

Room 5336A, Mail Stop 2024, South Building, 1400 Independence Avenue, SW., Washington, DC 20250–2024.

• *Hand Delivery/Courier: Hand deliver to:* David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336A, South Building, 1400 Independence Avenue, SW., Washington, DC 20250–2024.

**FOR FURTHER INFORMATION CONTACT:**

Joseph T. Reilly, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–4333.

**SUPPLEMENTARY INFORMATION:**

*Title:* 2009 Census of Horticultural Specialties.

*OMB Control Number:* 0535–0236.

*Type of Request:* Intent to Seek Reinstatement of an Information Collection as mandated by the Census of Agricultural Act of 1997 (Pub. L. 105–113).

*Abstract:* The National Agricultural Statistics Service (NASS) of the United States Department of Agriculture (USDA) will request approval from the Office of Management and Budget (OMB) for the 2009 Census of Horticultural Specialties survey to be conducted as a follow-on survey from the 2007 Census of Agriculture and is authorized by the Food, Conservation, and Energy Act of 2008 (Title X—Horticulture and Organic Agriculture).

The 2009 Census of Horticultural Specialties will use as a sampling universe; every respondent on the 2007 Census of Agriculture who reported production and sales of \$10,000 or more of horticultural specialty crops, and is still in business in 2009. In addition, NASS also plans to contact all new operations that have begun producing horticultural specialty products since the completion of the 2007 Census of Agriculture. Data collection will begin around January 1, 2010 for production and sales data for 2009. A final report will be published around December 2010. Data will be published at both the U.S. and State levels where possible.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 60 minutes per response.

*Respondents:* Producers of horticultural specialty crops.

*Estimated Number of Respondents:* 40,000.

*Estimated Total Annual Burden on Respondents:* 40,000 hours.

The primary objectives of the National Agricultural Statistics Service are to prepare and issue State and national estimates of crop production, livestock production, economic statistics, and environmental statistics related to

agriculture and to conduct the Census of Agriculture and its follow on surveys.

These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by section 1770 of the Food Security Act of 1985, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13) and Office of Management and Budget regulations at 5 CFR part 1320 (60 FR 44978, August 29, 1995).

Copies of this information collection and related instructions can be obtained without charge from the NASS OMB Clearance Officer, at (202) 720–2248.

*Comments:* Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

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

Signed at Washington, DC, June 17, 2009.

**Joseph T. Reilly,**

*Associate Administrator.*

[FR Doc. E9–16635 Filed 7–13–09; 8:45 am]

**BILLING CODE 3410–20–P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Norbeck Wildlife Project; Hell Canyon Ranger District; Black Hills National Forest Custer, SD**

**AGENCY:** Forest Service, USDA.

**ACTION:** Revised notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Hell Canyon Ranger District of the Black Hills National Forest (BHNF) is preparing an Environmental Impact Statement (EIS) for a proposal to implement multiple

resource management actions within the Norbeck Wildlife Preserve (Norbeck) project area as directed by the Norbeck Organic Act and the Black Hills National Forest Land and Resource Management Plan. Since the original NOI was published, the proposed action has been modified to no longer include prescribed burning within the Black Elk Wilderness, and two additional action alternatives have been developed. The No Action alternative, which is also being considered, would not authorize habitat improvements of any type within the project area. This revised Notice of Intent is being issued to provide updated information on this project, including the proposal, timing, and contact information.

**DATES:** The original NOI for the Norbeck project was published July 31, 2007 (72 FR 41703). The dates of expected availability of environmental documents have changed since that Notice. The draft environmental impact statement is now expected to be available in September 2009 and the final environmental impact statement is expected to be completed by December 2009.

**FOR FURTHER INFORMATION CONTACT:**

Kelly Honors, Project Leader, Black Hills National Forest, Hell Canyon Ranger District, 330 Mount Rushmore Road, Custer, South Dakota 57730 or by phone at (605) 673–4853.

**SUPPLEMENTARY INFORMATION:**

#### **Purpose and Need for Action**

The purpose for action in the Norbeck project area has not changed, and is to benefit “game animals and birds” by improving habitat conditions within the Norbeck Wildlife Preserve, and to reduce the risks and consequences of a wildfire escaping from the wilderness. The EIS will describe current conditions and analyze environmental consequences of proposed actions. This information will assist the decision-maker in selecting management and monitoring strategies to meet desired conditions, such as the goals and objectives outlined for Management Area 5.4A, Norbeck Wildlife Preserve, Management Area 4.2B, Peter Norbeck Scenic Byway and Management Area 1.1A, Black Elk Wilderness.

The Forest Service seeks to provide high quality habitat for “game animals and birds” in accordance with the Norbeck Organic Act of June 5, 1920 and the Black Hills National Forest (BHNF) Land and Resource Management Plan (LRMP). A Focus Species List was prepared through coordination between USDA Forest Service personnel and South Dakota

Game, Fish and Parks personnel (Griebel, Bums, Deisch, 2007), and is now an amendment to the BHNH LRMP. The following species are included on this list, and were used to guide habitat management objectives for the Norbeck project: mountain goat, bighorn sheep, elk, white-tailed deer, Merriam's turkey, mountain bluebird, golden-crowned kinglet, brown creeper, ruffed grouse, song sparrow, northern goshawk and black-backed woodpecker.

#### Proposed Action

*The Norbeck project proposed action includes the following management actions:*

Managing vegetation on approximately 6,000 acres mechanically and by prescribed burning to improve habitat for game animals and birds within the Norbeck Wildlife Preserve.

#### Information on Issues and Additional Alternatives

Issues associated with the Norbeck project, as identified through scoping, include: wilderness values, wildlife and wildlife habitat, large trees, mountain pine beetle effects on wildlife habitat and potential for escaped fire. The two additional action alternatives include vegetation treatments to improve wildlife habitat, and also include prescribed burning within the Black Elk Wilderness.

#### Responsible Official

Mr. Lynn D. Kolund, Hell Canyon District Ranger, Black Hills National Forest, 330 Mount Rushmore Road, Custer, SD 57730.

#### Nature of Decision To Be Made

After reviewing the environmental analysis and considering public comment, the District Ranger will reach a decision that is in accord with the purpose and need for the project. The decision will include, but not be limited to:

(1) Whether or not to undertake vegetation treatments to improve habitat conditions within Norbeck Wildlife Preserve for game animals and birds, and

(2) What actions are appropriate, and under what conditions would actions take place.

Early Notice about Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement is expected to be available for public review in September 2009. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency

publishes the notice of availability in the **Federal Register**. The Forest Service believes that at this early stage it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that comments and objections are made available to the Forest Service at a time when they can meaningfully consider them and respond to them in the final environmental impact statement. To assist the Forest Service in identifying and considering issues and concerns, comments on the draft environmental impact statement should be as specific as possible. Please refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection. (Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: July 6, 2009.

**David Thom**,  
Acting Deputy Forest Supervisor Black Hills National Forest.

[FR Doc. E9-16473 Filed 7-13-09; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Naches Ranger District, Okanogan-Wenatchee National Forest; Minor Pacific Crest National Scenic Trail Relocation

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** A minor relocation (approximately 2,000 feet) will occur on the Pacific Crest National Scenic Trail (PCNST) in 2009. The trail will be re-routed from its current location within the White Pass Ski Area south to the Wilderness boundary on the edge of the expansion area with the purpose of maintaining a quality, uninterrupted backcountry experience for PCNST users and to minimize their views of ski area structures and facilities. All activities were analyzed in the White Pass Expansion Master Development Plan Proposal Final Environmental Impact Statement and documented in the June 2007 Record of Decision. Relocation will begin in July 2009 and is expected to be completed by fall 2009. Trail relocation will be done in conjunction with the Pacific Crest Trail Association.

#### FOR FURTHER INFORMATION CONTACT:

Direct questions regarding this trail relocation to Randall Shepard, Naches District Ranger, USDA, Okanogan-Wenatchee National Forest, 10237 US Highway 12, Naches, WA 98937, 509-653-1415.

Dated: July 8, 2009.

**Randall D. Shepard**,

Naches District Ranger, Okanogan-Wenatchee National Forest.

[FR Doc. E9-16649 Filed 7-13-09; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* U.S. Census Bureau.

*Title:* Advance Monthly Retail Trade Survey.

*Form Number(s):* SM-44(06)A, SM-44(06)AE, SM-44(06)AS, SM-72(06)A, SM-44(06)FA, SM-44(06)FAE, SM-44(06)FAS, SM-72(06)FA.

*OMB Control Number:* 0607-0104.