

20737–1238. Please state that your comment refers to Docket No. APHIS–2007–0122.

**Reading Room:** 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.

**Other Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tony Román, Import Specialist, Commodity Import Analysis and Operation Staff, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1231; (301) 734–8758.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under the regulations in “Subpart-Fruits and Vegetables” (7 CFR 319.56 through 319.56–47, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section.

These measures are:

- The fruits or vegetables are subject to inspection upon arrival in the United States and comply with all applicable provisions of § 319.56–3;

- The fruits or vegetables are imported from a pest-free area in the country of origin that meets the requirements of § 319.56–5 for freedom from that pest and are accompanied by a phytosanitary certificate stating that the fruits or vegetables originated in a pest-free area in the country of origin;

- The fruits or vegetables are treated in accordance with 7 CFR part 305;

- The fruits or vegetables are inspected in the country of origin by an inspector or an official of the national plant protection organization of the

exporting country, and have been found free of one or more specific quarantine pests identified by the risk analysis as likely to follow the import pathway; and/or

- The fruits or vegetables are a commercial consignment.

APHIS received a request from the Government of Panama to allow the importation of arugula leaves with stems from Panama into the continental United States. We have completed a pest risk assessment to identify pests of quarantine significance that could follow the pathway of importation into the United States and, based on that pest risk assessment, have prepared a risk management analysis to identify phytosanitary measures that could be applied to the commodity to mitigate the pest risk. We have concluded that arugula leaves with stems can be safely imported into the continental United States from Panama using one or more of the five designated phytosanitary measures listed in § 319.56–4(b). Therefore, in accordance with § 319.56–4(c), we are announcing the availability of our pest risk analysis for public review and comment. The pest risk analysis may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the pest risk analysis by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the pest risk analysis when requesting copies.

After reviewing the comments we receive, we will announce our decision regarding the import status of arugula leaves with stems from Panama in a subsequent notice. If the overall conclusions of the analysis and the Administrator’s determination of risk remain unchanged following our consideration of the comments, then we will begin issuing permits for importation of arugula leaves with stems from Panama into the continental United States subject to the requirements specified in the risk management analysis.

**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 27th day of September, 2007.

**Kevin Shea,**

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

[FR Doc. E7–19652 Filed 10–3–07; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

[Docket No. APHIS–2007–0060]

**Emerald Ash Borer; 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 release of three insect parasitoid species for the biological control of the emerald ash borer (*Agrilus planipennis*). The environmental assessment documents our review and analysis of environmental impact associated with, and alternatives to, the release of these biological control agents. 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. Juli Gould, Entomologist, Otis Pest Survey, Detection, and Exclusion Laboratory, PPQ, APHIS, Building 1398, Otis ANGB, MA 02542–5008; (508) 563–9303 ext. 220.

**SUPPLEMENTARY INFORMATION:**

**Background**

The emerald ash borer (EAB) (*Agrilus planipennis*) is a destructive woodboring insect that attacks ash trees (*Fraxinus* spp., including green ash, white ash, black ash, and several horticultural varieties of ash). The insect, which is indigenous to Asia and known to occur in China, Korea, Japan, Mongolia, the Russian Far East, Taiwan, and Canada, eventually kills healthy ash trees after it bores beneath their bark and disrupts their vascular tissues.

The EAB regulations in 7 CFR 301.53–1 through 301.53–9 restrict the interstate movement of regulated articles from quarantined areas to prevent the artificial spread of EAB into noninfested areas of the United States. The States of Illinois, Indiana, and Ohio; Prince George’s County, MD; and portions of the State of Michigan are currently designated as quarantined areas.

Despite State and Federal quarantines designed to contain EAB, the lack of effective methods to detect EAB-infested trees and the large area of EAB infestation has resulted in a shift in strategy by regulatory agencies from

area-wide eradication to eradication in outlying areas and containment in the core infestation areas. In the United States, EAB eradication efforts involve the removal of all ash trees within a specified radius around known infestations. However, by the time an infestation is discovered and treated, EAB has usually already dispersed outside the eradication zone. Besides natural dispersal, the spread of EAB has been accelerated through human-assisted movement of infested ash firewood, timber, solid wood packing materials, and nursery stock. As EAB spreads in North America, regulatory agencies, land managers, and the public are seeking sustainable management tools such as biological control to reduce EAB population densities and to slow its spread.

On May 23, 2007, we published in the **Federal Register** (72 FR 28947–28948, Docket No. APHIS–2007–0060) a notice<sup>1</sup> in which we announced the availability for public review and comment of an environmental assessment, entitled “Proposed Release of Three Parasitoids for the Biological Control of the Emerald Ash Borer (*Agrilus planipennis*) in the Continental United States” (April 2, 2007), that examined the potential effects on the quality of the human environment that may be associated with the release of three specific biological control agents to control infestations of EAB within the continental United States. APHIS and the Forest Service proposed to release the three parasitoids into the environment of the continental United States for the purpose of reducing EAB populations. These parasitoids are known to attack EAB consistently in its native habitat in China. Post-release monitoring of the spread and establishment of each parasitoid species and impacts on EAB and non-target wood-boring beetles will also be conducted.

We solicited comments on the environmental assessment for 30 days ending June 22, 2007. We received 41 comments by that date, of which 30 supported the release of the biological control agents to control infestations of EAB. The 11 comments that opposed the release are addressed at length in the updated environmental assessment.

In this document, we are advising the public of our decision and finding of no significant impact regarding the release of three insect parasitoid species for the biological control of the emerald ash

borer. This decision is based upon the updated environmental assessment, entitled “Proposed Release of Three Parasitoids for the Biological Control of the Emerald Ash Borer (*Agrilus planipennis*) in the Continental United States” (July 2007).

The updated environmental assessment and finding of no significant impact may be viewed on the Regulations.gov Web site<sup>2</sup> or in our reading room 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 view the updated environmental assessment and finding of no significant impact are requested to call ahead on (202) 690–2817 to facilitate entry into the reading room. You may request paper copies of the updated environmental assessment and finding of no significant impact 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 and finding of no significant impact 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 27th day of September 2007.

**Kevin Shea,**

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

[FR Doc. E7–19647 Filed 10–3–07; 8:45 am]

**BILLING CODE 3410–34–P**

## COMMISSION ON CIVIL RIGHTS

### Sunshine Act Notice

**AGENCY:** United States Commission on Civil Rights.

**ACTION:** Notice of meeting.

**DATE AND TIME:** Friday, October 12, 2007; 9:30 a.m.

**PLACE:** U.S. Commission on Civil Rights, 624 Ninth Street, NW., Rm. 540, Washington, DC 20425.

### Meeting Agenda

I. Approval of Agenda.

- II. Approval of Minutes of September 21, Meeting.
- III. Announcements.
- IV. Staff Director’s Report.
- V. Management and Operations.
  - Strategic Plan.
  - Establishment of Briefing and Meeting Schedule for 2008.
  - Celebration of Commission’s 50th Anniversary.
  - Information Quality Guidelines.
  - Involvement of Commissioners in Staff Activities.
- VI. Program Planning.
  - Consideration of Proposed Debate on Race and Intelligence.
- VII. State Advisory Committee Issues.
  - South Carolina SAC.
  - Involvement of Commissioners on State Advisory Committees.
- VIII. Future Agenda Items.
- IX. Adjourn.

### CONTACT PERSON FOR FURTHER

**INFORMATION:** Manuel Alba, Press and Communications, (202) 376–8582.

Dated: October 2, 2007.

**David Blackwood,**

*General Counsel.*

[FR Doc. 07–4949 Filed 10–2–07; 12:32 pm]

**BILLING CODE 6335–01–P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1527]

### Approval of Expansion of Authority for Subzone 133D; Deere & Company (Construction Equipment); Davenport, IA

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, Deere & Company, operator of FTZ Subzone 133D, has requested authority to expand the scope of manufacturing under zone procedures within Subzone 133D at the company’s facility in Davenport, Iowa (FTZ Docket 49–2006, filed 12/28/06);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (72 FR 1317, 1/11/07); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner’s report, and finds that the requirements of the FTZ Act and the Board’s regulations are satisfied, and that approval of the application is in the public interest;

*Now, therefore*, the Board hereby approves the expansion of the scope of manufacturing authority under zone procedures within Subzone 133D to include the manufacture of articulated dump trucks at the Deere & Company

<sup>1</sup> To view the notice, the environmental assessment, the finding of no significant impact, and the comments we received, go to <http://www.regulations.gov/jdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0060>.

<sup>2</sup> See footnote 1.