

Coordinator, 770-297-3030, Chattahoochee-Oconee National Forest, 1755 Cleveland Highway, Gainesville, Georgia 30005.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish advance notice in the **Federal Register** whenever new recreation fee areas are established. The Chattahoochee National Forests' Armuchee/Cohutta Ranger District presently manages 63 miles of a multi-use trail system called the Pinhoti Trail which traverses the states of Alabama and Georgia. The Dry Creek Equestrian Trailhead will offer access to the equestrian portion of the Pinhoti Trail system and also provide accessible facilities such as a vault toilet, picnic tables, trash cans, bulletin/interpretive board, an interpretive board adjacent to restroom facilities, and a secured parking area with 27 designated parking spaces.

Dated: December 20, 2005.

**Larry M. Lockett,**

*Acting Forest Supervisor.*

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**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Project: Pigeon Roost Creek Watershed, Floodwater Retarding Structure #3, Jackson County, KY

**AGENCY:** Natural Resources Conservation Service.

**ACTION:** Notice of a Finding of No Significant Impact.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969: the Council of Environmental Quality Regulations (40 CFR part 1500); and the Natural Resources Conservation Service Regulations (7 CFR part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Pigeon Roost Watershed, Jackson County, Kentucky.

**FOR FURTHER INFORMATION CONTACT:** David G. Sawyer, State Conservationist, Natural Resource Conservation Service, 771 Corporate Drive, Suite 210, Lexington, KY 40503-5479, telephone (859)-224-7350.

**SUPPLEMENTARY INFORMATION:** The recently updated Pigeon Roost Creek Watershed Plan/Environmental

Assessment analyzed the installation of a floodwater retarding structure within the Pigeon Roost Creek Watershed in Jackson County, Kentucky. This project is a federally-assisted action and the completed Watershed Plan/EA has indicated that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, David G. Sawyer, State Conservationist, has determined that the preparation and review of an environmental impact statement is not necessary for this project.

The project purpose is to reduce flooding and sedimentation damages to the residences and businesses of McKee, Kentucky. The proposed project is the installation of flood retarding structure #3 (FRS#3) as originally planned and analyzed in the approved 1986 Pigeon Roost Watershed Plan and Environment Assessment.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency (EPA) and to various local agencies and interested parties. A limited number of copies of the FONSI are available by contacting the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Anita Arends, Resource Conservationist at 859-224-7354 or [anita.arends@ky.usda.gov](mailto:anita.arends@ky.usda.gov).

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

**Billye M. Haslett,**

*Acting State Conservationist.*

[FR Doc. E5-7824 Filed 12-23-05; 8:45 am]

**BILLING CODE 3410-16-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket No. 64-2005]

#### Foreign-Trade Zone 93—Raleigh—Durham, NC; Application for Subzone, Merck & Company, Inc. (Pharmaceutical Products), Durham, NC

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Triangle J Council of Governments, grantee of FTZ 93, requesting special-purpose subzone status for the pharmaceutical manufacturing facility of Merck & Company, Inc. (Merck), located in Durham, North Carolina. The application was submitted pursuant to the Foreign-Trade Zones Act, as

amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on December 15, 2005.

The proposed subzone (15 buildings of 639,000 square feet on 262 acres, which includes a possible expansion of 11 buildings totaling 400,000 sq. ft.) is comprised of one site located at 5325 Old Oxford Road, in Durham, North Carolina. The Merck facility is currently under construction and the first phase is scheduled to be completed in May 2006. The plant (200 employees) will manufacture, test, package, and warehouse pharmaceutical products, activities which it is proposing to perform under zone procedures.

Initially, the company is proposing to produce vaccines for the prevention of measles, mumps, and rubella (MMR) and chicken pox under zone procedures at the plant. The applicant notes that material sourced from abroad (human albumin, HTSUS 3002.10.0190—duty-free) may initially represent less than half of the value of the finished products manufactured under the proposed primary scope.

The application also requests authority to include a broad range of inputs and pharmaceutical final products that it may produce under FTZ procedures in the future. (New major activity in these inputs/products could require review by the FTZ Board.) General HTSUS categories of inputs include: 1108, 1212, 1301, 1302, 1515, 1516, 1520, 1521, 1702, 1905, 2106, 2207, 2302, 2309, 2501, 2508, 2510, 2519, 2520, 2526, 2710, 2712, 2807, 2809, 2811, 2814, 2815, 2816, 2817, 2821, 2823, 2825, 2826, 2827, 2829, 2831, 2832, 2833, 2835, 2836, 2837, 2839, 2840, 2841, 2842, 2844, 2846, 2851, 2901, 2902, 2903, 2904 (except for 2904.20.5000), 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 3001, 3002, 3003, 3004, 3005, 3006, 3102, 3104, 3301, 3302, 3305, 3401, 3402, 3403, 3404, 3502, 3503, 3505, 3506, 3507, 3802, 3804, 3808, 3809, 3815, 3822, 3823, 3824, 3906, 3910, 3911, 3912, 3913, 3914, 3915, 3919, 3920, 3921, 3923, 4016, (4202.92.1000, 4202.92.9060, 4202.99.1000, 4202.99.5000 (plastic only)), 4817, 4819, 4901, 4902, 5403, 7010, 7607, 8004, 8104, 8309, 8481, 9018, and 9602. Duty rates for these materials range from duty-free to 20%.

Final products that may be produced from the inputs listed above include these general HTSUS categories: 2302,

2309, 2902, 2903, 2904, 2905, 2906, 2907, 2909, 2910, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2928, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2941, 2942, 3001, 3002, 3003, 3004, 3006, 3802, 3804, 3808, 3809, 3824, 3910, 3911, 3912, 3913, and 3914. Duty rates for these products range from duty-free to 7.5%.

Zone procedures would exempt Merck from Customs duty payments on foreign materials used in production for export. On domestic shipments, the company would be able to defer Customs duty payments on foreign materials, and to choose the duty rate that applies to finished products (duty-free to 7.5 %) instead of the rates otherwise applicable to the foreign input materials (duty-free—20%). Merck would also be able to avoid duty on foreign inputs which become scrap/waste, estimated at two percent of foreign material. Merck may also realize logistical/procedure and other benefits from subzone status, including zone to zone transfers between other Merck subzones. The application indicates that the savings from FTZ procedures would help improve the international competitiveness of Merck's U.S. operations.

In accordance with the Board's regulations, a member of the FTZ staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses:

1. *Submissions Via Express/Package Delivery Services:* Foreign-Trade Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100 W, 1099 14th St. NW., Washington, DC 20005; or

2. *Submissions Via the U.S. Postal Service:* Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave. NW., Washington, DC 20230.

The closing period for their receipt is February 27, 2006. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period March 13, 2006.

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address Number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center,

10900 World Trade Blvd., Suite 110, Raleigh, North Carolina, 27617.

Dated: December 16, 2005.

**Dennis Puccinelli,**

*Executive Secretary.*

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**BILLING CODE 3510-DS-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 121905A]

#### Endangered and Threatened Species; Recovery Plans

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

**ACTION:** Proposed Recovery Plan for the Evolutionarily Significant Unit (ESU) of Puget Sound Chinook Salmon

**SUMMARY:** The National Marine Fisheries Service (NMFS) announces the availability for public review of a proposed Puget Sound Salmon Recovery Plan (Plan) for the Evolutionarily Significant Unit (ESU) of Puget Sound Chinook Salmon (*Oncorhynchus tshawytscha*). This Plan consists of a Draft Puget Sound Recovery Plan prepared by the Shared Strategy (Shared Strategy Plan) and a NMFS supplement to the Shared Strategy Plan (Supplement). NMFS is soliciting review and comment on the proposed Plan from the public and all interested parties.

**DATES:** The comment period for the proposed Puget Sound Salmon Recovery Plan closes on February 27, 2006. NMFS will consider and address all substantive comments received during the comment period. Comments must be received no later than 5 p.m. Pacific Standard. A description of previous public and scientific review, including scientific peer review, can be found in the NMFS Supplement.

**ADDRESSES:** Please send written comments and materials to Elizabeth Babcock, National Marine Fisheries Service, Salmon Recovery Division, 7600 Sandpoint Way NE Seattle, WA 98115. Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is [PugetSalmonPlan.nwr@noaa.gov](mailto:PugetSalmonPlan.nwr@noaa.gov). Include in the subject line of the e-mail comment the following identifier: *Comments on Puget Sound Salmon Plan*. Comments may also be submitted via facsimile (fax) to 206-526-6426.

Persons wishing to review the Plan, can obtain an electronic copy (i.e., CD-ROM) from Carol Joyce by calling 503-230-5408, or by e-mailing a request to [carol.joyce@noaa.gov](mailto:carol.joyce@noaa.gov), with the subject line *CD-ROM Request for Puget Sound Salmon Plan*. Electronic copies of the Shared Strategy Plan are also available on-line on the Shared Strategy website [www.sharedsalmonstrategy.org](http://www.sharedsalmonstrategy.org).

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Babcock, NMFS Puget Sound Salmon Recovery Coordinator (206-526-4505), or Elizabeth Gaar, NMFS Salmon Recovery Division (503-230-5434).

#### SUPPLEMENTARY INFORMATION:

##### Background

Recovery plans describe actions considered necessary for the conservation and recovery of species listed under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). The ESA requires that recovery plans incorporate (1) objective, measurable criteria which, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to implement recovery actions. The ESA requires the development of recovery plans for listed species unless such a plan would not promote the recovery of a particular species.

NMFS' goal is to restore endangered and threatened Pacific salmon ESUs to the point where they are again secure, self-sustaining members of their ecosystems and no longer need the protections of the ESA. NMFS believes it is critically important to base its recovery plans on the many state, regional, tribal, local, and private conservation efforts already underway throughout the region. The agency's approach to recovery planning has been to support and participate in locally led collaborative efforts involving local communities, state, tribal, and Federal entities, and other stakeholders to develop recovery plans.

On June 30, 2005, the Shared Strategy for Puget Sound presented its locally developed recovery plan (Shared Strategy Plan) to NMFS. The Shared Strategy is a nonprofit organization founded in 1999 to coordinate recovery planning for Puget Sound salmonids. It includes representatives of Federal, state, tribal, and local governments, business, agriculture and forestry industries, conservation and environmental groups, and local watershed planning groups. The Shared