

**DEPARTMENT OF AGRICULTURE**

**Grain Inspection, Packers and Stockyards Administration**

**Proposed Posting, Posting, and Deposting of Stockyards**

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

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

**SUMMARY:** The Grain Inspection, Packers and Stockyards Administration (GIPSA) is taking several actions to post and depost stockyards under the Packers and Stockyards Act (P&S Act). Specifically, we are proposing that 23 stockyards now operating subject to the P&S Act be posted. We are posting 12 stockyards that were identified previously as operating subject to the Act. Eleven other facilities, however, were not posted because they were found to be abandoned or no longer functioning as a stockyard and no longer operating subject to the P&S Act. Finally, we are deposing 19 stockyards that can no longer be used as stockyards.

**DATES:** For the proposed posting of stockyards, we will consider comments that we receive by May 5, 2009.

For the deposed stockyards, the deposing is effective on April 20, 2009.

**ADDRESSES:** We invite you to submit comments on this notice. You may submit comments by any of the following methods:

- *E-Mail:* [comments.gipsa@usda.gov](mailto:comments.gipsa@usda.gov).
- *Mail:* H. Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1654-S, Washington, DC 20250-3604.
- *Fax:* (202) 690-2755.
- *Hand Delivery or Courier:* H. Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1654-S, Washington, DC 20250-3604.
- *Internet:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

**SUPPLEMENTARY INFORMATION:** The Grain Inspection, Packers and Stockyards Administration (GIPSA) administers and enforces the P&S Act of 1921 (7 U.S.C. 181 *et seq.*). The P&S Act prohibits unfair, deceptive, and fraudulent practices by livestock market agencies, dealers, stockyard owners, meat packers, swine contractors, and live poultry dealers in the livestock, poultry, and meatpacking industries.

Section 302 of the P&S Act (7 U.S.C. 202) defines the term “stockyard” as follows: “\* \* \* any place, establishment, or facility commonly known as stockyards, conducted, operated, or managed for profit or nonprofit as a public market for livestock producers, feeders, market agencies, and buyers, consisting of pens, or other enclosures, and their

appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce.”

Section 302(b) of the P&S Act requires the Secretary of Agriculture to determine which stockyards meet this definition, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. Once the Secretary provides notice to the stockyard owner and the public, the stockyard is subject to the provisions of Title III of the P&S Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposes the stockyard by public notice. To post a stockyard, we assign the stockyard a facility number, notify the stockyard owner, and send an official posting notice to the stockyard owner to display in a public area of the stockyard. This process is referred to as “posting.” The date of posting is the date that the posting notices are physically displayed at the stockyard. A facility that does not meet the definition of a stockyard is not subject to the Act, and therefore cannot be posted. A posted stockyard can be deposed, which occurs when the facility is no longer used as a stockyard.

We are hereby notifying stockyard owners and the public that the following 23 stockyards meet the definition of a stockyard, and that we propose to designate these stockyards as posted stockyards.

Proposed facility no.	Stockyard name and location
AL-197 .....	Screamer 5L Auction, Abbeville, Alabama.
AR-182 .....	R. Tucker, LLC, dba Madison County Livestock Auction, Inc., Huntsville, Arkansas.
KS-209 .....	Lyon County Livestock Sales & Services, LLC, dba Admire Livestock Auction, Admire, Kansas.
KY-182 .....	Cattlemen's Livestock Market, LLC, Rockfield, Kentucky.
KY-183 .....	Mill's 31-E Auction Center, Scottsville, Kentucky.
KY-184 .....	Blue Grass South Livestock Market, LLC, Stanford, Kentucky.
MI-151 .....	Tom Moore Sales, Onsted, Michigan.
MI-152 .....	United Producers, Inc., St. Louis, Michigan.
MI-153 .....	United Producers, Inc., Manchester, Michigan.
MI-154 .....	United Producers, Inc., Cass City, Michigan.
NC-178 .....	Taylorsville Lions Club Alexander County Fair, Taylorsville, North Carolina.
NC-179 .....	Edward Johnson Auctioneers, Inc., dba Johnson's Cattle Auction, Canton, North Carolina.
NM-124 .....	Cow House Auction, Kirtland, New Mexico.
OH-153 .....	Larue Horse Sale, LLC, LaRue, Ohio.
OK-215 .....	Old Goat Enterprises, LLC, dba Countryside Auction, Chandler, Oklahoma.
TN-200 .....	Longhorn Auction Company and Livestock Sales, Mountain City, Tennessee.
TN-201 .....	James Linville, dba Scotts Hill Stockyard, Scotts Hill, Tennessee.
TN-202 .....	Tennessee Livestock Producers, Inc., Columbia, Tennessee.
TX-351 .....	Great Western Auctions, LLC, Magnolia, Texas.
TX-352 .....	Texas Cattle Exchange, Inc., Eastland, Texas.
TX-353 .....	Elkhart Horse Center, Elkhart, Texas.
TX-354 .....	Marion County Stockyards, Jefferson, Texas.
VA-164 .....	Victoria Livestock Market, Victoria, Virginia.

We are also notifying the public that the stockyards listed in the following

table meet the P&S Act's definition of a stockyard and that we have posted the

stockyards. On March 26, 2008, we published a notice in the **Federal**

Register (70 FR 15969–15970) of our proposal to post these 12 stockyards. Since we received no comments to our proposal, we have now assigned the

stockyards a facility number, notified the owner of the stockyard facilities, and sent notices to the owner of the stockyard to be displayed in public

areas of the stockyard. The table below reflects the date of posting for each stockyard.

Facility No.	Stockyard name and location	Date of posting
AL-196	Clay County Goat & Poultry Auction, Goodwater, Alabama	July 11, 2008.
AR-172	G.P. Rivers, dba Rivers Horse Center, Lewisville, Arkansas	July 21, 2008.
AR-180	King Livestock Goat and Sheep Auction, North Lonoke, Arkansas	July 16, 2008.
CO-156	Western Slope Cattleman's Livestock Auction, LLC, Loma, Colorado	July 11, 2008.
GA-231	Thomas County Stockyards, Inc., Thomasville, Georgia	July 7, 2008.
MS-176	Cuevas Auction, Picayune, Mississippi	July 10, 2008.
NY-176	Howard W. Visscher, Hilltop Dairy Auction, Savannah, New York	July 16, 2008.
SC-162	Claxton's Auction Co., LLC, Ruffin, South Carolina	July 16, 2008.
TN-197	Jimmy Brown, dba JB Livestock Auction, Gleason, Tennessee	July 16, 2008.
TN-198	Wallace P. Mitchell, dba Mitchell's Trade Center & Auctions, Inc., Castalian Springs, Tennessee.	July 21, 2008.
TX-350	Hereford Livestock Exchange, Hereford, Texas	July 11, 2008.
VA-148	Blythe Livestock, LLC, Courtland, Virginia	July 15, 2008.

We are further notifying the public that the following facilities, which met the definition of a stockyard previously, were not posted. We published notices proposing to post these 11 stockyards in

the **Federal Register** on July 25, 2005, (70 FR 42532–42533); April 5, 2006 (71 FR 17071–17072); and March 26, 2008, (73 FR 15969–15970) respectively, however, the facilities were not posted

because they no longer meet the definition of a stockyard. The facilities were either abandoned or underwent a change such that they no longer function as stockyards.

Proposed facility No.	Facility name and location
AL-195	R&S Auctions, Clayton, Alabama.
AR-178	B-B Livestock Auction & Sales, Inc., Beebe, Arkansas.
FL-138	Col. Jerry Colvin, dba C.J. Auctions, Lamont, Florida.
IN-167	Northern Indiana Collection Point, LLC, Shipshewana, Indiana.
KY-180	Southern Kentucky Livestock Market, Inc., Rockfield, Kentucky.
KY-181	Wigwam Livestock Market, Inc., Horse Cave, Kentucky.
MO-288	CRS Sales, LLC, Highlandville, Missouri.
TN-196	Country Horse Sales, LLC, Westmoreland, Tennessee.
TN-199	Middle Tennessee Sheep and Goat Sale, LLC, Dickson, Tennessee.
WI-150	Turenne Livestock Market, Thorp, Wisconsin.
WV-120	Meadow View Farm, Thornton, West, Virginia.

Finally, we are notifying the public that the following 19 stockyards no longer meet the definition of a stockyard and they are being deposted. We depost stockyards when the facility can no longer be used as a stockyard. The

reasons a facility can no longer be used as a stockyard may include the following: (1) The market agency has moved and the posted facility is abandoned; (2) the facility has been torn down or otherwise destroyed, such as

by fire; (3) the facility is dilapidated beyond repair; or (4) the facility has been converted and its function has changed.

Facility No.	Stockyard name and location	Date posted
AR-105	B-B Livestock Sales, Incorporated	February 16, 1959.
AR-131	Morrilton Livestock Auction, Morrilton, Arkansas	September 30, 1959.
AZ-116	Arizona Livestock Auction, Inc., Phoenix, Arizona	May 13, 1997.
CO-152	Garfield Livestock Market, Inc., Silt, Colorado	February 25, 1986.
ID-114	Custer County Livestock Marketing Association, Inc., MacKay, Idaho	August 22, 1961.
KS-108	Cedar Vale Sale Barn, Inc., Cedar Vale, Kansas	May 26, 1959.
KS-113	Coldwater Livestock Sales Co., Inc., Coldwater, Kansas	April 12, 1950.
KS-137	Great Bend Livestock Sales, Inc., Great Bend, Kansas	April 18, 1950.
KS-145	Hutchinson Livestock Commission Co., Inc., Hutchinson, Kansas	April 10, 1950.
KS-169	Onaga Livestock Auction, Inc., Wheaton, Kansas	May 27, 1959.
KS-172	Franklin County Livestock Commission Co., Ottawa, Kansas	February 12, 1963.
KS-186	Smith Center Livestock Auction, Smith Center, Kansas	October 23, 1957.
MO-100	South Central Stockyards, LLC, Alton, Missouri	April 21, 1960.
MO-152	Licking Livestock Auction, Licking, Missouri	May 15, 1959.
TX-280	Weatherford Stockyards Company, Mineral Wells, Texas	August 12, 1960.
UT-112	Spanish Fork Livestock Auction, Co., Spanish Fork, Utah	October 24, 1959.
VA-133	Smithfield Livestock, Inc., Smithfield, Virginia	March 9, 1959.
VA-144	Abingdon Stockyard Exchange, Inc., dba Wytheville Stockyard, Wytheville, Virginia.	March 4, 1959.
VA-149	Central Virginia Livestock Market, Inc., Amherst, Virginia	April 13, 1976.

**Effective Date**

These depositions are effective upon publication in the **Federal Register** because they relieve a restriction and, therefore, may be made effective in less than 30 days after publication in the **Federal Register** without prior notice or other public procedure.

**Authority:** 7 U.S.C. 202.

**Alan R. Christian,**

*Acting Administrator, Grain Inspection, Packers and Stockyards Administration.*

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**BILLING CODE 3410-KD-P**

**DEPARTMENT OF AGRICULTURE****Forest Service****Revised Land and Resource Management Plan; Kaibab National Forest; Arizona**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Initiation to revise the Kaibab National Forest Land and Resource Management Plan.

**SUMMARY:** The Forest Service is revising the Kaibab National Forest's Land and Resource Management Plan (hereafter referred to as the forest plan). This notice describes the documents available for review and how to obtain them; summarizes the need to change the forest plan; provides information concerning public participation and collaboration, including the process for submitting comments; provides an estimated schedule for the planning process, including the time available for comments; and includes names and addresses for agency officials who can provide additional information.

**DATES:** Revision formally begins with the publication of this notice in the **Federal Register**. Many public comments regarding forest plan revision have already been received at public meetings and through e-mail, phone calls, and letters. Comments on the need for change and Comprehensive Evaluation Report (CER) will be of most value to the Forest Service if received by June 15, 2009.

**ADDRESSES:** Send written comments to Kaibab National Forest, Attention: Forest Plan Revision Team, 800 S. 6th St., Williams, Arizona 86046; via e-mail to [comments-southwestern-kaibab@fs.fed.us](mailto:comments-southwestern-kaibab@fs.fed.us); or via facsimile to (928) 635-8208, with "Forest Plan Revision" in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Ariel Leonard, Assistant Forest Planner at (928) 635-8283 or e-mail: [aleonard@fs.fed.us](mailto:aleonard@fs.fed.us). Individuals who use

telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:****Documents Available for Review**

The Comprehensive Evaluation Report (CER) evaluated how management under the current forest plan is affecting the current conditions and trends related to sustainability. It was developed by integrating information from the Ecological and the Socio-Economic Sustainability Reports. The CER considered the key findings from these two reports and used them to identify where the conditions and trends indicated a need for change in the current forest plan. These documents are available for review and are located on the forest's Web site at <http://www.fs.fed.us/r3/kai/plan-revision/or> by request.

**Need for Change**

The CER and subsequent Management Review identified four priority topics that will serve to focus the scope of this plan revision. These topics reflect the priority needs and potential changes in program direction that will be emphasized in the development of forest plan components:

1. Modify stand structure and density towards reference conditions and restore historic fire regimes. The multiple ecological, social, and economic benefits of reducing the risk of uncharacteristic fires made this a primary area of focus. Specific tasks include identifying desired conditions for forested ecosystems on the Kaibab National Forest (KNF) consistent with the regionally-developed desired conditions and setting treatment objectives for wildland-urban interface (WUI) and non-WUI areas.

2. Protect and regenerate aspen. The important role that aspen plays in providing local habitat diversity and scenery, combined with the widespread aspen decline in the Southwest, made the protection and regeneration of aspen a priority. Aspen will be addressed within the context of the desired conditions where it occurs.

3. Protect seeps, springs, ephemeral wetlands, and North Canyon Creek. The current forest plan offers little guidance for managing these rare and ecologically important resources. Actions to protect these natural waters are relatively inexpensive, easy to accomplish, and provide important ecological and social benefits.

4. Restore grasslands by reducing tree encroachment in grasslands and

meadows. Grasslands are much less abundant than they were historically, which reduces the amount of available habitat for grassland-associated species. The subalpine/montane grasslands on the North Kaibab Ranger District are linear and as a result are at a higher risk of loss because trees encroach more quickly. There is a need to develop desired conditions and set objectives for all grassland ecosystems on the KNF. Currently, these are lacking in the existing forest plan.

There are other topics that need to be addressed with this plan revision. In addition to the priority needs for change topics above, the plan revision process will develop consistent, efficient, and scientifically-based plan components to provide direction for:

- Management response in the years immediately following large disturbance events.
- Managing energy corridors, renewable energy development requests, mining exploration and development, travel management implementation, special-use management, and special forest products collection.
- Managing for a balanced range of recreation opportunities, within the limits of the administrative and resource capacity.

Additionally, the Forest Service will review the results of the Wilderness Needs Assessment and the eligibility of Kanab Creek as a Wild and Scenic River. Where necessary, further evaluation will be conducted to consider and recommend potential wilderness, and to develop plan components in support of Wilderness management. Other needs for change have been and will continue to be identified. These may be addressed in the proposed plan, or incorporated into the plan in the future as amendments. Forest plans are intended to be adaptive, and an update to the CER will be prepared at least every five years. This iterative process facilitates the incorporation of new information and needs for change into the forest plan.

**Public Participation and Opportunity to Comment**

The revision process is designed to provide continued opportunities for public collaboration and open participation in the development of the revised forest plan. Additional information on the process, documents being produced, and public participation opportunities can be found on the Kaibab National Forest plan revision Web site at: <http://www.fs.fed.us/r3/kai/planrevision/>. The Forest Service is seeking public comments on the need for change