

**ACTION:** Extension of approval of an information collection; comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection associated with regulations for the payment of indemnity for the voluntary depopulation of captive cervid herds known to be affected with chronic wasting disease.

**DATES:** We will consider all comments that we receive on or before December 10, 2007.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>, select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click "Submit." In the Docket ID column, select APHIS-2007-0093 to submit or view public comments and to view supporting and related materials 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-2007-0093, 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-2007-0093.

*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 the payment of indemnity for the voluntary depopulation of captive cervid herds known to be affected with chronic wasting disease, contact Dr. Dean

Goeldner, Chronic Wasting Disease Program Manager, Ruminant Health Programs, NCAHP, VS, APHIS, 4700 River Road, Unit 43, Riverdale, MD 20737; (301) 734-4916. 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:* Chronic Wasting Disease in Cervids; Payment of Indemnity.

*OMB Number:* 0579-0189.

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

*Abstract:* The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture regulates the importation and interstate movement of animals and animal products, and conducts various other activities to protect the health of our Nation's livestock and poultry.

In connection with this mission, APHIS established regulations to provide for the payment of indemnity by USDA for the voluntary depopulation of captive cervid herds known to be affected with chronic wasting disease (CWD).

CWD is a transmissible spongiform encephalopathy of cervids (elk, deer, and other members of the deer family) and is typified by chronic weight loss leading to death. The presence of CWD in cervids causes significant economic and market losses to U.S. producers.

The regulations in 9 CFR part 55 authorize the payment of indemnity for the voluntary depopulation of CWD-positive, -exposed, or -suspect captive cervids. In order to take part in the indemnity program, cervid producers must apply for participation, must sign a payment, appraisal, and agreement form, and must certify as to whether any other parties hold mortgages on the herd. These requirements involve the use of two information collection instruments: An Appraisal/Indemnity Claim Form (VS Form 1-23) and a Herd Plan Agreement.

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

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning this 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 1 hour per response.

*Respondents:* Cervid herd owners; State personnel who perform appraisal and herd plan work.

*Estimated annual number of respondents:* 10.

*Estimated annual number of responses per respondent:* 1.

*Estimated annual number of responses:* 10.

*Estimated total annual burden on respondents:* 10 hours. (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 3rd day of October 2007.

**Cindy J. Smith,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E7-19883 Filed 10-9-07; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Apache-Sitgreaves National Forests, Apache, Greenlee and Navajo Counties, AZ; Apache-Sitgreaves National Forests Public Motorized Travel Management Plan

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Forest Service proposes to designate which routes (roads and trails) and areas on federal lands administered by the Forest Service within the Apache-Sitgreaves National Forests (Forests) are open to motorized travel. In doing so, the agency will comply with the requirements of the

Forest Service 2005 Travel Management Rule. The Forest Service will produce a Motorized Vehicle Use Map (MVUM) that reveals those routes and areas on the Apache-Sitgreaves National Forests that are open to motorized travel. The MVUM will be the primary tool used to determine compliance and enforcement with motor vehicle use designations on the ground. Existing routes, user-created routes and areas not designated as open on the MVUM will be legally closed to motorized travel except as allowed by permit or other authorization. Cross-country motorized travel will be prohibited except by special permit. The decisions on motorized travel do not include over-snow travel or existing winter-use recreation.

**DATES:** Comments concerning the scope of the analysis must be received by January 11, 2008. The draft environmental impact statement is expected to be released in September 2008, and the final environmental impact statement is expected in December 2008.

**ADDRESSES:** Send written comments to Travel Management, Apache-Sitgreaves National Forests, P.O. Box 640, Springerville, AZ 85938. Electronic comments may be sent to *comments-southwestern-apache-sitgreaves@fs.fed.us* with "Travel Management" in the subject line. Electronic comments must be readable in Microsoft Word (.doc), rich text (.rtf), Portable Document Format (pdf), text (.txt), or hypertext markup language (.html).

**FOR FURTHER INFORMATION CONTACT:** Jim Copeland, Team Leader at (928) 333-4301/(928) 339-4384.

#### Purpose and Need for Action

The purpose of this action is to improve management of motorized (36 CFR 212.1, *Motor Vehicle*) vehicle travel on National Forest System (NFS) lands within the Apache-Sitgreaves National Forests (Forests) in accordance with provisions identified in 36 CFR parts 212, 251, 261, and 295 *Travel Management; Designated Routes and Areas for Motor Vehicle Use; Final Rule*. Currently, wheeled motorized vehicle travel by the public is not prohibited off designated routes except by signed Forests Orders. The number of user created routes continues to grow each year, with many routes having environmental impacts and safety concerns that have not been addressed. Therefore, there is a need to manage the Forests' transportation system in a sustainable manner through designation of NFS roads, motorized NFS trails, and areas for motor vehicle use, and the

prohibition of motorized cross-country travel (except by permit or special order).

#### Proposed Action

The proposed action is to designate roads, trails, and areas open to motorized travel on lands administered by the Apache-Sitgreaves National Forests (Forests). Where it is appropriate and necessary, the designations will also specify seasons of use, type of vehicle(s) permitted, and types of use for those roads, trails, and areas. In doing so, the Forests will comply with requirements of the Forest Service 2005 Travel Management Rule (36 CFR part 212). As a result of these travel management decisions, the Forests will produce a Motorized Vehicle Use Map (MVUM) depicting those routes and areas on the Apache-Sitgreaves National Forests that are open to motorized travel. The MVUM will be the primary tool used to determine compliance and enforcement with motor vehicle use designations on the ground. Existing routes, user-created routes and areas not designated as open on the MVUM will be legally closed to motorized travel except as allowed by permit or other authorization. Cross-country motorized travel will be prohibited except by special permit.

In order to implement the proposed action, it would be necessary to amend some existing direction and terminology in the 1987 *Apache-Sitgreaves National Forests Plan*, as amended. These changes to the Forests Plan direction would be enduring changes and would apply to this decision and all subsequent project decisions unless and until further modified.

Proposed travel management-related changes to the Forests Plan are based on elements of the travel management rule, public meeting comments, District and Core Travel Management Team recommendations, and Forests Leadership Team decisions. The goal is to provide a transportation system that is within the Forests' ability to manage (operate and maintain) and provide a variety of users with a diverse experience while minimizing impacts to natural resources.

The Forests transportation system open to motorized travel under this proposal would be approximately 2,892 miles. This is a change of approximately 56 miles from the existing condition of approximately 2,948 open miles. In addition, hundreds of miles of currently used closed roads (roads identified as closed in the Forests' database) and user created roads not identified as open under this proposal would no longer be open to motorized use. New project

decisions, subsequent to this decision could change this system without amending the Forests Plan.

The proposed transportation system was developed with extensive public input and addresses a variety of concerns, including access to private lands within the National Forests boundary, funding, and access to the Forests for motorized and non-motorized recreation. Specifically, this proposed transportation system would allow for a balance between various recreational and commercial uses of the Forests. It would provide for various forms of reasonable motorized use on a designated system of routes in a responsible manner that addresses multiple resource concerns.

The proposed transportation system is depicted in detail on the *Apache-Sitgreaves National Forests Travel Management Plan Proposed Action Map* located on the Forests Web Site:

<http://www.fs.fed.us/r3/asnf/projects/travel-management.shtml>. In addition, maps will be available for viewing at:

Supervisor's Office, 30 South Chiricahua St., Springerville, AZ.  
Alpine Ranger District, Junction Hwy 180 & 191, Alpine, AZ.  
Black Mesa Ranger District, 2748 E. Hwy 260, Overgaard, AZ.  
Clifton Ranger District, 397240 AZ 75, Duncan, AZ.  
Springerville Ranger District, 165 S. Mountain Ave., Springerville, AZ.  
Lakeside Ranger District, 2022 W. White Mountain Blvd., Lakeside, AZ.

Other existing routes not shown on this map would not be open to public motorized travel. New routes would not be created except by written decision of an authorized Forest Service official. Unauthorized new routes would not be approved for public travel. If this proposal is selected for implementation, the information on this map would become the Motor Vehicle Use Map (MVUM) required by regulation and agency policy.

Under this proposal most of the route mileage would occur on existing National Forest System (NFS) routes currently open to the public for motorized travel. This proposal also includes designation of some currently unauthorized routes to connect existing NFS routes.

Approximately 8 miles of NFS roads would be designated for mixed-use as "roads open to all vehicles." NFS roads not considered for mixed-use would be designated as "roads open to highway legal vehicles only" (2,627 miles), or "routes open only to vehicles 50" or "less in width" (257 miles).

This proposal would allow cross-country motorized game retrieval, up to

1 mile from a designated route, of legally harvested elk and mule deer during certain seasons, in certain Game Management Units, during certain times of the day. This proposal would also allow CHAMP permit holders the ability for cross-country motorized game retrieval, up to 1 mile from a designated route, of legally harvested elk, mule deer, and black bear. Cross-country motorized big game retrieval (MBGR) will be subject to other existing regulations intended to protect natural and/or heritage resources. This includes compliance with regulations addressing use of vehicles off roads (36 CFR 261.15), National Forest Wilderness (36 CFR 261.18), and National Forest Primitive Areas (36 CFR 261.21), as well as other applicable laws and regulations. No MBGR will be allowed in Wilderness or Primitive Areas. The intent of this segment of the proposal is to reduce spoilage and waste by providing reasonable access to downed animals that are difficult to move long distances without motorized assistance. Motorized cross-country retrieval of other game animals would not be allowed under this proposal because these animals are small enough to retrieve without motorized assistance. This proposal is consistent with 36 CFR 212.51(8)(b) and the recommendation from Arizona Game and Fish Department.

This proposal would allow forest products gathering, such as firewood and pinyon nuts, following Regional Office guidelines for Forestry Program Activities. Motorized cross-country travel to facilitate the gathering of forest products will be managed by the Forests product permit system. The permit issued for gathering of forest products will specify what, if any, motorized cross-country travel is authorized for the purposes of gathering those products. Removal of lighter forest products such as plants, plant parts, dry cones, grasses, grass seed, pinyon seed, herbs and edibles, mistletoe and mushrooms, would not generally require motorized cross-country travel, and motorized cross-country travel would not generally be authorized. Tribal rights would be honored through free permits.

This proposal would allow dispersed camping off designated routes, in certain areas, under certain conditions. In all cases where dispersed camping is allowed, motorized vehicles would be restricted to within 300 feet from the centerline of designated routes, using the most direct route to the camp site. This would allow for reasonable recreational use of the Forests while reducing the potential for resource damage. Designated routes along which

dispersed camping would be allowed will be shown on the MVUM.

This proposal would allow dispersed camping at designated dispersed campsites, in certain areas, under certain conditions. In all cases where camping at designated dispersed campsites is allowed, motor vehicles would be restricted to within 100 feet from the sign designating the dispersed campsite. Motor vehicles would use the most direct route to the campsite. This would allow for reasonable recreational use of the Forests while reducing the potential for resource damage. Designated dispersed campsites will be shown on the MVUM.

Under this proposal, off-road parking would be allowed along designated routes under certain conditions. Primary considerations in designating this policy were user safety and resource protection. Draft Forest Service Manual direction would allow parking off designated routes, not to exceed a distance of one vehicle length.

This proposal would allow cross-country motorized travel in seven designated Areas that total approximately 1,433 acres. This would allow for reasonable recreational use of the Forests while reducing the potential for resource damage. Designated cross-country travel Areas will be shown on the MVUM.

#### Responsible Official

The Responsible Official is Elaine Zieroth, Forests Supervisor, Apache-Sitgreaves National Forests, P.O. Box 640, Springerville, AZ 85938.

#### Nature of Decision To Be Made

Based on the purpose and need for the proposed action, the Forests Supervisor will evaluate the Proposed Action and other alternatives in order to decide whether to adopt and implement the proposed action, an alternative to the proposed action, or take no action to make changes to the existing Apache-Sitgreaves National Forests transportation system. Once the decision is made, the Apache-Sitgreaves National Forests will publish a Motor Vehicle Use Map identifying the roads, trails, and areas that are designated for motor vehicle use. The MVUM shall specify the classes of vehicles and, if appropriate, the times of year for which use is designated.

Federal land managers are directed (Executive Order 11644, 36 CFR 212, and 43 CFR 8342.1) to provide for public use of routes designated as open, to ensure that the use of motorized vehicles and off-road vehicles will be controlled and directed so as to protect the resources of those lands under their

authority, to promote the safety of users, and to minimize conflicts among various users of federal lands.

#### Public Involvement

Preliminary public involvement was initiated in June, 2006, in an effort to familiarize the public and stakeholders with the objectives of travel management. The Apache-Sitgreaves National Forests hosted and participated in numerous public meetings and workshops across the Forests and local communities.

The National Off-Highway Vehicle Conservation Council (NOHVCC) in cooperation with the Apache-Sitgreaves National Forests conducted OHV Route Designation Workshops November 16–19, 2006 in Show Low, AZ for agency personnel and the public. The purpose of these workshops was to assist the Forest Service and public in effective implementation of the USFS Travel Management Rule.

The public was also asked to provide input to the Forests on routes they wanted to remain open and/or closed or those routes that may be in conflict with other desired conditions. Initial public involvement continues up to the point that this NOI is published in the **Federal Register**. To date, the Forests have received over 7,000 comments including numerous comments on individual routes, a large number of general comments, and some area-wide comments. This preliminary public input has been invaluable in helping the Forests develop this proposed action. A summary of the comments received to date is posted on the Forests Web Site <http://www.fs.fed.us/r3/asnf/projects/travel-mangement.shtml>.

#### Scoping Process

Public participation will be especially important at several points during the analysis. The Forests will be seeking information, comments, and assistance from Federal, State, and other local agencies and other individuals or organizations that may be interested in or affected by the proposed action. The Forests will conduct meetings to solicit comments from the public and interested parties on this proposal. The meetings are scheduled from 5 p.m. to 8 p.m. at the following locations:

Lakeside, AZ—November 6, 2007

(Tuesday), Blue Ridge Junior High School Cafeteria, 1200 West White Mountain Blvd.

Eagar, AZ—November 7, 2007

(Wednesday), Eagar Town Hall, 22 West 2nd St.

Clifton, AZ—November 8, 2007

(Thursday), Clifton Community

Center, Clifton Train Depot, 100 North Coronado Blvd (U.S. Highway 191). Overgaard, AZ—November 13, 2007, (Tuesday), Rim Country Senior Center, 2171 B Street.

Alpine, AZ—November 14, 2007, (Wednesday), Alpine Community Center, 42661 U.S. Highway 180.

Notices of these meetings and requests for comments will be posted on the Forests Web Site and will be published in local newspapers of record.

Based on comments received as a result of this notice and after the Forests have conducted public meetings and afforded the public sufficient time to respond to the proposed action, the Forests will use the public scoping comments and resource related input from the interdisciplinary team and other agency resource specialists to develop a set of significant issues to carry forward into the environmental analysis process. The draft environmental impact statement (EIS) is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in September, 2008. EPA will publish a notice of availability of the draft EIS in the **Federal Register**. The comment period on the draft EIS will extend 45 days from the date the EPA notice appears in the **Federal Register**. At that time, the draft EIS will be posted on the Forests Web Site and copies will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. It is very important that those interested in the management of the Apache-Sitgreaves National Forest participate at that time. Those who provide comments during the official 45-day comment period are eligible to appeal the decision under 36 CFR part 215. Interest expressed or comments provided on this project prior to or after the close of the official comment period will not constitute standing for appeal purposes. Comments must meet the requirements of 36 CFR 215.6.

The final EIS is scheduled to be completed in January, 2009. In the final EIS, the Forests are required to respond to substantive comments received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision.

#### Preliminary Issues

The Forests have received some indications of potential issues from the initial public involvement process. Those potential issues include:

(1) Resource damage caused by inappropriate types of vehicle use, (e.g. motorized vehicles in fragile or steep terrain); proliferation of routes (e.g. parallel trails or roads, continued traffic on closed roads and travel off designated routes); and continued use during seasonal restrictions (e.g. routes closed to protect resources during wet or muddy seasons).

(2) Disturbing or harming wildlife by using routes in important or critical wildlife habitat areas, too many roads in wildlife habitat areas, and disturbances to wildlife during critical lifecycle periods.

(3) Concerns about recreational opportunities, including loss of recreational opportunities if cross-country and existing routes are closed to motorized travel; loss of primitive or semi-primitive non-motorized recreation opportunities if more routes or areas are opened to motorized travel; and how to appropriately and reasonably accommodate the rapidly growing number of motorized users desiring to use federal lands for recreational riding of OHVs.

(4) Concerns on how the system might be designed to facilitate effective enforcement.

(5) Safety concerns on routes where multiple vehicle types (e.g. full-sized trucks and cars, ATVs, motorcycles) are allowed at the same time.

(6) Impacts to multiple use management of the Forests if routes are reduced.

The Forests recognize that this list of issues is not complete and will be further defined and refined as scoping continues. The Forests intend to develop a comprehensive list of significant issues before the full range of alternatives is developed and the environmental analysis is begun.

#### Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement for the Apache-Sitgreaves National Forests Public Wheeled Motorized Travel Management Plan.

#### 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 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forests believe, 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 draft EIS comment period so that substantive comments and objections are made available to the Forests at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forests 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 2, 2007.

**Robert S. Taylor,**

*Acting Forests Supervisor, Apache-Sitgreaves National Forests.*

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