collected manually, a paper form will be used in conjunction with the appropriate program application form as a tear-off where the application for services will be electronically transmitted to the appropriate agency

for action, and information from the paper form will be electronically transmitted to a Departmental repository to be used in subsequent customer transactions and for applicable Civil Rights analysis and reporting. The electronically collected data will reside in an enterprise database.

While the demographic data will be available for management reporting purposes to comply with section 14006 of the 2008 Farm Bill, a flag would graphically indicate to USDA employees that the information had been previously collected. The privacy of the data will be protected. The existing customer data Systems of Record will be modified or created if applicable to meet the Privacy Act requirement.

#### Description of Information Collection

*Title:* Customer Information.

*OMB Number:* 0503-NEW.

*Type of Request:* New information collection.

*Abstract:* The purpose of the collection is to enable the agency heads to report annually to the Secretary of Agriculture on the collection of RESNODA data for all USDA farm programs, and to further ensure that this information is collected only once for each customer. When established, this information will assist OASCR and USDA agencies in assessing farm programs for each county and State in the United States based on program application and participation rate data for agricultural producers and landowners.

*Estimate of Burden:* For the initial collection of RESNODA data, the estimated burden is 3 minutes per response either collected manually through a Departmental form or collected electronically through the USDA.gov web portal.

*Estimated Number of Respondents:* The Department estimates 14,000,000 constituents subject to the collection of RESNODA data.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 700,000 hours.

We are requesting comments on all aspects of this information collection including the following to help us:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including

whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of burden of the proposed collection of information, including the validity of methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate, automated, electronic, mechanical or other technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

#### Summary of 2004 Comments

A previous notice requesting comments on this information collection request was published in the **Federal Register** on June 23, 2004 (69 FR 34990–34991). The 60-day comment period for the notice closed on August 23, 2004; 6 comments were received. The scope of the request for information collection approval has been narrowed to initially focus on information collected by the three service center agencies, the Farm Service Agency (FSA), the National Resources Conservation Service (NRCS), and Rural Development (RD). None of the comments addressed any issues related to information collection by FSA, NRCS, or RD.

Signed at Washington, DC on May 7, 2009.

Joe Leonard, Jr.,

Assistant Secretary for Civil Rights.

[FR Doc. E9–11109 Filed 5–12–09; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### Amended Notice of Intent To Prepare an Environmental Impact Statement for the Biomass Crop Assistance Program

**AGENCY:** Commodity Credit Corporation, USDA.

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

**SUMMARY:** The Commodity Credit Corporation (CCC) intends to prepare an Environmental Impact Statement (EIS) for the Biomass Crop Assistance Program (BCAP). BCAP is a new program authorized by the Food,

Conservation, and Energy Act of 2008 (the 2008 Farm Bill). The EIS will assess the potential environmental impacts of alternatives for administration and implementation of BCAP. Through this notice and public meetings, CCC is requesting the public to provide comments and inputs on the preliminary proposed program alternatives and environmental concerns associated with the implementation of BCAP.

**DATES:** See the **SUPPLEMENTARY INFORMATION** section for dates of the six public meetings.

**Comments:** We will consider comments that we receive by June 12, 2009. We will consider comments submitted after that date, to the extent possible.

**ADDRESSES:** We invite you to submit comments and to participate in public meetings on the proposed alternatives related to BCAP. If you e-mail, fax, or mail your comments, include the volume, date, and page number of this issue of the **Federal Register**. You may submit comments by any of the following methods:

- Go through the established public comments Web site located at <http://public.geo-marine.com>.
- **E-Mail:** [bcap@geo-marine.com](mailto:bcap@geo-marine.com).
- **Fax:** (757) 873–3703.
- **Mail:** BCAP EIS c/o Geo-Marine, Inc., 2713 Magruder Boulevard, Suite D, Hampton, Virginia 23666.
- **Hand Delivery or Courier:** Deliver comments to the above address.
- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Comments may be inspected in the Office of the Director, CEPD, FSA, USDA, 1400 Independence Ave., SW., Room 4709 South Building, Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

See the **SUPPLEMENTARY INFORMATION** section for addresses for the six public meetings.

**FOR FURTHER INFORMATION CONTACT:** Matthew T. Ponish, FSA National Environmental Compliance Manager at (202) 720–6853 or [matthew.ponish@wdc.usda.gov](mailto:matthew.ponish@wdc.usda.gov). Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720–2600 (voice and TDD).

**SUPPLEMENTARY INFORMATION:** BCAP is authorized by Title IX of the 2008 Farm Bill (Pub. L. 110–246). The 2008 Farm Bill amends Title IX of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107–171); specifically, for BCAP, the 2008 Farm Bill adds section 9011 (7 U.S.C. 8111) to Title IX. BCAP is intended to support the establishment and production of crops for conversion to bio-energy in project areas (locations) and to assist with collection, harvest, storage, and transportation of eligible material for use in a biomass conversion facility.

As a new energy program, BCAP presents an opportunity to encourage landowners and operators to produce biomass for commercial energy production in ways that both are economically and environmentally sound. CCC plans to implement BCAP by approving the best-qualifying project proposals from project sponsors (producers or facilities) and then entering into contracts with individual producers in the approved project locations. BCAP is a CCC program administered by the Farm Service Agency (FSA) with the support of other Federal and local agencies.

Under the National Environmental Policy Act (NEPA), the EIS process provides a means for the public to provide input on program implementation alternatives and on environmental concerns. This notice informs the public of CCC's intention to prepare an EIS for BCAP. CCC initially solicited public input and comments on the proposed EIS for BCAP from the notice published in the **Federal Register** on October 1, 2008 (72 FR 5704–57047).

When we received comments and inputs from the public and through internal agency scoping, CCC developed the following alternatives for the BCAP analysis to be considered as part of the regulatory requirements under NEPA process:

(1) *No Action Alternative*—addresses the potential effects from not implementing BCAP.

(2) *Action Alternative 1*—addresses a targeted implementation of BCAP to specific areas or regions of the United States.

(3) *Action Alternative 2*—addresses a broad national implementation of BCAP.

The public meetings will be scoping meetings and will provide public input for the development of the alternatives.