

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Nez Perce Fork Vegetation Management Project; Bitterroot National Forest, Ravalli 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) to disclose the environmental effects of management activities proposed in the Nez Perce Fork area on the West Fork Ranger District of the Bitterroot National Forest. Proposed management activities include management ignited prescribed fire, timber harvest, reforestation, and road reconstruction. The Nez Perce Fork area is located in Ravalli County, Montana, approximately 30 miles southwest of the city of Hamilton. The Nez Perce Fork area includes the entire Nez Perce Fork drainage and several other tributary drainages of the West Fork Bitterroot River, including Boulder Creek, Christisen Creek, Baker Creek and Pierce Creek.

A variety of management activities proposed in the project are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). The purposes of the project are: (1) To restore fire and its associated ecological benefits, (2) to reduce fuel accumulations, (3) to modify timber stand structure and species composition in order to maintain or restore ecosystem diversity, (4) modify the edges of two older clear cut units so they better comply with visual quality objectives, (5) improve habitat conditions for bighorn sheep and other big game species, (6) reduce sediment sources on open roads and stabilize a segment of one road by constructing a

retaining wall, and (7) to utilize surplus biomass removed in fulfilling purposes 1 through 5, above, by providing raw materials for forest products. This project level EIS will tier to the Bitterroot National Forest Land and Resource Management Plan (Forest Plan) and Final EIS (September, 1987), which provides overall guidance for all land management activities on the Bitterroot National Forest.

**DATES:** Written comments and suggestions should be received by October 22, 1999.

**ADDRESSES:** The Responsible Official is David M. Campbell, District Ranger, West Fork Ranger District, Bitterroot National Forest, Darby, Montana 59829. Written comments and suggestions concerning the scope of the analysis or a request to be included on the project mailing list should be sent to him at that address.

**FOR FURTHER INFORMATION CONTACT:** Stuart Lovejoy, Resource Team Leader, Sula Ranger Station, Bitterroot National Forest, Phone (406) 821-3201.

**SUPPLEMENTARY INFORMATION:** The project encompasses approximately 86,000 acres of land in southwestern Montana on the Bitterroot National Forest. The Nez Perce Fork area includes lands drained by the Nez Perce Fork and several other tributaries of the West Fork Bitterroot River including Boulder Creek, Christisen Creek, Baker Creek and Pierce Creek. A map and legal descriptions are available on request.

Management ignited prescribed fire and timber harvest are proposed on approximately 10,500 acres and 1,400 acres, respectively. Proposed management ignited fire and harvest activities focus primarily on low to mid elevations and drier aspects, which are considered more at risk ecologically due to fire absence.

An analysis of the Nez Perce Fork area reveals changes in how the forest vegetation currently looks and functions compared to the past. Natural patterns and stand structures have changed, largely due to the absence of fire during this century in this fire dependent ecosystem. This has caused notable changes in vegetation species composition, plant density, stand structures, fuels, seral species regeneration, and the health and vigor of forest stands. The primary purpose of prescribed fire and timber harvest in the Nez Perce Fork area is to maintain or

restore ecosystem diversity, function, and health. There is also an opportunity to address ecological trends and at the same time utilize surplus biomass for forest products. Maintaining plant community diversity will promote the range of habitats that native plants and animals evolved in. Management prescriptions to promote diversity include low to moderate intensity management ignited prescribed fire, and on some sites prescribed fire would be used in combination with silvicultural practices. Silvicultural treatments proposed include pre-commercial thinning, commercial thinning, irregular shelterwood harvest, seed tree harvest, sanitation salvage harvest, improving cutting, and reforestation.

Managing fuels using fire and silvicultural practices would decrease the risk of uncharacteristically intense fires and associated undesirable effects. These activities could also increase the ability of the Forest Service to allow more naturally occurring fires to burn in the adjoining Selway Bitterroot Wilderness Area by reducing fuels near private property at lower elevations. This would to some degree reduce the risks to private property from natural fires allowed to burn in the Wilderness.

Prescribed fire is proposed in 13 acres totaling about 9,700 acres, with special focus on the ponderosa pine/Douglas-fir community, which have been most altered due to fire absence.

Big game forage, including some winter range areas, would be improved in the areas to be understory burned. Bighorn sheep forage vigor would also be improved in four underburn areas that are located within the Nez Perce sheep herds range.

Fire would also be reintroduced in a portion of the Boulder Creek Research Natural Area, presenting the opportunity to conduct research on the effects of fire absence and reintroduction. These opportunities have been discussed with representatives of the Rocky Mountain Research Station from Missoula, Montana and the research would fulfill a need for additional information regarding fire absence and the effects of fire reintroduction.

Seven areas totaling 307 acres are proposed for commercial thinning. Following the thinning, understory burning is prescribed in the areas within the ponderosa pine/Douglas-fir

community. Pre-commercial thinning is also needed on 311 acres of densely stocked sub-merchantable trees in order to maintain desirable species composition, tree growth, and vigor.

Four areas totaling 93 acres would be harvested using an "irregular shelterwood" method to regenerate them. All areas would be treated with understory burning following harvest in order to reduce fuels, prepare sites for regeneration, and to maintain fire as an ecosystem process. The irregular shelterwood treatment would provide the relatively open conditions necessary for ponderosa pine tree seedlings to become established and provide for future stands that are dominated by large ponderosa pines.

One even aged mature lodgepole pine stand is prescribed for seed tree harvest and prescribed burning. Within the Nez Perce area, there has been a shift toward more late seral stands during this century due to fire absence. This treatment would to some degree simulate a stand replacing fire event, thereby increasing early seral stage habitat.

Two areas totalling 177 acres are proposed to receive a sanitation salvage harvest, an intermediate harvest treatment designed to remove individual dead, dying, and diseased trees. One of these areas would be understory burned following harvest and activity fuels in the other area would be limbed and lopped and/or hand-piled and burned. Fire absence in the Nez Perce area has allowed for higher than historic levels of dwarf mistletoe and other disease or insect disturbance levels, adding to heavy fuel accumulations.

Improvement cutting and prescribed fire would be used to restore more favorable conditions for wintering big game animals and spring/early summer range for bighorn sheep in one area. The resulting open stand with an increased ratio of ponderosa pine would provide improved sheep habitat and would more closely resemble historic conditions that can be maintained with fire.

Two older clear-cut units that are visible from main roads are proposed to have their edges modified in order to better meet visual quality objectives. The visual impact of these two openings is proposed to be reduced by modifying their geometric shape and straight edges.

The fill slope of Soda Springs Road (#5365) is eroding and is proposed to be stabilized by construction of a bin retaining wall. The bin wall is needed to stabilize the chronic sediment source from the fill slope and to provide a safer and easier to maintain road facility.

Roads on which timber would be hauled would have surface improvement work completed, such as installing drivable dips and graveling. These are needed to reduce sediment sources, thereby protecting water quality and aquatic habitat.

The Bitterroot Forest Plan provides guidance for management activities through its goals, objectives, standards, and management area direction. The areas of proposed timber harvest occur in Management Areas 1, 2, and 3a. Prescribed burning is proposed on lands within Forest Plan Management Areas 1, 2, 3a, 3b, 5, and 6. The management direction for these areas are briefly described, as follows. Management Area 1 emphasizes timber management, livestock and big game forage production, and roaded dispersed recreation activities. Management Area 2 emphasizes elk winter range habitat, allows for timber management and providing roaded dispersed recreation opportunities. Management Area 3a emphasizes visual quality, allows timber management, and providing roaded dispersed recreation opportunities. Management Area 3b emphasizes protection of riparian habitat and water quality and providing for water-related recreation. Management Area 5 emphasizes semi-primitive recreation and elk security. Management Area 6 includes areas recommended for Wilderness designation.

This project proposal was analyzed in an Environmental Assessment (EA) that was issued in February, 1998. Public scoping meetings and opportunities for interested parties to review and comment on the EA were included in that analysis effort. That planning effort lead to the decision to prepare an EIS. Public participation is also an important part of this analysis, commencing with additional scoping (40 CFR 1501.7), which will occur during September and October, 1999. In addition, the public 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. No additional public meetings are scheduled at this time.

Comments from the public and other agencies will be used in preparation of the Draft EIS. The scoping process will be used to identify issues and alternatives to the proposed action. Some public comments have already been received in conjunction with an analysis documented in the Nez Perce

Fork Vegetation Management Project EA (February, 1998). The following issues have already been identified: 1. How would the proposed timber harvest (improvement cutting) between Watchtower and Sheepshead Creeks and above the Nez Perce Road change the undeveloped character of this portion of the Selway Bitterroot Roadless area? 2. How would the proposed activities affect threatened, endangered and sensitive fish and wildlife species that inhabit the area? 3. How would the proposed activities affect the movement of wildlife through the area? 4. Can the vegetation diversity and ecological purposes of the project be met without any further timber extraction in the area? 5. To what degree would the proposed activities contribute to the spread of noxious weeds in the area? Other issues commonly associated with prescribed fire and timber harvest include: potential effects on cultural resources, water quality, air quality, soils, old growth, and scenery values. This list may be verified; expanded, or modified based on public scoping for this proposal.

The Forest Service will consider a range of alternatives in the EIS. One of these will be the "no action" alternative, in which none of the proposed activities would 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 scheduled activities on both private and National Forest lands will be considered. The EIS will disclose the analysis of site specific mitigation measures and their effectiveness.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in December, 1999. At that time, the 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's notice of availability appears in the **Federal Register**. It is very important that those interested in management of the Nez Perce Fork area participate at that time. To be most helpful, comments on the Draft EIS should be as specific as possible. The Final EIS is scheduled to be completed in April, 2000.

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 environment 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 but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages 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 by the close of the scoping comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in developing issues and alternatives.

To assist the Forest Service in identifying and considering issues on the proposed action, comments should be as specific as possible. 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.

The responsible official for this environmental impact statement is David M. Campbell, West Fork District Ranger. His address is West Fork Ranger District, Bitterroot National Forest, 6735 West Fork Road, Darby, Montana 59829. He will decide which, if any, of the proposed actions will be implemented and will document the decision and reasons for the decision in a Record of Decision. That decision will be subject to Forest Service Appeal Regulations.

Dated: September 9, 1999.

**Jeff Amoss,**

*Acting Forest Supervisor, Bitterroot National Forest.*

[FR Doc. 99-24347 Filed 9-17-99; 8:45 am]

BILLING CODE 3410-83-M

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Dry Run Watershed, Allegany County, Maryland

**AGENCY:** USDA, Natural Resources Conservation Service.

**ACTION:** Notice of a Finding of No Significant Impact.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Regulations (40 CFR part 1500); and the Soil Conservation Service Regulations (7 CFR part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Dry Run Watershed, Allegany County, Maryland.

**FOR FURTHER INFORMATION CONTACT:** David D. Doss, State Conservationist, USDA-Natural Resources Conservation Service, 339 Busch's Frontage Road, Suite 301, Annapolis, Maryland 21401-5534, Telephone (410) 757-0861; fax (410) 757-0687.

**SUPPLEMENTARY INFORMATION:** The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, David P. Doss, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project proposed are flood control and watershed protection. The planned works of improvement include floodplain acquisition and stream restoration.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting David P. Doss.

No administrative action or implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(This activity is listed in the Catalog of Federal Domestic Assistance under NO. 10.904, Watershed Protection and Flood Prevention, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials)

**David P. Doss,**  
*State Conservationist.*

[FR Doc. 99-24364 Filed 9-17-99; 8:45 am]

BILLING CODE 3410-16-M

## DEPARTMENT OF AGRICULTURE

### Rural Business-Cooperative Service

#### Notice of Request for Extension of a Currently Approved Information Collection

**AGENCY:** Rural Business-Cooperative Service, USDA.

**ACTION:** Proposed collection; comments requested.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Rural Business-Cooperative Service (RBS) to request an extension of a currently approved information collection in support of the Servicing of Business and Industry Guaranteed Loans Program.

**DATES:** Comments on this notice must be received by November 19, 1999, to be assured of consideration.

**FOR FURTHER INFORMATION CONTACT:** David W. Lewis, Senior Loan Specialist, RBS, U.S. Department of Agriculture (USDA), Stop 3224, Washington, DC 20250-3224, telephone 202-690-0797.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Servicing Business and Industry Guaranteed Loans.

*OMB Number:* 0570-0016

*Expiration Date of Approval:* September 30, 1999.

*Type of Request:* Extension of a Currently Approved Information Collection.

*Abstract:* RBS, an agency within the Rural Development (RD) mission area of the USDA, operates several programs that provide guaranteed loans to banks, insurance companies, and other traditional lenders. The purpose of the Business and Industry Guaranteed Loan Program is to improve, develop, or finance business, industry and employment and improve the economic and environmental climate in rural communities, including pollution abatement and control. This purpose is achieved through bolstering the existing private credit structure through guarantee of quality loans, which will provide lasting community benefits.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 0.51 hours per response.

*Respondents:* Guaranteed lenders.

*Estimated Number of Respondents:* 2,681.

*Estimated Number of Responses per Respondent:* 7.26.

*Estimated Number of Responses:* 19,466.

*Estimated Total Annual Burden on Respondents:* 9,992.