

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment and finding of no significant impact relative to the release of *Aphelinus glycinis* for the biological control of soybean aphid, *Aphis glycines*, 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Shirley A. Wager-Page, Chief, Pest Permitting Branch, Registration, Identification, Permitting, and Plant Safeguarding, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 851–2323.

**SUPPLEMENTARY INFORMATION:****Background**

The soybean aphid, *Aphis glycinis*, which is native to Asia, was found in North America in 2000 and has since become a major pest in America. It infested 42 million acres alone in 2003, resulting in decreased soybean yields and greatly increased control costs. The soybean aphid has invaded most soybean production regions in North America, including numerous U.S. States and three Canadian Provinces.

The Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for the field release of the insect *Aphelinus glycinis* to reduce the severity of soybean damage from infestations of soybean aphid in the United States. Permitting the release of this parasite species is necessary to determine its impact on soybean aphid populations and its ability to survive in the target area.

On August 3, 2012, we published in the **Federal Register** (77 FR 46373, Docket No. APHIS–2012–0061) a notice<sup>1</sup> in which we announced the availability, for public review and comment, of an environmental assessment (EA) that examined the potential environmental impacts associated with the proposed release of this biological control agent into the continental United States.

We solicited comments on the EA for 30 days ending September 4, 2012. We received one comment, from a private citizen. The commenter opposed the proposed action but did not offer a rationale or any information apart from that opposition.

<sup>1</sup> To view the notice, EA, and FONSI go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0061>.

In this document, we are advising the public of our finding of no significant impact (FONSI) regarding the release of *Aphelinus glycinis* into the continental United States for use as a biological control agent to reduce the severity of soybean aphid infestations. The finding, which is based on the EA, reflects our determination that release of this biological control agent will not have a significant impact on the quality of the human environment.

The EA and FONSI may be viewed on the Regulations.gov Web site (see footnote 1). Copies of the EA and FONSI are also available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 799–7039 to facilitate entry into the reading room. In addition, copies may be obtained by calling or writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

The EA and FONSI have 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 28th day of February 2013.

**Kevin Shea,**

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

[FR Doc. 2013–05140 Filed 3–5–13; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service**

[Docket No. APHIS–2012–0060]

**Availability of an Environmental Assessment and Finding of No Significant Impact for a Biological Control Agent for Hemlock Woolly Adelgid**

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment and finding of no significant impact relative to the

release of *Scymnus coniferarum* to control hemlock woolly adelgid. 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Shirley A. Wager-Page, Chief, Pest Permitting Branch, Registration, Identification, Permitting, and Plant Safeguarding, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1236; (301) 851–2323.

**SUPPLEMENTARY INFORMATION:****Background**

The Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for the release of *Scymnus coniferarum*, a native predaceous beetle from the western United States, into the eastern United States for use as a biological control agent to reduce the severity of hemlock woolly adelgid (*Adelges tsugae*) infestations on hemlock.

Hemlock woolly adelgid was accidentally introduced to the eastern United States from Asia. Although native to the western United States, in the eastern United States, hemlock woolly adelgid is a destructive pest of the eastern hemlock (*Tsuga canadensis*), where it causes needle loss, abortion of buds, and the eventual death of infested trees.

On August 3, 2012, we published in the **Federal Register** (77 FR 46373–46374, Docket No. APHIS–2012–0060) a notice<sup>1</sup> in which we announced the availability, for public review and comment, of an environmental assessment (EA) that examined the potential environmental impacts associated with the proposed release of this biological control agent into the eastern United States.

We solicited comments on the EA for 30 days ending September 4, 2012. We received 10 comments by that date. Nine of the commenters were supportive of the proposed action. The remaining commenter opposed the proposed action but did not offer a rationale or any information apart from that opposition.

In this document, we are advising the public of our finding of no significant impact (FONSI) regarding the release of *S. coniferarum* into the eastern United States for use as a biological control agent to reduce the severity of hemlock woolly adelgid infestations. The finding, which is based on the EA, reflects our

<sup>1</sup> To view the notice, EA, and FONSI go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0060>.

determination that release of this biological control agent will not have a significant impact on the quality of the human environment.

The EA and FONSI may be viewed on the Regulations.gov Web site (see footnote 1). Copies of the EA and FONSI are also available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 799-7039 to facilitate entry into the reading room. In addition, copies may be obtained by calling or writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

The EA and FONSI have 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 1b); and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 28th day of February 2013.

**Kevin Shea,**

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

[FR Doc. 2013-05141 Filed 3-5-13; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0077]

#### Notice of Availability of New Guidelines for Pest Risk Assessments of Imported Fruits and Vegetables

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service (APHIS) has prepared a document that describes the revised methodology that APHIS will use to conduct plant health pest risk assessments for imported fruit and vegetable commodities. These new guidelines are necessary to incorporate advancements in pest risk assessment methods, provide clearer and more transparent analyses, and streamline the market access analysis process.

**FOR FURTHER INFORMATION CONTACT:** Ms. Meredith Jones, Senior Regulatory

Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road Unit 156, Riverdale, MD 20737; (301) 851-2289.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On October 17, 2000, under the authority of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) began using a specific set of guidelines to conduct pathway-initiated, qualitative pest risk assessments (PRAs) for imports of fruits and vegetables. A PRA is defined by the International Plant Protection Convention (IPPC), of which the United States is a member, as an "evaluation of the probability of the introduction and spread of a pest and the magnitude of the associated potential economic consequences." Following the characterization of the risk of the pest in the PRA, APHIS produces a risk management document to determine appropriate pest risk mitigation methods.

APHIS has determined that it is necessary to update the previous guidelines, which were developed over 10 years ago, in order to provide a more streamlined and efficient process for developing PRAs. Revising the PRA guidelines allows APHIS to incorporate advancements in PRA methods, provide a clearer, more transparent, and more logical order of progression of the assessment, and more closely align the assessments to the IPPC's international standards for phytosanitary measures. The new guidelines provide a more technically correct method of assessing risk by recognizing that the likelihood of pest introduction is multiplicative rather than additive; i.e., if one necessary step for the introduction of a pest has a low likelihood of occurring, there is an overall low likelihood of introduction of the pest, regardless of the likelihood of other steps. The new guidelines also address uncertainty, a principle not explicitly addressed in the previous guidelines. In addition, because the new guidelines are designed to make the PRA drafting process more efficient, we expect the time required to produce the PRAs and respond to market access requests to decrease.

The PRA guidelines document, entitled "Guidelines for Plant Pest Risk Assessment of Imported Fruit & Vegetable Commodities," may be viewed on the Regulations.gov Web site at <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0077> or 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) 799-7039 before coming. In addition, copies may be obtained by calling or writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

**Authority:** 7 U.S.C. 450, 7701-7772, and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 28th day of February 2013.

**Kevin Shea,**

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

[FR Doc. 2013-05138 Filed 3-5-13; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0064]

#### Notice of Availability of a Treatment Evaluation Document and an Environmental Assessment for Pesticide Use in the Imported Fire Ant Program

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

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

**SUMMARY:** We are advising the public that we have determined that it is necessary to add and revise certain treatment schedules for the Imported Fire Ant Program in the Plant Protection and Quarantine Treatment Manual. Thus, we have prepared a treatment evaluation document that discusses the existing treatment schedules, describes the new treatment schedules, and explains why these changes are necessary. In addition, an environmental assessment has been prepared by the Animal and Plant Health Inspection Service relative to pesticide use in the new and revised treatments in the imported fire ant program. The environmental assessment documents our review and analysis of environmental impacts associated with proposed new pesticides and new uses for previously approved pesticides. We are making this treatment evaluation document and environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before May 6, 2013.