

Service	Unit	User fee
Training (school or technical assistance) .....	Per person per day .....	310.00

<sup>1</sup> Any reagents required for the check test will be charged separately.

<sup>2</sup> For veterinary diagnostic services for which there is no flat rate user fee the hourly rate user fee will be calculated for the actual time required to provide the service.

Done in Washington, DC, this 25th day of August 2004.

**Kevin Shea,**

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

[FR Doc. 04-19809 Filed 8-30-04; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Pattee Canyon Weed Management Project, Lolo National Forest, Missoula County, MT

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; intent to prepare an environmental impact statement (EIS).

**SUMMARY:** The Missoula Ranger District of the Lolo National Forest is proposing activities to control invasive weeds on approximately 2,500 acres of land near Missoula, Montana. The purpose of the project is to enhance and maintain desirable native vegetation and to maintain big-game winter range.

Proposed actions include aerial and ground application of herbicides, controlled release of approved biological control agents, and revegetation by seeding. These activities will be conducted along with ongoing programs to prevent invasive species and to educate the public.

Preliminary issues identified include the effectiveness of the proposed treatments, potential risks to human health and safety associated with herbicides, and the potential adverse effects of herbicides on native vegetation.

**DATES:** Comments about this proposal should be received within 45 days of the publication of this notice.

**ADDRESSES:** The USDA Forest Service is the lead agency for preparing this EIS. The Forest Service will consult with the U.S. Fish and Wildlife Service when making this decision. The responsible official is Maggie Pittman, Acting District Ranger, Missoula Ranger District, Lolo National Forest, Building 24A, Fort Missoula, Missoula, MT 59804.

**FOR FURTHER INFORMATION CONTACT:** Andy Kulla, Resource Assistant, Missoula Ranger District, at (406) 329-3962, or e-mail [akulla@fs.fed.us](mailto:akulla@fs.fed.us). Please

direct written comments to Maggie Pittman at Missoula Ranger District, Building 24A, Fort Missoula, Missoula, MT 59804, or e-mail [mpittman@fs.fed.us](mailto:mpittman@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** Most of the lands proposed for treatment were recently acquired by the federal government. Before the government acquired these lands, registered herbicides were periodically applied to them by air to control invasive species. These applications were partially effective, so the lands have retained a large component of native vegetation. However, within the project area are expanding populations of leafy spurge, Dalmation toadflax, spotted knapweed, sulfur cinquefoil, Canada thistle, musk thistle, cheat grass and other invasive species. Without active control measures, these invasive weed populations will expand further, replacing native vegetation and decreasing the suitability of the lands as big game winter range.

In 2001, the Lolo National Forest prepared and implemented a Big Game Winter Range and Burned Area Weed Management Project. That project authorized similar control treatments on ecologically equivalent lands across 21,750 acres. Treatments authorized by that EIS have been monitored to determine their effectiveness in controlling invasive species and their effects on other resources. This EIS will rely on the effects analyses disclosed in that EIS. This project will also rely on monitoring results to support disclosures of site-specific effects anticipated.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Secondly, environmental objections that could be raised at the draft EIS stage but are not raised until after completion of the final EIS 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 people 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns about the proposed action, comments on the draft EIS 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 EIS 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.)

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in December 2004. At that time, the EPA will publish a Notice of Availability of the draft EIS in the **Federal Register**. The comment period on the draft EIS will be 45 days from the date of the EPA's notice of availability in the **Federal Register**.

The final EIS is scheduled to be completed by February 2005.

Dated: August 24, 2004.

**Maggie Pittman,**

*Acting District Ranger, Missoula District, Lolo National Forest.*

[FR Doc. 04-19837 Filed 8-30-04; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Madera County Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Resource Advisory Committee meeting.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committee Act of

1972 (Public Law 92-463) and under the secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393) the Sierra National Forest's Resource Advisory Committee for Madera County will meet on Monday, September 20, 2004. The Madera Resource Advisory Committee will meet at the Forest Service Office, North Fork, CA, 93643. The purpose of the meeting is: Review the RAC accomplishments from 2002 to 2004, close out any old business.

**DATES:** The Madera Resource Advisory Committee meeting will be held Monday, September 20, 2004. The meeting will be held from 7 p.m. to 9 p.m.

**ADDRESSES:** The Madera County RAC meeting will be held at the Forest Service Office, 57003 Road 225, North Fork, CA 93644.

**FOR FURTHER INFORMATION CONTACT:** Dave Martin, USDA, Sierra National Forest, Bass Lake Ranger District, 57003 Road 225, North Fork, CA, 93643 (559) 877-2218 ext. 3100; e-mail [dmartin05@fs.fed.us](mailto:dmartin05@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** Agenda items to be covered include: (1) Review the RAC accomplishments from 2002 to 2004, (2) close out any old business.

Dated: August 24, 2004.

**David W. Martin,**

*District Ranger, Bass Lake Ranger District.*  
[FR Doc. 04-19836 Filed 8-30-04; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. No. 050304B]

#### Endangered and Threatened Species: Extension of Public Comment Period and Notice of Public Hearings on Proposed Hatchery Listing Policy and Proposed Listing Determinations for West Coast Salmonids

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Extension of public comment period; notice of public hearings.

**SUMMARY:** In June 2004, NMFS proposed a new policy for the consideration of hatchery salmon (chum, *Oncorhynchus keta*; coho, *O. kisutch*, sockeye, *O. nerka*; chinook, *O. tshawytscha*) and *O. mykiss* (inclusive of anadromous steelhead and resident rainbow trout) in Endangered Species Act (ESA) listing

determinations. As part of this proposal, NMFS announced a public comment period. In this notice, NMFS is extending the public comment period for this proposal to October 20. Additionally, NMFS is announcing that hearings will be held at eight locations in the Pacific Northwest from mid-September to mid-October to provide additional opportunities and formats to receive public input. Dates and locations of public hearings to be held in California will be announced in a subsequent **Federal Register** notice.

**DATES:** Written comments must be received by October 20, 2004. See **SUPPLEMENTARY INFORMATION** for the specific public meeting dates.

#### ADDRESSES: YOU MAY SUBMIT COMMENTS ON THE PROPOSED HATCHERY LISTING POLICY (69 FR 31354; JUNE 3, 2004) BY ANY OF THE FOLLOWING METHODS:

E-mail: The mailbox address for submitting e-mail comments on the hatchery listing policy is [hatch.policy@noaa.gov](mailto:hatch.policy@noaa.gov). Please include in the subject line of the e-mail comment the document identifier "Hatchery Listing Policy."

Mail: Submit written comments and information to Chief, NMFS, Protected Resources Division, 525 NE Oregon Street, Suite 500, Portland, Oregon, 97232-2737. Please identify the comment as regarding the "Hatchery Listing Policy." You may hand-deliver written comments to our office at the street address given above, suite 210. Business hours are 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays (i.e., September 6, 2004, and October 11, 2004, during the extended comment period).

Hand Delivery/Courier: NMFS, Protected Resources Division, 525 NE Oregon Street, Suite 210, Portland, Oregon, 97232-2737. Business hours are noted above.

Fax: 503-230-5435. Please identify the fax comment as regarding the "Hatchery Listing Policy."

See **SUPPLEMENTARY INFORMATION** for hearing locations. You may obtain information updates on the public hearings on the Internet at the following web address: <http://www.nwr.noaa.gov/AlseaResponse/meetings.html/>.

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, NMFS, Northwest Region, (503) 231-2005. Copies of the **Federal Register** notices cited herein and additional salmon-related materials are available on the Internet at <http://www.nwr.noaa.gov>.

**SUPPLEMENTARY INFORMATION:**

## Background

On June 3, 2004, NMFS published a proposed policy addressing the role of hatchery produced Pacific salmon and *O. mykiss* in ESA listing determinations (69 FR 31354; "proposed hatchery listing policy"). The proposed hatchery listing policy would supersede NMFS' 1993 Interim Policy on salmonid artificial (hatchery) propagation (58 FR 17573; April 5, 1993), which requires revision following the 2001 U.S. District Court ruling in *Alsea Valley Alliance v. Evans* (161 F. Supp. 2d 1154, D. Ore. 2001; appeal dismissed, 358 F.3d 1181 (9th Cir. 2004); *Alsea* ruling). The *Alsea* ruling held that NMFS had made an improper distinction under the Endangered Species Act (ESA) by not listing certain artificially propagated salmon populations determined to be part of the same Evolutionarily Significant Unit (ESU) as listed natural populations. Under the proposed hatchery listing policy: hatchery fish with a level of genetic divergence relative to local natural populations that is no more than would be expected between closely related populations within the ESU would be included as part of the ESU; within-ESU hatchery fish would be considered in determining whether the ESU should be listed under the ESA; and within-ESU hatchery fish would be included in any listing of the ESU. NMFS applied this proposed policy in conducting its comprehensive review of ESA listing status for 26 previously listed ESUs, and one candidate ESU, of West Coast salmon and *O. mykiss*.

## Extension of Public Comment Period

Several requests have been received to extend the comment period for the proposed hatchery listing policy. The comment period for the proposed policy was to end on September 1, 2004. NMFS is extending the comment period until October 20, 2004, to allow for adequate opportunity for public comment (see **DATES** and **ADDRESSES**).

## Public Hearings

Joint Commerce-Interior ESA implementing regulations state that the Secretary shall promptly hold at least one public hearing if any person requests one within 45 days of publication of a proposed regulation to list a species or to designate critical habitat (see 50 CFR 424.16(c)(3)). In past ESA rule-making NMFS has conducted traditional public hearings, consisting of recorded oral testimony from interested individuals. This format, although providing an alternative means of public input, is time consuming for the