

those actions for which the Forest Supervisor has the legal authority to approve in a forest plan decision. Written comments are encouraged during the initial comment period, which ends December 31, 1999.

Specific information, which is needed at this stage of the process, includes:

(a) Names and addresses of interested parties, including specific agency or organization contacts, in order to update the Forest Plan mailing list;

(b) Suggestions for effective public involvement;

(c) Identification of areas or topics of interest; and

(d) New information or changed conditions which may indicate a need to change direction from the current Forest Plan.

Comments, as well as names and addresses on the Forest Plan mailing list, will be considered part of the public record on this proposed action and will be available to the public. Comments submitted anonymously will be accepted and considered. Any person may request the agency withhold their name, address or comment from the public record by showing how the Freedom of Information Act permits such confidentiality. The Forest Service will inform the requester of the agency's decision regarding a request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address.

Following this initial scoping, public meetings will be scheduled and/or informational newsletters will be produced consistent with public interest and involvement needs; and additional meetings with individuals or groups may also be arranged. It is anticipated that at least one additional comment period will be provided prior to issuance of the DEIS. The DEIS and proposed revised Forest Plan should be available for public review in September 2002. After a minimum comment period of 90 days, the final environmental impact statement and revised Forest Plan should be completed by March 2004.

The following information applies to review of the DEIS when it is issued. The 90-day public comment period on the DEIS will commence on the day the Environmental Protection Agency publishes a "Notice of Availability" in the **Federal Register**. It is very important that those interested in this proposed action have established their interest by that time. Written comments on the DEIS should be as specific as possible and may also address the adequacy of the statement or the merits

of the alternatives formulated and discussed in the statement (see The Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). Please note that comments you make on the DEIS will be regarded as public information.

In addition, Federal court decisions have established that reviewers of a DEIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' position and contentions (*Vermont Yankee Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978)). Environmental objections that could have been raised at the draft stage may be waived or dismissed by the courts if not raised until after completion of the final environmental impact statement (*City of Angoon v. Hodel*, 9th Circuit, 803 F.2d 1018, (1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334 (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 90 day 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 the final environmental impact statement.

Dated: September 24, 1999.

James T. Gladen,

Deputy Regional Forester.

[FR Doc. 99-25401 Filed 9-29-99; 8:45 am]

BILLING CODE 3410-11-U

DEPARTMENT OF AGRICULTURE

Forest Service

Revised Land and Resource Management Plan, Uinta National Forest, Utah

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an Environmental Impact Statement and a revised Land and Resource Management Plan for the Uinta National Forest, located in Utah, Wasatch, Juab, Tooele, and Sanpete Counties, Utah.

SUMMARY: The Department of Agriculture, Forest Service will prepare an Environmental Impact Statement (EIS) in conjunction with revision of the Land and Resource Management Plan (Forest Plan), and a revised Forest Plan for the Uinta National Forest. The revised Forest Plan will supersede the current Forest Plan, which was

approved October 3, 1984, and has been amended seven times.

This notice describes the needs for change in the current Forest Plan that to date have been identified by Uinta Forest Supervisor, Peter W. Karp, to be revised; the environmental issues considered in the revision; the estimated dates for filing the EIS; the information concerning public participation; and the names and addresses of the responsible agency official and the individual who can provide additional information.

DATES: Comments regarding the scope of the analysis should be received in writing by November 30, 1999. The agency expects to file a Draft EIS in the Fall of 2000, and a Final EIS in the Spring of 2001.

ADDRESSES: Send written comments to: Peter W. Karp, Forest Supervisor, Uinta National Forest, PO Box 1428, 88 West 100 North, Provo, UT 84603-1428.

FOR FURTHER INFORMATION CONTACT: Marlene DePietro, Planning Team Leader, Uinta National Forest (801) 342-5161.

Responsible Official: Jack Blackwell, Intermountain Regional Forester, 324 25th Street, Ogden, UT 84401.

SUPPLEMENTARY INFORMATION: Pursuant to part 36 Code of Federal Regulations (CFR) 219.10(g), the Regional Forester for the Intermountain Region gives notice of the agency's intent to prepare an Environmental Impact Statement to revise the Uinta National Forest Plan. According to 36 CFR 219.10(g), land and resource management plans shall ordinarily be revised on a 10 to 15 year cycle. The existing plan was approved October 3, 1984.

The Regional Forester gives notice that the Uinta National Forest is beginning an environmental analysis and the decision-making process for this proposed programmatic action to revise the Uinta Forest Plan.

Forest plans describe the long-term direction for managing national forests. Agency decisions in these plans do the following:

- Establish multiple use goals and objectives (36 CFR 219.11)
- Establish forest-wide management requirements (standards and guidelines) (36 CFR 219.13 to 219.26)
- Establish management areas and management area direction through the application of management prescriptions (36 CFR 219.11(c))
- Establish monitoring and evaluation requirements (36 CFR 219.11(d))
- Determine suitability and potential capability of lands for resource production. This includes identifying lands not suited for timber production

and establishment of allowable sale quantity (36 CFR 219.14)

- Where applicable, recommend official designation of special areas such as wilderness (36 CFR 219.17) and wild and scenic rivers to Congress.

The authorization of project-level activities on a forest occurs through project or site-specific decisions. Project-level decisions must comply with National Environmental Policy Act (NEPA) procedures and must include a determination that the project is consistent with the forest plan.

Need for Changes in the Current Forest Plan

It has been almost 15 years since the current Forest Plan was approved. Experience and monitoring have shown the need for changes in management direction for some resources or programs. Several sources have highlighted needed changes in the current Forest Plan. These sources include:

- Public involvement that has identified new information and public values,
- Monitoring and scientific research that has identified new information and knowledge gained, and
- Forest Plan implementation that has identified management concerns to find better ways for accomplishing desired conditions.

In addition to changing public views about how these lands should be managed, information and the scientific understanding of these ecosystems has evolved.

Proposed Action

The following topics are being considered for revision in the Forest Plan. Each need for change was placed into one of three categories: appropriate for inclusion in the revision; able to be postponed and later addressed through the continuous assessment process; or not requiring attention.

Identified needs for change are addressed in the following sections, with a short description of what each change entails and why it is necessary.

1. Topics Appropriate for Inclusion in the Forest Plan Revision

The following topics will be included in the Forest Plan revision because law and/or regulation require them to be considered in all forest plan revisions.

a. Wild and Scenic Rivers: The Wild and Scenic Rivers Act of 1968 was enacted to protect and preserve, in their free-flowing condition, certain selected rivers of the nation and their immediate environments. The Act established the National Wild and Scenic Rivers System

(NWSRS), designated rivers included in the system, established policy for managing designated rivers, and prescribed a process for designating additional rivers to the system. The Act requires consideration of Wild and Scenic Rivers as part of the ongoing planning process. In 1997 the Uinta National Forest, in consultation with tribal governments and state and other federal agencies, undertook an inventory of the rivers on the Forest. Four segments were found to be free-flowing and in possession of at least one outstandingly remarkable value, making them eligible for designation. Until such time as a suitability determination and Congressional designation can be made, the Forest Service must protect the values that made the stream eligible for NWSRS, and maintain the rivers' free-flowing character. The proposed action is to establish direction to provide interim protection for these four rivers and to defer decisions on NWSRS recommendations until these decisions can be made through separate, more focused analyses later.

b. Wilderness Recommendation From Existing Roadless Inventory: Forest Service policy, the regulations in 36 CFR 219.17, and the 1984 Utah Wilderness Act require that roadless areas be evaluated and considered for recommendation as potential wilderness areas during the forest planning process. In 1997 the Forest began updating its inventory of roadless areas. A Draft Inventory of Unroaded and Undeveloped Lands on the Uinta National Forest was released for public review in April 1999, identifying 528,015 acres of roadless areas on the Uinta National Forest.

c. Reevaluation of Lands Not Suited for Timber: NFMA and its implementing regulations require identification of lands appropriate for timber management. The revision process provides an opportunity to reassess and better define the lands deemed appropriate for timber management, and to account for changes in land status and uses having occurred in the past 10–15 years. The revision will also use more accurate technology (such as GIS data) than was available during development of the original Forest Plan. The proposed action is to make any appropriate adjustments and better define the lands suited for timber production.

d. Areas Where Change May Be Needed: The topics in the following sections were included in the revision based on information found in monitoring reports, insight from Forest Service employees and their experience with the public regarding the

effectiveness (or ineffectiveness) of the current Plan, requirements in Forest Service Handbooks and Manuals, and employment of new direction and policy.

The following topics will be included in the Forest Plan revision. Experience indicates that existing direction for the following topics is too limited or is inappropriate. Forest plan direction could be changed on a project by project basis through amendment; however, addressing these topics through the revision would eliminate the need for several future site-specific amendments and would facilitate achievement of other Forest Plan, ecosystem management, and Natural Resource Agenda goals.

e. Revise the List of Timber Practices: The Forest Plan identified the even-aged silvicultural system as the primary means of forest regeneration. While this may be appropriate for lodgepole pine and aspen, which develop an even-aged structure, many spruce/fir stands naturally develop an uneven-aged structure, and consequently, individual and group selection (instead of clearcutting) have been the preferred regeneration methods under an uneven-aged silvicultural system. The proposed action is to expand the array of silvicultural systems and harvest methods that may be used.

f. Eliminate Game Retrieval Policy: Although the Uinta Forest Plan does not make site-specific travel management decisions, it does contain direction allowing off-road and trail motorized vehicle use to retrieve legally taken big game animals. Monitoring has revealed that the practice often causes resource damage. The policy is inconsistent with other local national forests and other Uinta National Forest policies. Ghost roads are created that are difficult to control and that increase road densities. Limiting off-road motorized vehicle use to only game retrieval purposes is virtually impossible. The proposed action is to eliminate this provision. Site-specific travel management decisions will not be made through the Forest Plan revision.

g. Expand Management Direction for Areas of Heavy Dispersed Recreation Use: Dispersed recreation use on the Forest has increased significantly over the last several years, and this is expected to continue in the future. This use is resulting in resource damage and conflicts in some areas. The proposed action is to develop Limits of Acceptable Change (LAC) guidelines for determining unacceptable impacts to resources, and to use Meaningful Measures (another set of criteria developed by the Forest Service) for

defining recreation management objectives. Meaningful Measures blends both quantitative and qualitative aspects of recreation and will be more useful in budgeting and monitoring than were the reports previously used.

h. Revise Fuelwood Harvest Levels:

The 1984 Forest Plan projected an annual fuelwood program of 18,000 cords (equivalent to 9 million board feet (MMBF)). Although there has been little interest in commercial fuelwood, the Forest has maintained a personal-use fuelwood program. Current annual demand is about 1,000 cords (equivalent to 0.5 MMBF). The proposed action is to revise the objective for fuelwood harvest to more closely reflect demand.

i. Update/Revise Management

Indicator Species (MIS): The regulations in 36 CFR 219.19 require identification and monitoring of MIS to indicate the effects of management activities on fish and wildlife. A list of MIS were identified in the 1984 Forest Plan, and was subsequently amended in 1993. Experience with these MIS indicates additional refinements may be needed. Some of the species listed are difficult to monitor accurately, and/or their population trends may be affected by things other than forest management. The proposed action is to change the list of MIS.

j. Eliminate Emphasis On Adding Developed Recreation Capacity: The 1984 Forest Plan placed an emphasis on the construction of additional recreational facilities to accommodate an expected increase in demand. Since the Plan was written, inadequate funding and limited personnel have restricted both new construction and the expansion of existing facilities. As this trend is expected to continue, the proposed action is to change the focus in the Plan to managing existing facilities to increase utilization, and to provide for reconstruction when necessary.

k. Remove Post and Pole Harvest

Objectives: Forest Plan timber objectives include providing posts and poles to the public as a service. While limited post and pole opportunities do exist on the Uinta National Forest, these stands are valuable for wildlife, and most requests are referred to the Ashley and Wasatch-Cache National Forests. The proposed action is to remove post and pole harvest objectives from the Forest Plan.

In addition to the topics previously listed, the following topics will be included in the revision. Experience has shown the lack of specificity or direction in the following areas has severely hampered implementation of the Forest Plan. Addressing these topics, while not required, would provide the

over-arching framework needed to effectively implement the Forest Plan.

l. Refine Management Area

Boundaries: To implement the Forest Plan, ecosystem boundaries must be delineated. The present management areas are less useful than they could be given the current understanding of ecosystems from both a social and biological standpoint. The seven current management areas range in size from 56,755 to 290,925 acres and are not easily recognized as distinct places. They are not directly related to ecological units such as watersheds, and their usefulness in examining actions and their effects is limited. The proposed action is to redefine management area boundaries, generally using watersheds as revised management areas.

m. Define Management Prescription

Categories: A management prescription category is a set of management practices and intensities scheduled for application on a specific area. Management choices must be made in determining management prescription categories, as these in turn determine the direction for specific areas based on the resource emphasis. Once management areas are defined and potential Desired Future Conditions (DFCs) for those areas are identified, management prescription categories will be used to describe what is and is not allowed in a given area. With some exceptions, the current Forest Plan does not clearly identify the management prescription for any specific area. The proposed action is to identify the management prescription category applicable to each specific area of the Forest.

n. Identify Desired Future Conditions (DFCs) For All Ecosystems: DFCs describe the land, resources, or social and economic conditions that are expected in 50–100 years if objectives are achieved. It is a vision of the long-term conditions of the land. The current Forest Plan describes a DFC for each management area; however, these are often vague and/or do not address all components of the ecosystem. Failure to adequately describe the DFC results in a high degree of uncertainty as to what management actions were intended and needed. The proposed action is to develop, for each management area, DFCs addressing all affected ecosystems.

o. Identify Desired Recreation Environments Using the Recreation Opportunity Spectrum (ROS): The ROS allocation in the 1984 Forest Plan is incomplete and is not being utilized as intended. The Forest Plan references locations and acreages, but includes no

map. ROS can be used together with Limits of Acceptable Change (LAC) to define capacity and establish standards and guidelines, particularly for wilderness and many types of dispersed recreation. ROS can be incorporated into the description of the DFC as a useful tool for allocating and separating conflicting or competing uses. Site-specific travel management decisions will not be made in the revision. However, establishing ROS will facilitate travel management planning, which strongly influences the supply of opportunity for various activities. The proposed action is to identify the ROS allocation for each area of the Forest and to incorporate ROS into the description of DFC.

p. Identify Desired Scenery

Management Objectives: The visual quality objectives in the 1984 Forest Plan are incomplete and outdated. The 1974 Visual Management System used in the 1984 Forest Plan was replaced in 1995 with the Scenery Management System (SMS). The SMS process can assist in the establishment of overall resource goals and objectives to monitor the scenic resource and ensure high quality scenery for future generations. However, fully implementing SMS would not be practical during revision given the revision schedule and available staffing and funding. The proposed action is to identify desired scenery management conditions across the Forest, and initiate implementation of the SMS.

q. Delineate Areas Suitable For Domestic Livestock Grazing: The Forest Plan addresses suitability of lands for domestic livestock grazing, but discusses capability and suitability in terms of animal unit months of forage rather than acres. This makes comparison between the current Plan and current conditions difficult. Some large tracts of land, including the Strawberry Projects Lands, have been added to the Forest since the suitability analysis was completed. These areas were grazed for many years prior to their transfer to the Forest Service, and the Forest annually receives some requests to restore grazing on these lands. In addition, two domestic sheep allotments in the Pleasant Grove Management Area were identified as suited for grazing in the 1984 Forest Plan. These allotments are currently vacant and adjoin a proposed bighorn sheep reintroduction site. The Strawberry Project Lands and these two vacant allotments are part of important watersheds, provide valuable wildlife habitat, and support heavy recreation use. The proposed action is to delineate the areas of the Forest suited for

domestic livestock grazing using acres instead of animal unit months, identifying the Strawberry Project Lands and lands within the two allotments in the Pleasant Grove Management Area as not suited for domestic livestock grazing.

r. Establish Direction For Managing Cave Resources: Since the Forest Plan was written, the Federal Cave Management Act of 1988 was implemented. As the Forest Plan provides no direction for managing cave resources, the proposed action is to develop direction for accessing and managing cave resources on the Forest. Addressing the following topics in the Forest Plan revision would simplify and clarify the intent of the Forest Plan without requiring significant resource expenditures. Consequently, these topics will be addressed in the Forest Plan revision.

s. Remove Administrative or Procedural Direction: The proposed action is to remove information that is not related to land and resource management planning or to one of the six decisions made in forest plans, or that is redundant. Such information can be found in Forest Service Handbooks or Manuals or other reference materials.

t. Correct Typographical and Description Errors: The proposed action is to make editorial corrections, clarifications, and updates in order to present an accurate and more professional document.

u. Correct and Clarify Direction for 3-Pasture Rest Rotation: The proposed action is to reword an existing standard and guideline to identify the 3-pasture rest rotation as one of several recognized livestock management strategies, instead of it being the only management option.

v. Clarification of Existing Minerals Goals and Objectives: Current direction does not specify if goals and objectives for minerals management refer to locatable, leasable, or common variety minerals. Management of these minerals is governed by different laws and regulations. The proposed action is to refine the existing management direction to be more specific as to the type of mineral resource concerned.

w. Incorporate Best Management Practices (BMPs) and Air Quality Standards: The Utah Department of Environmental Quality has been working in cooperation with the Forest Service and other state and federal agencies to develop a set of BMPs as part of a statewide Non-point Source Management Plan for Silvicultural Activities. This plan, which will be adopted by the national forests in Utah, provides a set of standard management practices to reduce non-point source

pollution from silvicultural activities. Air quality and visibility are national concerns, goals, and priorities. The proposed action is to add direction to the Forest Plan to address these issues.

x. Remove Direction for Afforestation of Oak Woodlands: Ecosystem management implies managing wildlands using vegetation native to the site. Past afforestation practices on the Uinta have included the planting of tree species on oak sites where such species would not have otherwise established. These plantings have sometimes done well for a number of years, but many have then exhibited a rapid decline. These plantings also have the potential to replace the vegetation natural to the site. Current thinking on ecosystem management is to manage wildlands using vegetation native to the site. The proposed action is to eliminate direction in the current Plan calling for afforestation of oak woodlands.

y. Elimination of Numerical Objectives and Implementation Schedules: Many of the objectives and schedules in the existing Plan are not required, are quickly out-of-date, and have lead to frequent confusion. The proposed action is to eliminate those that are not required by law or regulation.

z. Update Property Management Goals and Terminology: Right-of-Way and Land Adjustment Plans for the Forest have been updated since the 1984 Forest Plan was completed. The proposed action is to incorporate goals and objectives from these in the revised Forest Plan.

aa. Remove Direction Allowing Horse Use During Hunting Season in All Developed Sites: The Forest Plan allowed for this practice for the period of 1980–90, with no direction following that period. The Forest has not continued this practice outside of the designated time frame. The proposed action is to remove this direction.

bb. Identify the Jumpoff Point Research Natural Area (RNA) and Establish Management Direction for It: In 1987, the Chief of the Forest Service signed an Establishment Report designating the Jumpoff Point Research Natural Area (RNA). The Jumpoff Point RNA was designated after the completion of the Forest Plan, and no amendment was completed at the time of establishment. The proposed action is to map this 290 acre area as a unique management prescription category and to develop appropriate management direction.

cc. Identify Standards Versus Guidelines: Standards are not currently distinguished from guidelines. Standards are direction which must be

followed; guidelines are direction which generally should be followed. The proposed action is to identify which management direction are standards and which are guidelines. This will clarify the intent of the Forest Plan and eliminate unnecessary site-specific amendments in implementation.

dd. Revise/Correct the Section Describing Amendment of the Forest Plan: The Forest Plan implies amendments may be needed when the list of projects proposed in the Forest Plan must be altered. A Forest Plan defines programmatic actions and does not make project decisions. The proposed action is to revise this section to state that amendment is needed when one of the six decisions made in the Forest Plan must be adjusted.

ee. Eliminate Redundant Monitoring Requirements: Currently, the Forest Plan requires monitoring of items pertaining to individual resource areas. This has lead to overlapping and redundant monitoring of items such as riparian habitat and water quality. The proposed action is to eliminate redundant and overlapping monitoring.

ff. Correct the Monitoring Frequency for Timber Suitability: Current direction requires suitability determination and monitoring to be completed every 10 years. The Forest Plan erroneously states it is to be completed every year. The proposed action is to correct this error.

gg. Update Acreages and Other "Current Situation" Data: Numerous changes in the environment have occurred since this section was prepared in 1984. This includes changes resulting from land adjustments, the Central Utah Project, implementation of the Forest Plan, and natural events such as wildfire. The proposed action is to update this section to reflect changes that have occurred.

hh. Use People At One Time (PAOTs) Instead of Recreation Visitor Days (RVDs) for Developed Recreation Supply Objectives: PAOTs are commonly used to define capacity; RVDs are used to define use. The Forest Plan uses RVDs for both. Using PAOTs to define capacity is more accurate. The proposed action is to revise objectives for developed recreation capacity using PAOTs rather than RVDs.

2. Topics Not Addressed in the Forest Plan Revision But To Be Addressed Through Continuous Assessment and Planning (CAP)

The following topics are areas where existing management direction needs to be clarified, refined, or changed. These topics will not be addressed in the Forest Plan revision, but will be

addressed through project or forest Plan amendments. Addressing these topics in the Forest Plan revision would likely require significant and unavailable resources, given time and funding limitations. These are topics where implementation can usually proceed and be consistent with existing Forest Plan direction (only occasional site-specific amendments to Forest Plan direction may be needed to allow implementation to proceed).

- a. Refinement of grazing standards for stream channel types
- b. Expansion of management direction for non-greenline conditions in streamside management zones
- c. Development of species-specific conservation measures for threatened, endangered, or sensitive species.

There is a need for management decisions on the following topics, to the extent they involve Forest Service discretionary decisions. More thorough, detailed analysis and consideration of these topics and related issues would occur if they were analyzed through localized, site-specific analyses conducted outside of the revision process.

- d. Wild and Scenic River suitability determinations (Little Provo Deer Creek, North Fork of the American Fork River, South Fork of the Provo River, and Fifth Water)
- e. Wildlife reintroductions
- f. Non-conforming uses in wilderness areas
- g. Energy corridors

3. Topics Where No change Is Proposed

The following topics would not be addressed through the Forest Plan revision, except to the extent they are directly impacted by other revision topics being addressed. These topics cover areas where the Forest Plan provides management direction that some may want changed, but which otherwise appears to be adequate (and therefore, not a need for change).

- a. Western Uinta Basin Oil and Gas leasing decisions
- b. General intent of DFCs established through the Rangeland Ecosystem Amendment
- c. Predator control direction established through the Predator Control EIS and in accordance with the Memorandum of Understanding between the U.S. Forest Service and the Animal Plant Health Inspection Service (APHIS)
- d. Direction to harvest timber only where needed for forest health or other resource objectives
- e. Identification of recreation residences
- f. Direction established through the ongoing Utah Fire Amendment

- g. Direction established through the ongoing Utah Goshawk Amendment
- h. Direction emphasizing protection of water quality, particularly in watersheds providing water for domestic use.

Potential Alternatives

The No Action Alternative, continuing management under the present Forest Plan, will be considered in the analysis of the proposed action. The No Action Alternative would not include any of the legally mandated revision topics.

Topics to be addressed in the proposed action were described previously. No other alternatives have been developed at this time. However, additional alternatives will likely be developed based upon comments provided.

Involving the Public

The Forest Service is seeking information comments, and assistance from individuals, organizations, tribal governments, and federal, state, and local agencies who may be interested in or affected by the proposed action (36 CFR 219.6).

Public participation will be solicited by notifying (in person and/or by mail) known interested and affected publics. News releases will be used to give the public general notice, and public involvement opportunities will be offered at various locations. Public participation activities included written comments, open houses, focus groups, and collaborative forums.

Public participation will be sought throughout the revision process, but will be particularly important at several points along the way. The first formal opportunity to comment is during the scoping process (40 CFR 1501.7). Three public meetings are scheduled during the scoping process. These will run from 7 to 9 p.m. and be held October 26, 1999, at Wasatch County Chamber of Commerce Visitor Center, 475 N. Main Street, Heber City, Utah; October 27, 1999, at Mellor Banquets, 877 North 100 East, Lehi, Utah; and October 28, 1999, at Payson City Banquet Hall, 439 W. Utah Avenue, Payson, Utah.

Release and Review of the EIS

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and be available for public comment in late Fall of 2000. At that time, the EPA will publish a notice of availability in the **Federal Register**. The comment period on the Draft EIS will be at least 90 days from the date the EPA publishes the notice of availability

in the **Federal Register**, as required by the planning regulations.

The Forest Service believes that 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 the Draft EIS 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 EIS stage but are not raised until after completion of the Final EIS 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 by the close of the comment period so that substantive comments and objectives are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the Final EIS.

To assist the Forest Service identifying and considering issues and concerns on the proposed programmatic actions, comments on the Draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the Draft EIS or the merits of the alternatives formulated and discussed in the statements. Reviewers may wish to refer to the Counsel on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA) at 40 CFR 1503.3 in addressing these points.

After the comment period ends on the Draft EIS, comments will be analyzed, considered, and responded to by the Forest Service in preparing the Final EIS. The Final EIS is scheduled to be completed in the Spring of 2001. The responsible official will consider the comments, responses, and environmental consequences discussed in the Final EIS, and applicable laws, regulations, and policies in making decisions regarding the revision. The responsible official will document decisions and reasons for the decisions in a Record of Decision for the revised plan. The decisions will be subject to appeal in accordance with 36 CFR part 217. Jack A. Blackwell, Intermountain Regional Forester, is the responsible official for this EIS.

Dated: September 20, 1999.

Peter W. Karp,

Forest Supervisor.

[FR Doc. 99-25016 Filed 9-29-99; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Government-Owned Inventions Available for Licensing

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of Government-owned inventions available for licensing.

SUMMARY: The inventions listed below are owned in whole or in part by the U.S. Government, as represented by the Department of Commerce. The Department of Commerce's ownership interest in the inventions is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR Part 404 to achieve expeditious commercialization of results of Federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on these inventions may be obtained by writing to: National Institute of Standards and Technology, Office of Technology Partnerships, Building 820, Room 213, Gaithersburg, MD 20899; Fax 301-869-2751. Any request for information should include the NIST Docket No. and Title for the relevant invention as indicated below.

SUPPLEMENTARY INFORMATION: NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the inventions for purposes of commercializations. The inventions available for licensing are:

NIST Docket Number: 95-036US.

Title: X-Ray Lithography Mask Inspection System.

Abstract: The invention is jointly owned by the U.S. Government, as represented by the Secretary of Commerce, and Wisconsin Alumni Research Foundation. The Department of Commerce's ownership interest in this invention is available for nonexclusive licensing. The invention uses an x-ray conversion microscope to form an enlarged image of the actual x-ray pattern that an x-ray mask would project onto a resist. Present x-ray mask inspection is done by electron microscopes where the image produced is representative of the interaction of high energy electrons with the features

on the mask. The proposed technique would instead form images from the x-ray transmission of the mask, the quantity most relevant to the mask's performance in the x-ray lithography process.

NIST Docket Number: 96-045US.

Title: Electroenzymatic Reactor and Method for Enzymatic Catalysis.

Abstract: The invention is jointly owned by the U.S. Government, as represented by the Secretary of Commerce, and the University of California, Los Angeles. Interest in biocatalytic hydroxylation derives from its ability to transform organic substrates having no functional groups into oxygen-bearing compounds with high regio- or stereo-selectivity. Use of redox enzymes in these syntheses is hampered by intrinsic dependence on stoichiometric amounts of freely dissociated cofactors, such as NADH and/or redox partner proteins, which supply necessary reducing equivalents. Economic feasibility requires that simple, regeneration can meet these requirements. Previously, a bioelectrochemical process has been described in which electrons are transferred directly (without mediators) between an electrode and redox-active biological material, such as an enzyme or protein. In that work, electron transfer was achieved using various modified metal or graphite electrodes. Such processes suffer from either inefficiency (low redox reaction rates) or rapid decline in activity due to component fouling by proteins. In the present disclosure, the P450 enzymatic cycle, which requires a continuous supply of reducing equivalents, molecular oxygen and an amendable organic substrate, is utilized in a unique electroenzymatic reactor to catalyze the generation of stereochemical hydroxylation products. The reactor permits rapid and persistent electron transfer to a P450 protein cofactor (putidaredoxin) by using certain tin oxide or iridium oxide cathodes, while simultaneously providing necessary dissolved oxygen at platinum or ruthenium oxide counter electrodes. The need for NADH and the redox protein, flavin reductase, which are required in the native cycle, has been eliminated.

NIST Docket Number: 96-048US.

Title: Surface Immobilization of Biopolymers.

Abstract: In one embodiment, the present invention provides a biopolymer-containing monolayer comprising: thiol-derivatized biopolymers and organic thiols bound to a metal substrate. In another

embodiment, the present invention provides a method for forming this biopoly-containing monolayer. Preferably, the biopolymers are single-stranded DNA probes.

NIST Docket Number: 98-024US.

Title: System for Stabilizing and Controlling a Hoisted Load.

Abstract: A load control method that can be adapted to single point lift mechanisms such as boom cranes can precisely control the position, velocity and force of a spreader bar or other tools in six degrees of freedom. Winches can be controlled manually by a multi-axis joystick, or can be automatically controlled by computer. Various combinations of manual and automatic control can also be implemented. The invention has application in preventing load pendulation during the off-loading of cargo from ships in high seas and in improving safety in the handling of loads in terrestrial applications.

NIST Docket Number: 99-008US.

Title: Test-Chip Carrier.

Abstract: The invention is jointly owned by the U.S. Government, as represented by the Secretary of Commerce, and Sandia National Laboratories. The Department of Commerce's ownership interest in this invention is available for nonexclusive licensing. A test-chip carrier includes a standard semiconductor wafer of single crystal material with a crystallographic lattice on at least one major surface. A mask is formed on the one major surface, including a coating of masking material, and patterning the masking material to define a rectangularly shaped test-chip receiving pit and one or more reference marks to facilitate location of target reference features. The test-chip receiving pit is positioned with one diagonal extending parallel to a first crystallographic lattice vector/direction and another diagonal extending parallel to a second crystallographic lattice vector/direction, e.g. the (010) and (001) crystallographic vectors. The semiconductor wafer is lattice-planes selective etched to form the test-chip receiving pit and the one or more reference marks. A plurality of pits can be formed if desired and a test-chip is mounted in each of the pits to provide multiple calibration artifacts, failure analysis, or product chip mounting.

Dated: September 23, 1999.

Karen Brown,

Deputy Director.

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