

diversions in the South Delta. The fully isolated facility alternative would include potential new points of diversion at various locations in the North Delta and facilities to move water from new points of diversion to the existing SWP and CVP pumping facilities in the South Delta. The improved through-Delta alternative could include new temporary or permanent barriers to modify existing hydraulics or fish movement within the Delta, armoring of levees along Delta waterways to ensure continued conveyance capacity, and/or actions to improve conveyance capacity in existing Delta waterways.

New points of diversion could be located along the Sacramento River between South Sacramento and Walnut Grove. The new conveyance facility could extend from the new points of diversion to the existing SWP and CVP pumping facilities in the South Delta and be located either to the west or east of the Sacramento River. Potential CVP/SWP operations changes include the seasonal, daily, and real time amounts, rates, and timing of water diverted through and/or around the Delta. Potential corresponding changes to water exports could also be developed.

Other actions to reduce threats to listed fish that may be evaluated for implementation by the BDCP include measures to minimize other stressors. These other stressors may include: (1) Non-native invasive species; (2) toxic contaminants; (3) other water quality issues; (4) hatcheries; (5) harvest; (6) non-project diversions; and (7) commercial/recreational activities. Implementation of potential habitat restoration activities and measures to minimize other stressors will be evaluated throughout the Delta, and possibly upstream and downstream of the Delta, as appropriate to meet the objectives of the plan.

Preliminary locations, alignments, and capacities of new conveyance facilities, as well as habitat restoration activities and actions to address other stresses, to be evaluated in the EIS/EIR will be informed by the scoping process. In addition to the alternatives described above, other reasonable alternatives identified through the scoping process will be considered for potential inclusion in the alternatives analysis.

#### Statutory Authority

NEPA (42 U.S.C. 4321 *et seq.*) requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. Under NEPA and its implementing regulations (40 CFR

part 1500 *et seq.*; NOAA Administrative Order 216–6) (43 CFR Part 46), a reasonable range of alternatives to the proposed action are to be developed and considered in an EIS/EIR prepared by the FWS and NMFS. Alternatives considered for analysis in an EIS/EIR may include variations in the scope or types of covered activities; variations in the location, amount, and types of conservation measures and the timing of project activities; variations in permit duration; or a combination of these or other elements. In addition, as required by NEPA, the EIS will identify significant direct, indirect, and cumulative effects, and possible mitigation for those significant effects, on biological resources, land use, air quality, water quality, water resources, socioeconomic, environmental justice, cultural resources, and other environmental issues that could occur with the implementation of the proposed action and alternatives.

#### Request for Comments

The purpose of this notice is to advise other Federal and State agencies, affected Tribes, and the public of our intention to continue to gather information to support the preparation of an EIS/EIR, to obtain suggestions and information from other agencies and the public on the scope of alternatives and issues to be addressed in the EIS/EIR, and to identify important issues raised by the public related to the development and implementation of the BDCP.

Written comments from interested parties are invited to ensure that the full range of alternatives and issues related to the development of the BDCP is identified. Comments during this stage of the scoping process will only be accepted in written form. You may submit written comments by mail, facsimile transmission, or in person (see **ADDRESSES**). All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. Comments and participation in the scoping process are encouraged.

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

#### Ken McDermond,

*Deputy Regional Director, Pacific Southwest Region, U.S. Fish and Wildlife Service, Sacramento, CA.*

#### Mike Chotkowski,

*Acting Regional Environmental Officer, Mid-Pacific Region, Bureau of Reclamation.*

#### Russ Strach,

*Assistant Regional Administrator, Protected Resources, Southwest Region, National Marine Fisheries Service.*

[FR Doc. E9–3103 Filed 2–12–09; 8:45 am]

BILLING CODE 4310–55–P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AZA 33447]

#### Public Land Order No. 7730; Withdrawal of National Forest System Land for the Red Rock Ranger District Administrative Site; Arizona

#### Correction

In notice document E9–2632 appearing on page 6417 in the issue of February 9, 2009, make the following correction:

In the second column, beneath subheading “*Gila and Salt River Meridian*”, the third line should read:

E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>.

[FR Doc. Z9–2632 Filed 2–12–09; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

[DES 09–02]

#### Aspinall Unit, Colorado River Storage Project, CO

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Availability of Aspinall Unit Operations Draft Environmental Impact Statement.

**SUMMARY:** The Bureau of Reclamation (Reclamation), the Federal agency responsible for operation of the Aspinall Unit, has prepared and made available to the public a draft environmental impact statement (DEIS) on Aspinall Unit operations pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4332.

**DATES:** A public review period commences with the publication of this notice. Written comments on the DEIS

are due by Friday, April 24, 2009, and should be submitted to Steve McCall at the address given below. Public hearings will be held during the month of April in Gunnison and Delta, Colorado. The public hearings schedule is as follows:

- *Tuesday, April 7, 2009*—6:30 p.m. to 9 p.m.—Gunnison County Fairgrounds, 275 S. Spruce Street, Gunnison, Colorado.
- *Wednesday, April 8, 2009*—6:30 p.m. to 9 p.m.—Bill Heddles Recreation Center, 530 Gunnison River Drive, Delta, Colorado.

**ADDRESSES:** Written comments on the DEIS and requests for copies should be addressed to Steve McCall, Bureau of Reclamation, Western Colorado Area Office, 2764 Compass Drive, Suite 106, Grand Junction, Colorado 81506; telephone (970) 248-0638; facsimile (970) 248-0601; e-mail: [smccall@uc.usbr.gov](mailto:smccall@uc.usbr.gov). The DEIS is also available on Reclamation's Web site at <http://www.usbr.gov/uc/> (click on Environmental Documents).

Copies of the DEIS are available for public review and inspection at the following locations:

- Main Interior Building, Natural Resources Library, Room 1151, 1849 C Street, NW., Washington, DC 20240-0001.
- Bureau of Reclamation, Denver Office Library, Denver Federal Center, Sixth and Kipling, Building 67, Room 167, Denver, Colorado 80225-0007.
- Bureau of Reclamation, Upper Colorado Regional Office, 125 South State Street, Room 7418, Salt Lake City, Utah 84138-1147.
- Bureau of Reclamation, Western Colorado Area Office, 2764 Compass Drive, Suite 106, Grand Junction, Colorado 81506.

#### Libraries

- Delta County Public Library, Delta, Colorado.
- Mesa County Public Library, Grand Junction, Colorado.
- Montrose County Public Library, Grand Junction, Colorado.
- Gunnison County Library, Gunnison, Colorado.

**FOR FURTHER INFORMATION CONTACT:** Steve McCall, Bureau of Reclamation, Western Colorado Area Office, 2764 Compass Drive, Suite 106, Grand Junction, Colorado 81506; telephone (970) 248-0638; facsimile (970) 248-0601; e-mail: [smccall@uc.usbr.gov](mailto:smccall@uc.usbr.gov).

**SUPPLEMENTARY INFORMATION:** The DEIS describes the environmental impacts of alternatives to operate the Aspinall Unit to assist in implementing flow recommendations for endangered fish

provided by the Upper Colorado River Endangered Fish Recovery Program (Recovery Program). Under the direction of the Recovery Program, Aspinall Unit releases were evaluated beginning in 1992. At the completion of the research, the Recovery Program published the *Flow Recommendations to Benefit Endangered Fishes in the Colorado and Gunnison Rivers* (McAda, 2003). The recommendations include spring peak and base flow targets for various hydrologic conditions in the Gunnison River Basin.

The purpose of modifying operations of the Aspinall Unit is to provide sufficient releases of water at times, quantities, and duration necessary to avoid jeopardy to endangered fish species and adverse modification of their designated critical habitat in the lower Gunnison River while maintaining the authorized purposes of the Aspinall Unit.

The Upper Colorado River Basin at one time was inhabited by 14 native fish species, four of which are now endangered. These four fish are the Colorado pikeminnow, razorback sucker, bonytail, and humpback chub. They exist only in the Colorado River Basin. The four fish are endangered because of adverse impacts to their habitat over the last 125 years. The two types of habitat impacts that appear to have had the greatest effect have been water development and introduction of non-native fish (McAda, 2003).

Reclamation is required to comply with the Endangered Species Act (ESA) for operation of its facilities, including the Aspinall Unit. Within the exercise of its discretionary authority, Reclamation must avoid jeopardizing the continued existence of listed species and destroying or adversely modifying designated critical habitat.

#### Background

The Aspinall Unit, located on the Gunnison River in western Colorado, is an authorized storage unit of the Colorado River Storage Project (CRSP). The Aspinall Unit includes three dams and reservoirs (Blue Mesa, Morrow Point, and Crystal) along a 40-mile reach of the Gunnison River. The Aspinall Unit is one of the four key features of the CRSP intended to develop the water resources of the Upper Colorado River Basin and is operated in accordance with the CRSP Act and applicable Reclamation and other Federal laws.

#### Purpose and Need for Action

Under the proposed action, the Aspinall Unit will be operated to avoid jeopardizing the continued existence of, and assist in the recovery of, the

endangered fishes. This will help facilitate future water development to proceed in the Upper Colorado River Basin in compliance with applicable laws, compacts, court decrees, and Indian trust responsibilities. The proposed action is needed because Reclamation is required to comply with the Endangered Species Act for the operation of facilities, including the Aspinall Unit. Within the exercise of its discretionary authority, Reclamation must avoid jeopardizing the continued existence of listed species or adversely modifying designated critical habitat.

#### Proposed Federal Action

Reclamation proposes to operate the Aspinall Unit to avoid jeopardizing the continued existence of downstream endangered fish species while maintaining and continuing to meet all of the project's authorized purposes. Reclamation would implement the proposed action by modifying the operations of the Aspinall Unit, to the extent possible, to help achieve river flows recommended by the Recovery Program. This change in Aspinall Unit operations would assist in conserving endangered fish in the Gunnison and Colorado rivers and would maintain authorized project purposes.

**Hearing Process Information:** Oral comments at the hearings will be limited to five minutes. The hearing officer may allow any speaker to provide additional oral comments after all persons wishing to comment have been heard. All comments will be formally recorded. Speakers not present when called will lose their privilege in the scheduled order and will be recalled at the end of the scheduled speakers. Speakers are encouraged to provide written versions of their oral comments, and any other additional written materials, for the hearing/administrative record.

Written comments should be received by Reclamation's Western Colorado Area Office using the contact information provided above no later than Friday, April 24, 2009, for inclusion in the hearing/administrative record. Under the NEPA process, written and oral comments, received by the due date, are given the same consideration. Written comments, Reclamation responses, and public hearing statements (oral comments) will be used in the preparation of the final environmental impact statement.

#### Public Disclosure

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that

your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: January 15, 2009.

**Ann Gold,**

*Acting Regional Director—UC Region.*

[FR Doc. E9-2727 Filed 2-12-09; 8:45 am]

BILLING CODE 4310-MN-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-504]

### India: Effects of Tariffs and Nontariff Measures on U.S. Agricultural Exports

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of investigation and scheduling of hearing.

**SUMMARY:** Following receipt on January 13, 2009, of a request from the United States Senate Committee on Finance (Committee) under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)), the U.S. International Trade Commission (Commission) instituted investigation No. 332-504, India: Effects of Tariffs and Nontariff Measures on U.S. Agricultural Exports.

**DATES:** *March 24, 2009:* Deadline for filing requests to appear at the public hearing.

*April 2, 2009:* Deadline for filing prehearing briefs and statements.

*April 21, 2009:* Public hearing.

*April 28, 2009:* Deadline for filing posthearing briefs and statements.

*June 26, 2009:* Deadline for filing all other written submissions.

*November 12, 2009:* Transmittal of Commission report to the Committee.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

**FOR FURTHER INFORMATION CONTACT:**

Project leader George Serletis (202-205-3315 or [george.serletis@usitc.gov](mailto:george.serletis@usitc.gov)) or deputy project leader Brian Allen (202-

205-3034 or [brian.allen@usitc.gov](mailto:brian.allen@usitc.gov)) for information specific to this investigation. For information on the legal aspects of this investigation, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**Background:** As requested by the Committee, the Commission will conduct an investigation and prepare a report on the effects of tariffs and nontariff measures on U.S. agricultural exports to India. As requested, to the extent possible, the report will include—

(1) An overview of the Indian agricultural market, including recent trends in consumption, imports, and domestic supply;

(2) a description of the principal measures affecting Indian agricultural imports, including tariffs, sanitary and phytosanitary measures, food regulations, packaging and labeling requirements, pricing policies, intellectual property policies, and customs procedures;

(3) information on Indian government regulations, including state regulations, covering agricultural markets and foreign direct investment affecting U.S. agricultural products in India;

(4) an evaluation of the impact of India's food marketing and distribution system, including market structure, transportation infrastructure, and cold-storage capacity, on U.S. agricultural products in the Indian market; and

(5) a quantitative analysis of the economic effects of Indian tariffs, and to the extent possible, nontariff measures on U.S. agricultural exports to India.

The Committee requested that the Commission deliver its report 10 months after receipt of the request letter, or by November 12, 2009.

**Public Hearing:** A public hearing in connection with this investigation will be held at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC, beginning at 9:30 a.m. on Tuesday, April 21, 2009.

Requests to appear at the public hearing

should be filed with the Secretary no later than 5:15 p.m., March 24, 2009, in accordance with the requirements in the "Submissions" section below. All prehearing briefs and statements should be filed not later than 5:15 p.m., April 2, 2009; and all posthearing briefs and statements responding to matters raised at the hearing should be filed not later than 5:15 p.m., April 28, 2009. In the event that, as of the close of business on March 24, 2009, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or nonparticipant may call the Office of the Secretary (202-205-2000) after March 24, 2009, for information concerning whether the hearing will be held.

**Written Submissions:** In lieu of or in addition to participating in the hearing, interested parties are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary, and all such submissions (other than pre- and post-hearing briefs and statements) should be received not later than 5:15 p.m., June 26, 2009. All written submissions must conform with the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8). Section 201.8 requires that a signed original (or a copy so designated) and fourteen (14) copies of each document be filed. In the event that confidential treatment of a document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Office of the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "nonconfidential" version, and that the confidential business information be clearly identified by means of brackets. All