

*balciunasi* into the environment as biological control agents for hydrilla.

APHIS' review and analysis of the potential environmental impacts associated with releasing *H. pakistanae* and *H. balciunasi* into the environment are documented in detail in an environmental assessment entitled "Field Release of the Nonindigenous Leaf-mining Flies *Hydrellia pakistanae* Deonier and *H. balciunasi* Bock (Diptera: Ephydriidae), for Biological Control of *Hydrilla verticillata* (L.F.) Royle (Hydrocharitaceae)" (April 2003). We are making this environmental assessment available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

The environmental assessment may be viewed on the Internet at <http://www.aphis.usda.gov/ppq/> by following the link for "Document/Forms Retrieval System," then clicking on the triangle beside "6-Permits-Environmental Assessments" and selecting document number 0035. You may request paper copies of the environmental assessment by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the environmental assessment when requesting copies. The environmental assessment is also available for review in our reading room (information on the location and hours of the reading room is listed under the heading **ADDRESSES** at the beginning of this notice).

The environmental assessment has been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 16th day of May 2003.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03–12993 Filed 5–22–03; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 03–046–1]

#### Pigeonpea Pod Fly; Availability of an Environmental Assessment

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

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

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment relative to the control of pigeonpea pod fly, *Melanagromyza obtusa* (Malloch) (Diptera: Agromyzidae). The environmental assessment documents our review and analysis of environmental impacts associated with alternatives for control of pigeonpea pod fly, as well as a recommendation for the use of biological control agents to suppress pigeonpea pod fly in the United States. We are making this environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before June 23, 2003.

**ADDRESSES:** You may submit comments by postal mail/commercial delivery or by e-mail. If you use postal mail/commercial delivery, please send four copies of your comment (an original and three copies) to: Docket No. 03–046–1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. 03–046–1. If you use e-mail, address your comment to [regulations@aphis.usda.gov](mailto:regulations@aphis.usda.gov). Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 03–046–1" on the subject line.

You may read any comments that we receive on the environmental assessment 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.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have

commented on APHIS dockets, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Dale Meyerdirk, Agriculturalist, National Biological Control Institute, PPQ, APHIS, 4700 River Road Unit 135, Riverdale, MD 20737–1236; (301) 734–5220.

#### SUPPLEMENTARY INFORMATION:

##### Background

Pigeonpea pod fly, *Melanagromyza obtusa* (Malloch) (Diptera: Agromyzidae), is a foreign plant pest that attacks numerous species of plants. The potential host range appears to be primarily restricted to legumes such as peas and beans, with some questionable exceptions such as okra and sesame. This pest can easily spread without detection. When the female pigeonpea pod fly punctures the legume pod and lays its eggs within, the only external evidence is varying degrees of damage caused by the punctures.

The pest is found throughout the world, including India, Ceylon, Indonesia, the Philippines, Taiwan, Thailand, Vietnam, and as far north as Japan. It also occurs in the U.S. territory of Puerto Rico. Pigeonpea pod fly is acclimated to cooler, northern climates and can tolerate dry conditions for part of the year. Therefore, suitable habitat exists throughout the United States, and the potential geographical distribution of the pigeonpea pod fly in the contiguous United States is extensive. Pigeonpea pod fly could enter the contiguous United States, Hawaii, or other U.S. territories from Puerto Rico, the Dominican Republic, or countries in the Pacific and become a serious agricultural threat to the United States.

The Animal and Plant Health Inspection Service (APHIS) has completed an environmental assessment that considers various methods of suppression of the pigeonpea pod fly that could be used in the United States. Based on our findings, we believe that the most effective alternative available is the use of biological control agents. Specifically, the parasitic Chalcid wasps of the genera *Euderus*, *Eurytoma*, and *Ormyrus* would be released in the United States to suppress pigeonpea pod fly. In preparation for their release into the environment, these imported biological control agents would be reared on pigeonpea pod fly in U.S. Department of Agriculture-certified insect quarantine facilities.

It is expected that the biological control agents would be introduced into areas where pigeonpea pod fly occurs

and reproduce naturally without further human intervention, and that these stingless, parasitic wasps would become established throughout the eventual geographical distribution of pigeonpea pod fly in the United States. The biological characteristics of the organisms under consideration preclude any possibility of harmful effects on human health.

APHIS' review and analysis of the potential environmental impacts associated with each of the possible alternatives are documented in detail in an environmental assessment entitled "Control of Pigeonpea Pod Fly, *Melanagromyza obtusa* (Diptera: Agromyzidae)" (April 14, 2003). We are making this environmental assessment available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

You may request copies of the environmental assessment by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the environmental assessment when requesting copies. The environmental assessment is also available for review in our reading room (information on the location and hours of the reading room is listed under the heading **ADDRESSES** at the beginning of this notice).

The environmental assessment has been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 16th day of May 2003.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03–12991 Filed 5–22–03; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 03–021–2]

#### Tropical Soda Apple; Availability of an Environmental Assessment and Finding of No Significant Impact

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that an environmental assessment and finding of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the control of tropical soda apple, *Solanum viarum* Dunal (Solanaceae). The environmental assessment considers the effects of, and alternatives to, the release of a nonindigenous beetle, *Gratiana boliviana* Spaeth (Coleoptera: Chrysomelidae), into the environment as a biological control agent to reduce the severity of infestations of tropical soda apple in Florida and other infested States in the continental United States. Based on its finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

**ADDRESSES:** Copies of the environmental assessment and finding of no significant impact are available for public inspection 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Tracy A. Horner, Ecologist, Environmental Services, PPD, APHIS, 4700 River Road Unit 149, Riverdale, MD 20737–1236; (301) 734–5213.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Animal and Plant Health Inspection Service (APHIS) is considering an application from a researcher at the University of Florida for a permit to release a nonindigenous beetle, *Gratiana boliviana* Spaeth (Coleoptera: Chrysomelidae), into the environment to reduce the severity of infestations of tropical soda apple, *Solanum viarum* Dunal (Solanaceae), in Florida and other infested States in the continental United States.

Tropical soda apple is a perennial shrub that belongs to the plant family Solanaceae, section Acanthophora, genus *Solanum*, and subgenus *Leptostemonum*. A plant with foliage unpalatable to livestock, tropical soda apple can infest a pasture or rangeland in 1 to 2 years, resulting in lower stocking rates. It is native to Brazil and Argentina but has become a weed in other areas of South America and in Africa, India, Nepal, the West Indies,

Honduras, Mexico, and the United States. Tropical soda apple was originally detected in the United States in Florida in 1988. The pastureland infested in 1992 was estimated to be approximately 150,000 acres; 10 years later, the infested area had increased to more than 1 million acres of improved pastures, citrus groves, sugarcane fields, ditches, vegetable crops, sod farms, forestlands, and natural areas. Tropical soda apple was listed as a Federal noxious weed in 1995, and it is listed as one of the most invasive species in Florida by the Florida Exotic Pest Plant Council. In addition to Florida, the plant has been reported in Alabama, Georgia, Mississippi, Louisiana, Texas, North Carolina, South Carolina, Tennessee, and Pennsylvania. Researchers believe that it has the potential to expand its range even further in the United States.

On March 5, 2003, we published in the **Federal Register** (68 FR 10435–10436, Docket No. 03–021–1) a notice in which we announced the availability, for public review and comment, of an environmental assessment (EA) that examined the potential effects of the release of the biological control agent *G. boliviana*, a nonindigenous tortoise beetle in the insect family Chrysomelidae, to reduce the severity of infestations of tropical soda apple in Florida and other infested States in the continental United States. Adults and larvae feed on tropical soda apple leaves, restricting the vigor and growth rate of the plants and potentially reducing the competitive advantage this invasive weed has over native vegetation.

We solicited comments on the EA for 30 days ending on April 4, 2003. We received two comments by that date. Both commenters supported the proposed action.

In this document, we are advising the public of APHIS' finding of no significant impact (FONSI) regarding the proposed field release of *G. boliviana* to reduce the severity of infestations of tropical soda apple in Florida and other infested States in the continental United States. The decision, which is based on the analysis found in the EA, reflects our determination that release of the beetle will not have a significant impact on the quality of the human environment.

The EA and FONSI may be viewed on the Internet at <http://www.aphis.usda.gov/ppq> by following the link for "Documents/Forms Retrieval System," then clicking on the triangle beside "6—Permits—Environmental Assessments," and selecting document number 0033. You