

protecting or restoring the environment. Subject to further determination by the Secretary of the Treasury, this determination permits grant payment recipients to exclude from gross income, for Federal income tax purposes, all or part of such payments made under the South Dakota Petroleum Release Compensation Fund.

Signed at Washington, DC, on April 2, 1998.

Dan Glickman,

Secretary of Agriculture.

[FR Doc. 99-23063 Filed 9-2-99; 8:45 am]

BILLING CODE 3410-16-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Docket Number FV-98-305]

United States Standards for Grades of Oranges (California and Arizona), United States Standards for Grades of Grapefruit (California and Arizona), United States Standards for Grades of Tangerines and the United States Standards for Grades of Lemons

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Reopening and extension of the comment period.

SUMMARY: Notice is hereby given that the comment period on proposed changes to the United States Standards for Grades of Oranges (California and Arizona), United States Standards for Grades of Grapefruit (California and Arizona), United States Standards for Grades of Tangerines and the United States Standards for Grades of Lemons is reopened and extended.

DATES: Comments must be received by September 20, 1999.

ADDRESSES: Written comments may be submitted to Kenneth R. Mizelle, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2065, South Building, STOP 0240, P.O. Box 96456, Washington, D.C. 20090-6456; faxed to (202) 720-8871; or e-mailed to fpb.docketclerk@usda.gov.

Comments should reference the date and page number of this issue of the **Federal Register**. All comments received will be made available for public inspection at the above address during regular business hours.

The current grade standards for these citrus crops, along with proposed changes, are available either through the above addresses or by accessing AMS' Home Page on the Internet at

www.ams.usda.gov/standards/frutmrkt.htm.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Mizelle at (202) 720-2185.

SUPPLEMENTARY INFORMATION: A notice was published in the **Federal Register** (64 FR 32666; June 17, 1999) requesting comments on changes to the United States Standards for Grades of Oranges (California and Arizona), United States Standards for Grades of Grapefruit (California and Arizona), United States Standards for Grades of Tangerines and the United States Standards for Grades of Lemons. The notice would change the standards to provide a minimum 25-count sample to be applied to tolerances for defects. Additionally, to promote greater uniformity and consistency in the standards, AMS proposed further revisions which will bring the standards into conformity with current cultural and marketing practices. The comment period ended August 16, 1999.

A request from an industry association representing wholesale receivers requested that additional time be provided for interested persons to comment on the proposed changes. The association intended to comment but did not do so prior to the close of the comment period. The association believes that its response, on behalf of wholesale agricultural receivers, is critical to the evaluation of any proposed standards changes.

After reviewing the request, the Department is reopening and extending the comment period in order to allow sufficient time for all interested persons, including the association, to file comments.

Authority: 7 U.S.C. 1621-1627.

Dated: August 30, 1999.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 99-23013 Filed 9-2-99; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Forest Service

Spar and Lake Forest Health Project Kootenai National Forest, Lincoln County, MT

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The USDA-Forest Service will prepare an Environmental Impact Statement (EIS) for the Spar and Lake Forest Health Project to disclose the effects of timber management, prescribed fire, and road management

including reconstruction, Best Management Practices (BMP) compliance, and decommissioning. The Spar and Lake project area encompasses the Lake Creek drainage immediately south of Troy, Montana, including Iron, Keeler, Twilight, Stanley, Ross, Camp, Madge, Spring and Noggle drainages as well as several small tributaries to Lake Creek. The purpose and need for action is to: (1) Improve overall forest health by stimulating natural processes that encourage more stable and resilient conditions. This includes salvaging trees with high levels of mortality from insect and disease as well as addressing stand density and species competition concerns; (2) Improve winter range conditions; (3) Improve growing conditions and long term management options for overstocked sapling/pole stands; (4) Improve water quality; and (5) Provide a sustained yield of timber.

The DEIS is expected to be filed with the EPA and available for public review by February, 2000.

DATES: Written comments and suggestions should be received on or before October 4, 1999.

ADDRESSES: Written comments and suggestions concerning the scope of the analysis should be sent to Michael L. Balboni, District Ranger, Three Rivers Ranger District, 1437 Hwy 2, Troy, MT 59935.

FOR FURTHER INFORMATION CONTACT: Contact Michael Donald, Interdisciplinary Team Leader, Three Rivers Ranger District, Phone: (406) 295-4693.

SUPPLEMENTARY INFORMATION: The project area is approximately 135,000 acres and has a favorable climate and good site conditions for forest vegetation. Proposed activities within the decision area include portions of the following areas: T28N, R33W, sec 2, 4-8; T28N, R34W, sec 1-4, 11, 12; T29N, R33W, sec 3, 4, 6, 9, 18, 19; T29N, R34W, sec 1-3, 8, 11, 13, 15-17, 23-25, 27, 34, 35; T30N, R33W, sec 19, 27, 30, 31, 33; T30N, R34W, sec 1, 3, 10-17, 20-28, 30, 32-35; T31N, R33W, sec 20; and T31N, R34W, sec 34. Activities would take place in Management Areas (MA) 2, 8, 10, 10og, 11, 12, 13, 18, 18og, 19, 24 as defined by the Kootenai National Forest Plan. Average annual precipitation ranges from 29 to 100 inches. At the higher elevations, most precipitation falls as snow. The Lake creek valley is a unique combination of open-growth ponderosa pine and Douglas-fir, multistoried western larch/Douglas-fir, and dense stands of western red cedar and western hemlock with pockets of lodgepole pine. The upland areas vary from even-aged Douglas-fir/

grand fir stands to multi-storied forests of mixed conifers and uniform lodgepole pine stands.

Wildfire historically played a role in interrupting forest succession and creating much of the vegetative diversity that is apparent. Since the early 1900s, a policy of wildfire suppression has been in place on National Forest lands, interrupting the natural vegetation cycle. Existing stands in general have a higher stocking level than occurred naturally and are dominated by Douglas-fir which is susceptible to bark beetles and root disease when stressed. In the project area many mature Douglas-fir stands are experiencing bark beetle-caused mortality. Once a dominant feature of this area, western white pine has been severely impacted as a result of the blister rust fungus; western larch is also less prevalent due to its age and lack of fire-induced site preparation that enables natural regeneration.

1. Treatments to improve forest health for salvage and restoration include:

- Stand improvement cutting in the majority of treatment areas to reduce overall stand densities, improve species composition and quality, and reduce the high risk of continued mortality. Restoration of the forest structure would be addressed in part through the salvage of dead and dying trees.

- Prescribed burning would be applied in some areas following harvest to restore the fire dependent ecosystems, reduce fuels, prepare the site for planting, and/or improve vegetative conditions.

- Removal of trees would be accomplished primarily with a helicopter due to the steep slopes. Temporary roads may be needed to access units to be harvested with ground-based systems. These temporary roads would be decommissioned after timber sale activities are accomplished.

- Post treatment reforestation within regeneration units would include planting a mix of conifer species, including blister rust-resistant western white pine, ponderosa pine, western larch, and Engelmann spruce.

- In order to implement this proposal and provide for grizzly bear security during the proposed timber harvest activity, several miles of road currently restricted to public access would be opened to access harvest units and available for public use. One road currently open to public access, the Hiatt Creek road overlooking Spar Lake, would be considered for closing with an earth berm to meet core habitat standards for grizzly bear. Several more roads which are currently restricted to public vehicular access with a gate (in

the Twilight, Thicket, NF Keeler and Upper Iron Creek drainages) would be earthbermed to meet grizzly bear core habitat standards. Berming these already gated roads would have no direct effect on public access.

- Prescribed burning without timber harvest would be utilized over approximately 3,300 acres to improve big game habitat, reduce fuels, improve vegetative conditions, and restore important ecological processes.

2. Vegetative treatments, as described in #1 above, are designed to also improve big game habitat conditions through reduction of stand density and underburning.

3. Approximately 400 acres of overstocked sapling size trees would be precommercially thinned. These areas are within managed plantations and natural stands that have regenerated after wildfire. Lynx habitat will not be precommercially thinned.

4. Watershed rehabilitation activities would be implemented to reduce water routing and sediment transport from existing roads. This would be accomplished through application of Best Management Practices and activities such as outslowing, waterbarring, culvert replacement or removal and/or removal of the actual prism to restore a more natural surface flow pattern to the landscape.

5. The timber harvest described under #1 above would also contribute timber products to local and regional markets.

The Kootenai Forest Plan provides guidance for management activities within the potentially affected area through its goals, objectives, standards and guidelines, and management area direction. A portion of the Scotchman Peaks Inventoried Roadless Area is included within the project area, approximately 500 acres of which are proposed for prescribed burning.

The proposed action includes project-specific forest plan amendments to meet the goals of the Kootenai National Forest Plan.

MA-10; Big Game Winter Range/ Unsuitable Timber Lands

The proposed harvest near Stanley Mountain, Pheasant Point and Northeast of Keeler Mountain is largely in Management Area 10. A Forest Plan amendment would be necessary to suspend wildlife and fish standard #3 for MA 10 harvest in order to enhance wildlife habitat by increasing forage. Some salvage opportunity also exists to retard the spread of insect and disease. These areas contain existing standing dead trees. Although the intent is to protect as much of the existing cavity habitat as possible, it cannot be

guaranteed that all the cavity habitat would be retained since some of the existing snags may need to be felled for safety reasons to meet OSHA requirements. New snags may be created by girdling live trees after the harvest operations.

MA-12; Big-game Summer Range/ Timber

The proposed harvest in Sec. 23, T29N, R34W could result in an opening of over 40 acres when considered with adjacent past harvest (of 34 acres) which does not yet provide hiding cover for big game species. A Forest Plan Amendment would be needed to suspend wildlife and fish standard #7 and timber standard #2 for this area. These standards state that movement corridors and adjacent hiding cover be retained. In this situation, high levels of bark beetle caused mortality precludes alternative treatment. Snags and down woody material would be left to provide wildlife habitat and maintain soil productivity.

Range of Alternatives

The Forest Service will consider a range of alternatives. One of these will be the "no action" alternative in which none of the proposed activities will be implemented. Additional alternatives will examine varying levels and locations for the proposed activities to achieve the proposal's purposes, as well as to respond to the issues and other resource values.

The EIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on both private and National Forest lands will be considered. The EIS will disclose the analysis of site-specific mitigation measures, if needed, and their effectiveness.

Preliminary Issues: Tentatively, several preliminary issues of concern have been identified. These issues are briefly described below:

Transportation Systems: The implementation of the proposed action would change access within the Spar and Lake Analysis Area which may affect the public's ability to use traditional routes.

Visual Resources: Implementation of the proposed action may alter the existing scenic resource within the project area. Even though the proposed action is planned to improve the visuals of the past harvest activities, some members of the public may feel that it will have additional scenic impacts.

Watershed: Past management activities and those associated with the implementation of the Proposed Action

may result in increased peak flows and sediment production. Water Quality Limited Segments (WQLS), as defined by the state of Montana, exist within the analysis area.

Fish: While the intent is to improve long term water quality, bull trout may experience short term impacts.

Wildlife: The proposed action could potentially reduce existing cavity habitat in snags and reduce suitable hiding cover for wildlife security.

Decisions To Be Made: The Kootenai Forest Supervisor will decide the following:

- Whether or not to harvest timber and, if so, identify the selection of, and site-specific location of, appropriate timber management practices (silvicultural prescription, logging system, fuels treatment, and reforestation), road construction/reconstruction necessary to provide access and to achieve other resource objectives, and appropriate mitigation measures.
- Whether or not water quality improvement projects (including road decommissioning) should be implemented and, if so, to what extent.
- Whether or not wildlife enhancement projects (including prescribed burning) should be implemented and, if so, to what extent.
- Whether road access restrictions or other actions are necessary to meet big game wildlife security needs.
- Whether or not project specific Forest Plan amendments for MA 10 and 12 are necessary to meet the specific purpose and need of this project, and whether those amendments are significant under NFMA.
- What, if any, specific project monitoring requirements would be needed to assure mitigation measures are implemented and effective.

Public Involvement and Scoping

In September of 1998, preliminary efforts were made to involve the public in looking at management opportunities within the Spar Sub-unit analysis area. Comments received prior to this notice will be included in the documentation for the EIS. The public is encouraged to take part in the process and is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations who may be interested in, or affected by, the proposed action. This input will be used in preparation of the draft and final EIS. The scoping process will include:

- Identifying potential issues.

- Identifying major issues to be analyzed in depth.
- Identify alternatives to the proposed action.

• Explore additional alternatives which will be derived from issues recognized during scoping activities.

- Identify potential environmental effects of this project and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

Estimated Dates for Filing: While public participation in this analysis is welcome at any time, comments received within 30 days of the publication of this notice will be especially useful in the preparation of the Draft EIS. The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by February, 2000. At that time EPA will publish a Notice of Availability of the draft EIS in the **Federal Register**. The comment period on the draft EIS will be 45 days from the date the EPA publishes the Notice of Availability in the **Federal Register**. It is very important that those interested in the management of this area participate at that time.

The final EIS is scheduled to be completed by May, 2000. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making a decision regarding the proposal.

Reviewer's Obligations

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F.Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate in the close of the 45 day comment period so that substantive comments and objections are made available to the Forest Service at a time

when it can meaningfully consider and respond to them in the final EIS.

To be most helpful, comments on the drafts EIS should be as specific as possible and may address the adequacy of the statement or the merit of the alternatives discussed. Reviewers may wish to refer to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Responsible Official

As the Forest Supervisor of the Kootenai National Forest, 1101 US Highway 2 West, Libby, MT 59923, I am the Responsible Official. As the Responsible Official I will decide if the proposed project will be implemented. I will document the decision and reasons for the decision in the Record of Decision. I have delegated the responsibility to prepare the EIS to Michael L. Balboni, District Ranger, Three Rivers Ranger District.

Dated: August 27, 1999.

Bob Castaneda,

Forest Supervisor Kootenai National Forest.
[FR Doc. 99-22975 Filed 9-2-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Spar and Lake Forest Health Project; Kootenai National Forest, Lincoln County, MT

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