

available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link.

- **Postal Mail/Commercial Delivery:** Please send four copies of your comment (an original and three copies) to Docket No. APHIS-2006-0155, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2006-0155.

Reading Room: You may read any comments that we receive on this docket in our reading room. The reading room 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.

Other Information: Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

FOR FURTHER INFORMATION CONTACT: For information on regulations for plum pox compensation, contact Mr. Stephen Poe, Senior Operations Officer, Emergency and Domestic Programs, PPQ, APHIS, 4700 River Road Unit 36, Riverdale, MD 20737; (301) 734-8899. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

SUPPLEMENTARY INFORMATION: *Title:* Plum Pox Compensation.

OMB Number: 0579-0159.

Type of Request: Extension of approval of an information collection.

Abstract: The Plant Protection Act (7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture, either independently or in cooperation with the States, to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests, such as plum pox, that are new to or not widely distributed within the United States.

Plum pox is an extremely serious viral disease of plants that can affect many *Prunus* (stone fruit) species, including plum, peach, apricot, almond, nectarine, and sweet and tart cherry. A number of wild and ornamental *Prunus* species may also be susceptible to this disease. Infection eventually results in severely

reduced fruit production, and the fruit that is produced is often misshapen and blemished. Plum pox virus is transmitted locally by a variety of aphid species, as well as by budding and grafting with infected plant material, and spreads over longer distances through movement of infected budwood, nursery stock, and other plant parts.

There are no known effective methods for treating trees or other plant material infected with plum pox, nor are there any known effective prophylactic treatments to prevent the disease from occurring in trees exposed to the disease due to their proximity to infected trees or other plant material. Without effective treatments, the only option for preventing the spread of the disease is the destruction of infected and exposed trees and other plant material.

The regulations in "Subpart-Plum Pox" (7 CFR 301.74-301.74-5) quarantine areas of the United States where plum pox has been detected, restrict the interstate movement of host material from quarantined areas, and provide for compensation to owners of commercial stone fruit orchards and fruit tree nurseries whose trees or nursery stock were destroyed to eradicate plum pox.

Section 310.74-5 requires applicants for the payment of compensation to complete a form.

We are asking the Office of Management and Budget (OMB) to approve our use of this information collection activity for an additional 3 years.

This notice includes a description of the information collection requirement currently approved by the Office of Management and Budget (OMB) for plum pox compensation under numbers 0579-0159 and 0579-0251. After OMB approves and combines the burden for both collections under one collection (number 0579-0159), the Department will retire number 0579-0251.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and

- (4) Minimize the burden of the information collection on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of Burden: The public reporting burden for this collection of information is estimated to average 0.25 hours per response.

Respondents: Owners of commercial stone fruit orchards and owners of fruit tree nurseries.

Estimated Annual Number of Respondents: 4.

Estimated Annual Number of Responses per Respondent: 1.

Estimated Annual Number of Responses: 4.

Estimated Total Annual Burden on Respondents: 1 hour. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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.

Done in Washington, DC, this 23rd day of October 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E6-18042 Filed 10-26-06; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Forest Service

Black Hills National Forest, Mystic Ranger District, South Dakota, Section 30 Limestone Mining Proposal

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement

SUMMARY: A Plan of Operation has been submitted by Pete Lien and Sons, Inc., for the purpose of mining for chemical grade limestone within mining claims on National Forest System land. The proposal is to mine within Pennington County totaling approximately 100 acres about one mile north of the northwest boundary of Rapid City, South Dakota.

DATES: Comments concerning the scope of the analysis would be most useful if received 30 days following the date of this notice. The draft environmental impact statement is expected to be available for public review in the Fall of 2007 and the final environmental impact statement is expected to be completed by the Spring of 2008.

ADDRESSES: Send written comments to Frank Carroll, Acting District Ranger, Black Hills National Forest, Mystic Ranger District, S-30 Limestone Mining Operation, 8221 South Highway 16, Rapid City, South Dakota 57702. Telephone number: (605) 343-1567. E-mail: comments-rocky-mountain-black-hills-mystic@fs.fed.us with "Section 30" as the subject. Electronic comments must be readable in Word, RichText or pdf formats.

FOR FURTHER INFORMATION CONTACT: Dave Slepnikoff, Project Coordinator, Black Hills National Forest, Mystic Ranger District, at above address, phone (605) 343-1567.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The Purpose and Need for this project is authorization of Pete Lien and Sons, Inc., proposal to exercise their rights under U.S. mining laws while protecting the environment in accordance with Forest Service regulations for locatable minerals. The Purpose and Need has several components. Pete Lien and Sons, Inc. has a statutory right to extract locatable minerals (chemical grade limestone) as proposed in accordance with the General Mining Law of 1872, as amended (30 U.S.C. 21-54). The Forest Service has the responsibility to protect surface resources of National Forest System lands to the extent practicable. Forest Service mining regulations state that, "operations shall be conducted so as, where feasible, to minimize adverse impacts on National Forest System surface resources (36 CFR 228.8)."

Proposed Action

The proposed action is to approve the Plan of Operation (PoO) submitted by Pete Lien and Sons, Inc. to mine approximately 100 acres of National Forest System land on the PLS 30-1 through PLS 30-10 Lode Mining Claims, SDMMC #209097. The Plans of Operation was developed by Pete Lien and Sons, Inc. It was submitted to the Forest Service in accordance with the General Mining Law of 1872, as amended and Forest Service mining regulations at 36 CFR part 228 Subpart A. The Project is located between Rapid City and Black Hawk, South Dakota. Legal description is; T.2N., R.7E., NE $\frac{1}{4}$ Section 30, BHM.

The Plan of Operation is summarized as follows:

- It is estimated that the operation will process approximately 10 million tons of limestone. The life of the proposed mine is estimated at 10 years, not including final reclamation.

- Remove vegetation, stockpile topsoil for future reclamation, drill and blast rock to remove an approximate 20-foot bed of limestone rock resulting in an open pit with approximately 20-foot high walls.

- Blasted rock may be crushed on site to reduce size for hauling. Raw materials will be hauled to the east of Highway 79 for processing into chemical grade limestone products.

- Concurrent reclamation is planned. Therefore approximately 60 acres will be disturbed at any one time. Reclamation will result in a depression on the existing hillside. High walls will be reduced, site graded, topsoil applied, and vegetation planted once mineral extraction is complete.

- The Mine Safety and Health Administration (MSHA) will be responsible for enforcing mine safety regulations. The mine site will be enclosed by fences and gates as required by MSHA and other regulatory guidance.

Pete Lien and Sons, Inc. will secure permits for all mining and reclamation activities as required by law. Several permits have been obtained or will be obtained pending the NEPA analysis and decision. Notable permit requirements include:

- Clean Water Act—Apply for construction/mining activity permit with National Pollutant Discharge Elimination System (NPDES).

- Clean Air Act—Permit or permits will be obtained to ensure that equipment and dust control measures comply with the Clean Air Act.

- South Dakota Mining License—Pete Lien and Sons, Inc. currently has a mining license inclusive of the relevant portion of section 30. The proposed mine may be exempt from further state permitting per a statutory exemption for the extraction of cement precursors.

- Pennington County Construction (Mining) Permit—Pete Lien and Sons, Inc. will notify the County of its schedule and plans to initiate mining on section 30. Construction permit CP 01-05 specifies the scope of the County's further review of road impacts, drainage, and other matters related to mining on section 30.

It is possible that Forest Plan direction may need to be amended for one or more resources, to allow a decision on this project. Any appropriate amendment(s) will be part of the proposal.

Craig Bobzien, Forest Supervisor, Black Hills National Forest, 1019 North 5th Street, Custer, South Dakota 57730-7239.

Nature of Decision To Be Made

The Forest Supervisor will decide whether the proposed action will proceed as proposed or as modified by an alternative. Also, he will decide which recommended mitigation measures and monitoring requirements will be applied. Finally, he will decide if a Forest Plan Amendment is required.

Scoping Process

The Forest Service will advertise the proposal in the Rapid City Journal, newspaper of record. The project will be listed in the Black Hills National Forest Quarterly NEPA calendar. Adjacent landowners, known interested parties, and government agencies will be sent letters describing the project and identifying the project timeframe. Scoping comments are requested by November 27, 2006. An informational and public meeting is scheduled for November 14, 2006 at 7 p.m. in the Black Hawk Elementary School Gymnasium regarding this project proposal.

Preliminary Issues

At this time, project planners are aware of issues related to cultural (heritage) resources and scenic quality. Through the Scoping process, we will use comments obtained about the proposed action to determine the breadth of issues to be addressed in the analysis.

The potential for adverse effects to heritage resources has been identified as an issue for this proposed undertaking. A number of archaeological sites have been identified and recorded in the project area as a result of heritage resource surveys. Five of these sites have been evaluated as eligible for nomination to the National Register of Historic Places. Through consultation with Indian tribes, use of this area for religious activities has also been documented. Pursuant to the National Historic Preservation Act (NHPA), the Forest is in consultation with Indian tribes and the South Dakota State Historic Preservation Office to develop measures of avoidance and/or mitigation for significant cultural and archaeological values by the proposed undertaking. Successful completion of consultation pursuant to the NHPA would result in a Memorandum of Agreement that will implement avoidance or mitigation of significant heritage resources in the Area of Potential Effect.

The existing vegetation will be removed prior to mining. The current scenic view will be altered from visible vantage points.

Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement. The Forest Service is seeking information that planners may not be aware of, or if you have comments and/or concerns regarding potential effects of the proposal to authorize mining on the Section 30 PLS Lode Mining Claims. Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be for 45 days from the date the Environmental Protection Agency publishes the Notice of Availability in the **Federal Register**. The Forest Service believes, 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. vs. 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 substantive comments and objections are made available to the Forest Service at a time when it 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 on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments 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: October 19, 2006.

Craig Bobzien,

Forest Supervisor, Black Hills National Forest.
[FR Doc. 06-8898 Filed 10-26-06; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE**Forest Service****Notice of New Fee; Federal Lands Recreation Enhancement Act (Title VIII, Pub. L. 108-447)**

AGENCY: National Forests in Florida, Ocala National Forest. USDA Forest Service.

ACTION: Notice of New Fee Site.

SUMMARY: The USDA Forest Service proposes a new fee site that will involve a special recreation permit for each operator using the Ocala National Forest designated off-highway vehicle trail system. There would be a choice between a three-consecutive day permits (\$15) or an annual permit (proposed to be between \$60 and up to \$120 pending final financial and marketing analysis, public input, and agency review). The Forest Service will use funds generated to sustain the trail system, facilities, patrols, and monitoring.

The Ocala National Forest is committed to providing quality motorized recreation in balance with what the land can support. The Ocala National Forest recently designated approximately 150 miles of off-highway vehicle trails for motorcycles and unlicensed all-terrain vehicles that consist of mixed-use roads, ATV/motorcycle trails, and motorcycle-only trails. Analysis has begun to consider additional designated trails on the Ocala National Forest which would be included in the fee permit system.

DATES: The proposed fee would be initiated no sooner than April 1, 2007. Comments, concerns, or questions on this proposal must be submitted by October 30, 2006.

ADDRESSES: Submit comments, concerns, or questions about this proposal to District Ranger, Ocala

National Forest, 40929 State Road 19, Umatilla, Florida 3448-5849.

FOR FURTHER INFORMATION CONTACT:

Contact Bret Bush, Recreation Program Manager, 352-625-2520 extension 2509.

SUPPLEMENTARY INFORMATION:

The Federal Recreation Lands Enhancement Act (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six-month advance notice in the **Federal Register** whenever new recreation fee areas are established. The Recreation Resource Advisory Committee will review proposals for new fees at least three months prior to the recommended initiation date.

Dated: October 3, 2006.

John Richard Lint,

District Ranger, Ocala National Forest.

[FR Doc. 06-8929 Filed 10-26-06; 8:45 am]

BILLING CODE 3410-11-M

ANTITRUST MODERNIZATION COMMISSION**Public Meeting**

AGENCY: Antitrust Modernization Commission.

ACTION: Notice of public meeting.

SUMMARY: The Antitrust Modernization Commission will hold a public meeting on November 14, 2006. The purpose of the meeting is for the Antitrust Modernization Commission to deliberate on possible recommendations regarding the antitrust laws to Congress and the President.

DATES: November 14, 2006, 9:30 a.m. to approximately 4 p.m. Advanced registration is required.

ADDRESSES: Morgan Lewis, Main Conference Room, 1111 Pennsylvania Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Andrew J. Heimert, Executive Director & General Counsel, Antitrust Modernization Commission; telephone: (202) 233-0701; e-mail: info@amc.gov. Mr. Heimert is also the Designated Federal Officer (DFO) for the Antitrust Modernization Commission.

For Registration: For building security purposes, advanced registration is required. If you wish to attend the Commission meeting, please provide your name by e-mail to meetings@amc.gov or by calling the Commission offices at (202) 233-0701. Please register by 12 noon on November 13, 2006.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is for the Antitrust Modernization Commission to deliberate on its report and/or