

# 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

### Agricultural Marketing Service

[Docket No. DA-04-01]

#### Notice of Request for Extension and Revision of a Currently Approved Information Collection

**AGENCY:** Agricultural Marketing Service, USDA.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the Agricultural Marketing Service's (AMS) intention to request an extension for and revision to a currently approved information collection for report forms under the Federal milk marketing order program. The data are needed to administer the classified pricing system and related requirements of each Federal order.

**DATES:** Comments on this notice must be received by May 3, 2004.

#### FOR ADDITIONAL INFORMATION OR

**COMMENTS:** Contact William F. Newell, Chief, Order Operations Branch, USDA/AMS/Dairy Programs—Room 2753-S., 1400 Independence Avenue SW., Stop 0226, Washington, DC 20250-0226, (202) 720-3869, e-mail address: [William.Newell@usda.gov](mailto:William.Newell@usda.gov).

Small businesses may request information on this notice by contacting Clifford M. Carman, Chief, Order Formulation and Enforcement Branch, Dairy Programs, AMS, USDA, 1400 Independence Avenue SW., Stop 0231, Room 2971-S, Washington, DC 20250-0231; Telephone (202) 720-7183, Fax: (202) 690-0552, or E-mail: [Clifford.Carman@usda.gov](mailto:Clifford.Carman@usda.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Report Forms Under Federal Milk Orders (From Milk Handlers and Milk Marketing Cooperatives).

*OMB Number:* 0581-0032.

*Expiration Date of Approval:* September 30, 2004.

*Type of Request:* Extension and revision of a currently approved information collection.

*Abstract:* Federal milk marketing order regulations authorized under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) (hereinafter, the Act), require milk handlers to report in detail the receipts and utilization of milk and milk products handled at each of their plants that are regulated by a Federal order.

A Federal milk marketing order (hereinafter, Order) is a regulation issued by the Secretary of Agriculture that places certain requirements on the handling of milk in the area it covers. Each Order is established under the authority of the Act. The Order requires that handlers of milk in a marketing area pay not less than certain minimum class prices according to how the milk is used. These prices are established under each Order after a public hearing at which evidence is received on the supply and demand conditions for milk in the market. An Order requires that payments for milk be pooled and paid to individual farmers or cooperative associations of farmers on the basis of a uniform or average price. Thus, all eligible farmers (producers) share in the market wide use-values of milk by regulated handlers.

Milk Orders help ensure adequate supplies of milk and dairy products for consumers and adequate returns to producers.

The Orders also provide for the public dissemination of market statistics and other information for the benefit of producers, handlers, and consumers.

Formal rulemaking amendments to the Orders must be approved in referenda conducted by the Secretary.

As of April 1, 2004, there will be 10 Orders. Currently, 11 Orders are in effect. On February 18, 2004, A.J. Yates, Administrator, Agricultural Marketing Service, signed an order terminating the Western Milk Marketing Area, Federal Order Number 135, effective April 1, 2004 (69 FR 8327). At the present time, there are 22 fully-regulated handlers under the Western Order. The projected effect of terminating the Western Order has been included in the estimated number of respondents and responses, and on the estimated hours of annual burden on respondents that are provided later in this document.

During June 2003 while there were 11 Orders, there were 330 fully-regulated handlers, 92 partially-regulated handlers, 44 producer handlers, and 104 exempt handlers. During fiscal year 2003, 59,917 dairy farmers delivered over 115 billion pounds of milk to handlers regulated under the milk orders. This volume represents 68 percent of all milk marketed in the U.S. and 70 percent of the milk of bottling quality (Grade A) sold in the country. The value of this milk delivered to Federal milk order handlers at minimum order blend prices was nearly \$13.4 billion. Producer deliveries of milk used in Class I products (mainly fluid milk products) totaled 46 billion pounds—40 percent of total producer deliveries. More than 230 million Americans reside in Federal milk order marketing areas—81 percent of the total U.S. population.

Each Order is administered by a market administrator who is selected by the Secretary of Agriculture. The market administrator is authorized to levy assessments on regulated handlers to carry out the market administrator's duties and responsibilities under the Orders. Additional duties of the market administrators are to prescribe reports required of each handler, to assure that handlers properly account for milk and milk products, and to assure that such handlers pay producers and associations of producers according to the provisions of the Order. The market administrator employs a staff that verifies handlers' reports by examining records to determine that the required payments are made to producers. Most reports required from handlers are submitted monthly to the market administrator.

The forms used by the market administrators are required by the respective Orders that are authorized by the Act. The forms are used to establish: The quantity of milk received by handlers, the pooling status of the handler, the class-use of the milk used by the handler, and the butterfat content and amounts of other components of the milk.

The forms covered under this information collection require the minimum information necessary to effectively carry out the requirements of the Orders, and their use is necessary to fulfill the intent of the Act as expressed in the Orders and in the rules and regulations issued under the Orders.

The information collected is used only by authorized employees of the market administrator and authorized representatives of the USDA, including AMS Dairy Programs' headquarters staff.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 1.07 hours per response.

*Respondents:* Milk handlers and milk marketing cooperatives.

*Estimated Number of Respondents:* 739.

*Estimated Number of Responses:* 20,503.

*Estimated Number of Responses per Respondent:* 28.

*Estimated Total Annual Burden on Respondents:* 22,004 hours.

*Comments are invited on:* (1) 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; (2) 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; (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 those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments should reference this docket number and be mailed to William F. Newell, Chief, Order Operations Branch, USDA/AMS/Dairy Programs—Room 2753-S, 1400 Independence Avenue SW., Stop 0226, Washington, DC 20250-0226, (202) 720-3869, e-mail address: [William.Newell@usda.gov](mailto:William.Newell@usda.gov).

Comments should also reference the date and page number of this issue of the **Federal Register**.

All comments received will be available for public inspection during regular business hours at the same address, or may be viewed at <http://www.ams.usda.gov/dairy/index.htm>.

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

Dated: February 27, 2004.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-4859 Filed 3-3-04; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Yates Duck Creek Federal Oil Well #1 EIS: Medicine Bow-Routt National Forests and Thunder Basin National Grassland**

**AGENCY:** Forest Service, USDA.

**ACTION:** Revision of a Notice of Intent to prepare an Environmental Impact Statement.

**SUMMARY:** The Forest Service published a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Yates Duck Creek Federal Oil Well #1 in the **Federal Register** dated February 25, 2002 (FR Doc. 02-4109, pages 8512-8514). The original notice designated the Regional Forester as the Responsible Official. This revision (1) describes the current status of the Thunder Basin National Grassland Land and Resource Management Plan, 2001 Revision, (2) designates the Forest Supervisor as the Responsible Official, and (3) provides notification of a new estimated date for filing.

**FOR FURTHER INFORMATION CONTACT:** Liz Moncrief, Supervisor's Office, 2468 Jackson Street, Laramie, Wyoming 82070, (307) 745-2456.

**SUMMARY:** The Forest Service will prepare an Environmental Impact Statement (EIS) on a proposal to drill for and develop conventional oil and gas resources with one (1) well on National Forest System lands in Campbell County, Wyoming. The well would be located on Federal Lease # WYW-141191, issued in 1997, in Section 30, T.55N., R.69W., 6th P.M.

The purpose of the project is to determine the potential for oil and gas development, by drilling one exploratory well in the Duck Creek area. The project potentially includes three phases: (1) Drilling, (2) development and/or production of oil and/or gas if discovered in producible quantities, and (3) abandonment. The initial phase of the project would include constructing access to the drill site, constructing a well pad, and drilling and testing the well. If results of testing indicate that oil and/or gas are present in producible quantities, production equipment and facilities would be installed. Development could include the installation of tanks and treatment equipment on the wellsite and a pipeline to transport the product. The project proposal also includes a plan for abandonment of the well. If oil and/or gas are not present in quantities that justify completion and production, the well would be abandoned and the site

and access road reclaimed immediately. If the well is put into production, well abandonment and reclamation of the well site and access road would be performed to achieve a pre-project condition after the reservoir is depleted. The proposed well would be located in the Duck Creek Inventoried Roadless Area. If approved as proposed, the decision would permit road construction and reconstruction to occur in the roadless area. The EIS will comply with the requirements of the National Environmental Policy Act (42 U.S.C. 4321-4370a), the National Forest Management Act (16 U.S.C. 1600-1614), and the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*), and their implementing regulations.

**DATES:** Comments concerning the proposal and the scope of the analysis will be accepted and considered at any time after publication of this notice in the **Federal Register** and prior to a decision being made.

**ADDRESSES:** Send written comments to Liz Moncrief, Medicine Bow-Routt National Forest Supervisor's Office, 2486 Jackson Street, Laramie, Wyoming 82070. Electronic mail may be sent to: [emoncrief@fs.fed.us](mailto:emoncrief@fs.fed.us), fax may be sent to 307-745-2398.

**FOR FURTHER INFORMATION CONTACT:** Liz Moncrief, Forest Service Project Leader, 307-745-2456.

**SUPPLEMENTARY INFORMATION:** Yates Petroleum Corporation has filed an application with the Bureau of Land Management for a permit to drill and complete one exploration well. Drilling and completion of the well requires construction of access roads, and may include installation of testing and production equipment. As surface management agency, the Forest Service proposes to permit surface operations associated with the development of oil and/or gas resources with the drilling of one (1) well including construction of access roads and production facilities. The Forest Service will prepare an Environmental Impact Statement. This EIS disclose the environmental effects of the proposed oil and gas development.

In 1994, the Forest Service prepared the Thunder Basin Oil and Gas Leasing EIS and issued a Record of Decision (ROD) for future oil and gas development on NFS lands on the Thunder Basin National Grasslands. This decision authorized the Bureau of Land Management (BLM) to lease Federal oil and gas resources in the Duck Creek area subject to certain stipulations described in the ROD, and pertinent to the surface use of the NFS lands. Subsequent to this decision, the