

Notices

Federal Register

Vol. 65, No. 60

Tuesday, March 28, 2000

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

Food and Nutrition Service

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Income Eligibility Guidelines

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: The Department announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program). These income eligibility guidelines are to be used in conjunction with the WIC Regulations. **EFFECTIVE DATE:** July 1, 2000.

FOR FURTHER INFORMATION CONTACT: Debra Whitford, Branch Chief, Policy and Program Development Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305-2730.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This notice is exempted from review by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601-612) and thus is exempt from the provisions of this Act.

Paperwork Reduction Act of 1995

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V, 48 FR 29112 June 24, 1983).

Description

Section 17(d)(2)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786 (d)(2)(A)) requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person's eligibility for participation in the WIC Program. The law provides that persons will be income eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced price school meals under section 9(b) of the National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced price school meals is 185 percent of the Federal poverty guidelines, as adjusted.

Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2000 was published by the Department of Health and Human Services (DHHS) in the **Federal Register** on February 15, 2000 at 65 FR 7555. The guidelines published by DHHS are referred to as the poverty guidelines.

Section 246.7(d)(1) of the WIC regulations specifies that State agencies may prescribe income guidelines either equaling the income guidelines established under section 9 of the

National School Lunch Act for reduced price school meals or identical to State or local guidelines for free or reduced price health care. However, in conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period July 1, 2000 through June 30, 2001. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility guidelines under the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396, *et seq.*). State agencies may coordinate implementation with the revised Medicaid guidelines, but in no case may implementation take place later than July 1, 2000. State agencies that do not coordinate implementation with the revised Medicaid guidelines must implement the WIC income eligibility guidelines on July 1, 2000. The first table of this notice contains the income limits by household size for the 48 contiguous States, the District of Columbia and all Territories, including Guam. Because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States, separate tables for Alaska and Hawaii have been included for the convenience of the State agencies.

BILLING CODE 3410-30-U

INCOME ELIGIBILITY GUIDELINES
(Effective from July 1, 2000 to June 30, 2001)

Household Size	Federal Poverty Guidelines- 100%						Reduced Price Meals - 185%					
	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly		
	48 Contiguous States, D. C., Guam and Territories											
1.....	8,350	696	348	322	161	15,448	1,288	644	595	298		
2.....	11,250	938	469	433	217	20,813	1,735	868	801	401		
3.....	14,150	1180	590	545	273	26,178	2,182	1,091	1,007	504		
4.....	17,050	1421	711	656	328	31,543	2,629	1,315	1,214	607		
5.....	19,950	1663	832	768	384	36,908	3,076	1,538	1,420	710		
6.....	22,850	1905	953	879	440	42,273	3,523	1,762	1,626	813		
7.....	25,750	2146	1073	991	496	47,638	3,970	1,985	1,833	917		
8.....	28,650	2388	1194	1102	551	53,003	4,417	2,209	2,039	1,020		
Each Add'l Member Add	+2,900	+242	+121	+112	+56	+5,365	+448	+224	+207	+104		
Alaska												
1.....	10,430	870	435	402	201	19,296	1,608	804	743	372		
2.....	14,060	1,172	586	541	271	26,011	2,168	1,084	1,001	501		
3.....	17,690	1,475	738	681	341	32,727	2,728	1,364	1,259	630		
4.....	21,320	1,777	889	820	410	39,442	3,287	1,644	1,517	759		
5.....	24,950	2,080	1040	960	480	46,158	3,847	1,924	1,776	888		
6.....	28,580	2,382	1191	1100	550	52,873	4,407	2,204	2,034	1,017		
7.....	32,210	2,685	1343	1239	620	59,589	4,966	2,483	2,292	1,146		
8.....	35,840	2,987	1494	1379	690	66,304	5,526	2,763	2,551	1,276		
Each Add'l Member Add	+3,630	+303	+152	+140	+70	+6,716	+560	+280	+259	+130		
Hawaii												
1.....	9,590	800	400	369	185	17,742	1,479	740	683	342		
2.....	12,930	1,078	539	498	249	23,921	1,994	997	921	461		
3.....	16,270	1,356	678	626	313	30,100	2,509	1,255	1,158	579		
4.....	19,610	1,635	818	755	378	36,279	3,024	1,512	1,396	698		
5.....	22,950	1,913	957	883	442	42,458	3,539	1,770	1,633	817		
6.....	26,290	2,191	1096	1012	506	48,637	4,054	2,027	1,871	936		
7.....	29,630	2,470	1235	1140	570	54,816	4,568	2,284	2,109	1,055		
8.....	32,970	2,748	1374	1269	635	60,995	5,083	2,542	2,346	1,173		
Each Add'l Member Add	+3,340	+279	+140	+129	+65	+6,179	+515	+258	+238	+119		

Authority: 42 U.S.C. 1786.

Dated: March 21, 2000.

Samuel Chambers, Jr.,

Administrator.

[FR Doc. 00-7547 Filed 3-27-00; 8:45 am]

BILLING CODE 3410-30-C

DEPARTMENT OF AGRICULTURE

Forest Service

Land and Resource Management Plan Amendments for Canada Lynx in Colorado and Southern Wyoming

AGENCY: USDA Forest Service.

ACTION: Notice of intent to prepare an environmental impact statement in conjunction with amendments to land and resource management plans for the Routt National Forest; Arapaho and Roosevelt National Forests; Pike and San Isabel National Forests; the San Juan National Forest; Grand Mesa, Uncompahgre and Gunnison National Forests; and the Rio Grande National Forest located in the State of Colorado; and the Medicine Bow National Forest located in the State of Wyoming.

SUMMARY: Pursuant to Part 36 Code of Federal Regulations (CFR) 219.10(g), the Regional Forester for the Rocky Mountain Region gives notice of the agency's intent to prepare an environmental impact statement in conjunction with the amendments of Land and Resource Management Plans (hereafter referred to as Forest Plans or Plans) for the National Forests listed above. The White River National Forest is not included in this proposed action because this unit will include lynx management direction in its final revised forest plan scheduled to be completed in May 2001.

On the basis of new information regarding lynx biology developed since the issuance of the plans mentioned above, the Forest Service has identified a need to update management direction. This notice described a proposal to change Forest Plans to the extent necessary to respond to recommendations in the Canada Lynx Conservation Assessment and Strategy (LCAS) and other new information regarding the Canada lynx and its habitat.

DATES: Comments concerning the scope of the analysis should be postmarked by May 11, 2000. The agency expects to file a draft environmental impact statement with the Environmental Protection Agency (EPA) and make it available for public, agency, and tribal government comment in the summer of 2000. A final

environmental impact statement is expected to be filed in early 2001.

ADDRESSES: Send written comments to: Howard Sargent, Team Leader, Lynx Plan Amendment Team, USDA Forest Service, Rocky Mountain Region, PO Box 25127, Lakewood, Colorado, 80225-0127.

FOR FURTHER INFORMATION CONTACT: Howard Sargent, Team Leader, (970) 498-1201.

RESPONSIBLE OFFICIAL: Lyle Laverty, Rocky Mountain Regional Forester, P.O. Box 25127, Lakewood, CO 80225-0127.

SUPPLEMENTARY INFORMATION: The Regional Forester gives notice that the Rocky Mountain Region of the USDA Forest Service is beginning an environmental analysis and decision-making process for this proposed action so that interested or affected people can participate in the analysis and contribute to the final decision. The Forest Service is seeking information, comments, and assistance from individuals, organizations, tribal governments, and federal, state, and local agencies who are interested in or may be affected by the proposed action (36 CFR 219.6). The public is invited to help identify issues and define the range of alternatives to be considered in the environmental impact statement. The range of alternatives to be considered in the DEIS will be based on issues and specific decisions to be made. Written comments identifying issues for analysis and the range of alternatives are encouraged.

Proposed Action

The proposed action is to amend Forest Plans for the units listed previously in this notice to, as necessary, establish or revise goals, standards, and guidelines that respond to recommendations contained in the LCAS and other new information regarding the lynx and its habitat. The decision to be made is how to amend the Forest Plans to incorporate direction that responds to the LCAS recommendations and other new information regarding the lynx, if at all. Attachment 1 displays the key LCAS recommendations phrased in terms of goals, standards, and guidelines that will be considered as part of the environmental analysis process. Note that existing Forest Plans may already contain some direction that is essentially the same as the LCAS recommendations. Each plan will be amended only to the extent necessary to appropriately respond to the LCAS recommendations and other new information.

A range of alternatives that respond to issues developed during scoping will be considered when amending the Forest Plans. A reasonable range of alternatives will be evaluated and reasons will be given for eliminating some alternatives from detailed study, if that occurs. A "no-action alternative" is required, meaning that Forest Plans would not be amended.

Purpose and Need

The purpose and need for this proposal is to establish Forest Plan management direction designed to respond to the recommendations in the LCAS and other new information concerning the lynx and its habitat. This proposal is limited to the National Forests in the Rocky Mountain Region and Southern Rocky Mountain Geographic Area that have lynx habitat (see list above).

The Secretary of Interior listed the Canada lynx as a threatened species on March 24, 2000. This decision will take effect 30 days after publication. A key finding of the listing decision is that "the inadequacy of existing regulatory mechanisms, specifically the lack of guidance for conservation of lynx in Federal land management plans" (Department of the Interior, Fish and Wildlife Service, 50 CFR Part 17, Determination of Threatened Status for the Contiguous U.S. Distinct Population Segment of the Canada Lynx and Related Rule, p. 147) has contributed to the species' decline. When a species is listed, Section 7(a)(2) of the Endangered Species Act requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or destroy or adversely modify its critical habitat.

This action is also needed to assure that land and resource management plans are in compliance with species viability requirements in the planning regulations that implement the National Forest Management Act. The Rocky Mountain Region has identified the lynx as a sensitive species, it is listed by the State of Colorado as an endangered species, and the State of Wyoming lists the lynx as a "protected animal", meaning it is protected from take.

A large amount of new information about the lynx has become available in the past two years. Key elements of this new information to be considered include: (1) The LCAS; (2) a compendium and interpretation of current scientific knowledge in "Ecology and Conservation of Lynx in the United States, published in October 1999; (3) the Canada Lynx Conservation Agreement, prepared in February 2000