Innate review of the antecedent variety, elements into potatoes during the insertion of these same genetic pests organisms listed in 7 CFR 340.2. APHIS previously completed a plant pest risk assessment (PPRA) associated with the insertion of these same genetic elements into potatoes during the review of the antecedent variety, Innate™ Russet Burbank event W8 potato, and concluded that the resulting organisms did not pose a plant pest risk.

X17 and Y9 potatoes express the same resistance for late blight low acrylamide potential, reduced black spot blower reduced reducing sugars as the antecedent potato. APHIS prepared a plant pest risk similarity assessment (PPRSA) to compare X17 and Y9 potatoes to the antecedent. As described in the PPRSA, X17 and Y9 potatoes were obtained by introducing the same construct used to produce Innate™ Russet Burbank event W8 into the Ranger Russet variety (X17) and Atlantic variety (Y9). Based on our PPRA for the antecedent and the similarity between X17 and Y9 potatoes and the antecedent based on the PPRSA, APHIS has concluded that X17 and Y9 potatoes are unlikely to pose a plant pest risk.

The environmental assessment (EA) for the antecedent organism was prepared using data submitted by Simplot, a review of other scientific data, and field tests conducted under APHIS oversight. The EA was prepared to provide the APHIS decisionmaker with a review and analysis of any potential environmental impacts associated with the proposed determination of nonregulated status of the antecedent potato. The EA was 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).

Based on the similarity of X17 and Y9 potatoes to the antecedent potato, APHIS has prepared a preliminary finding of no significant impact (FONSI) on X17 and Y9 potatoes using the EA prepared for W8 potato. APHIS considered the following alternatives: (1) Take no action, i.e., APHIS would not change the regulatory status of X17 or Y9 potatoes and it would continue to be a regulated article, or (2) make a determination of nonregulated status of X17 and Y9 potatoes. APHIS’ preferred alternative is to make a determination of nonregulated status of X17 and Y9 potatoes.

APHIS has carefully examined the existing NEPA documentation completed for W8 potato and has concluded that Simplot’s request to extend a determination of nonregulated status to X17 and Y9 potatoes encompasses the same scope of environmental analysis as the antecedent potato.

Based on APHIS’ analysis of information submitted by Simplot, references provided in the extension request, peer-reviewed publications, information analyzed in the EA and the similarity of X17 and Y9 potatoes to the antecedent organisms, APHIS has determined that X17 and Y9 potatoes are unlikely to pose a plant pest risk. We have, therefore, reached a preliminary decision to approve the request to extend the determination of nonregulated status of W8 potato to X17 and Y9 potatoes, whereby X17 and Y9 potatoes would no longer be subject to our regulations governing the introduction of certain genetically engineered organisms.

Paragraph (e) of § 340.6 provides that APHIS will publish a notice in the Federal Register announcing all preliminary decisions to extend determinations of nonregulated status for 30 days before the decisions become final and effective. In accordance with § 340.6(e) of the regulations, we are publishing this notice to inform the public of our preliminary decision to extend the determination of nonregulated status of the antecedent potato to X17 and Y9 potatoes.

APHIS will accept written comments on its preliminary determination and the preliminary FONSI regarding a determination of nonregulated status of X17 and Y9 potatoes for a period of 30 days from the date this notice is published in the Federal Register. The preliminary FONSI, as well as the extension request, supporting documents, and our preliminary determination for X17 and Y9 potatoes, are available for public review as indicated under ADDRESSES and FOR FURTHER INFORMATION CONTACT above. Copies of these documents may also be obtained by contacting the person listed under FOR FURTHER INFORMATION CONTACT.

After the comment period closes, APHIS will review all written comments received during the comment period and any other relevant information. All comments will be available for public review. After reviewing and evaluating the comments, if APHIS determines that no new information has been received that would warrant APHIS altering its preliminary regulatory determination or FONSI, our preliminary regulatory determination will become final and effective upon notification of the public through an announcement on our Web site at http://www.aphis.usda.gov/biotechnology/petitions_table_pending.shtml.

APHIS will also furnish a response to the petitioner regarding our final regulatory determination. No further Federal Register notice will be published announcing the final regulatory determination regarding X17 and Y9 potatoes.


Done in Washington, DC, this 19th day of September 2016.

Kevin Shea,
Administrator, Animal and Plant Health Inspection Service.

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BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE
Forest Service

Dalton Mountain Forest Restoration and Fuels Reduction EIS—Helena-Lewis and Clark National Forest, Lewis and Clark County, Montana

AGENCY: Forest Service, USDA.

ACTION: Withdrawal of Notice of Intent to prepare an Environmental Impact Statement.


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