

# Notices

Federal Register

Vol. 64, No. 222

Thursday, November 18, 1999

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

#### Myrtle-Cascade Timber Sales

**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 potential environmental effects of timber harvest, prescribed burning, mechanical treatments, precommercial thinning, road reconstruction, and watershed improvement projects on National Forest lands in the Myrtle and Cascade drainages of the Bonners Ferry Ranger District, Idaho Panhandle National Forests.

**DATES:** Written comments and suggestions should be received on or before December 29, 1999. The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in late January 2000. A Final Environmental Impact Statement will be published no sooner than May 1, 2000.

**ADDRESSES:** Submit written comments and suggestions on the proposal or requests to be placed on the project mailing list to Elaine Zieroth, Bonners Ferry Ranger District, Route 4, Box 4860, Bonners Ferry, Idaho 83805-9764, e-mail address: ezieroth/r1\_ipnf@fs.fed.us.

**FOR FURTHER INFORMATION CONTACT:** Pat Behrens, project leader, Bonners Ferry Ranger District, Idaho Panhandle National Forests, Route 4, Box 4860, Bonners Ferry, Idaho 83805-9764, e-mail address: pbehrens/r1\_ipnf@fs.fed.us.

**SUPPLEMENTARY INFORMATION:** The existing condition of the forested vegetation in the project area will be compared to conditions that occurred historically in the area to determine

potential treatment opportunities (timber harvest, prescribed burning, mechanical treatments, precommercial thinning, etc.). Many ecological factors have combined to develop our forests as we see them today. Fire is the primary ecological factor that influences forest development. Over seventh years of fire suppression by Federal and State agencies has led to changes in structure and composition of these forests. Specifically, the forests are more densely stocked with trees today since fires have not thinned out the smaller trees. This creates more competition for water and nutrients and stresses the trees. Consequently, the risk of severe fire, and insect and disease outbreaks, is greater than it was historically.

One of the primary objectives of the timber sales will be to restore composition and structure of the forested ecosystem. In the dry forest types ponderosa pine and western larch are being overcrowded by Douglas-fir and grand fir. Treatments would be designed to favor the development of large, open-grown stands of ponderosa pine and western larch. In the mixed conifer and subalpine forests there is very little size and age class diversity. In addition, western white pine, once a significant component of the mixed conifer forests in north Idaho, is gradually dying out because of white pine blister rust. Some of the subalpine forests also contain a high percentage of lodgepole pine at high risk to maintain pine beetle infestation. Treating these stands prior to a beetle epidemic would significantly reduce fuel loadings and therefore reduce the risk of severe fire in these forest types.

Preliminary issues include water quality, forest health, timber supply and demand, Threatened, Endangered, and Sensitive wildlife, fish and plant species.

The Forest Service will consider a range of alternatives. One of these will be the "no action" alternative, under which there would be no change from current management of the Forest. Additional alternatives will represent a range of strategies to accomplish the goals of this project. The Idaho Panhandle National Forest Land and Resource Management Plan provides the guidance for management objectives within the potentially affected area through its goals, objectives, standards and guidelines, and management area

direction. Inland Native Fish Strategy guidelines (USDA Forest Service, 1995) supercede Forest Plan guidelines established for riparian areas. The public is encouraged to visit with Forest Service officials during the analysis and prior to the decision. The Forest Service is also seeking information, comments, and assistance from federal, state and local agencies and other individuals or organizations that may be interested in or affected by the proposed actions.

The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and available public review in late January 2000. At that time, the EPA will publish a Notice of Availability of the draft environmental impact statement in the **Federal Register**. The comment period on the draft environmental impact statement will be 45 days from the date the EPA publishes the Notice of Availability in the **Federal Register**. A final environmental impact statement will be published after all comments are reviewed and responded to. A Record of Decision will be published at that time.

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 but that are not raised until after completion of the final environmental 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, 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 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 them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns regarding the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft environmental impact statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. 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.

Public scoping for this project was initiated in April 1997 with a proposed action to treat roughly 6,600 acres. At this time the project was titled the Myrtle-Ball Environmental Assessment (EA) and the assessment area encompassed nearly 49,000 acres. In October 1997 the assessment area was reduced to 31,000 acres, the proposed treatment area reduced to 3,700 acres, and the project renamed the Myrtle-Cascade EA. Based on scoping and changes in Agency direction the Forest Service believes an EIS is now the appropriate level of documentation. Any comments received in response to previous solicitations regarding this project will be considered during the environmental analysis and will be part of the public record. Anyone on the previous mailing list will be added to the EIS mailing list.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to appeal the subsequent decision under 36 CFR part 215. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the 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 within a specified number of days.

I am the responsible official for this environmental analysis. My address is Bonners Ferry Ranger District, Route 4 Box 4860, Bonners Ferry, ID 83805-9764.

Dated: November 10, 1999.

**Elaine J. Zieroth,**

*District Ranger.*

[FR Doc. 99-30160 Filed 11-17-99; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Gravina Island Timber Sales Environmental Impact Statement

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement.

**SUMMARY:** Department of Agriculture, Forest Service, will prepare an Environmental Impact Statement (EIS) to provide timber for the Tongass National Forest timber sale program. The Record of Decision will disclose how the Forest Service decides to provide harvest units, roads, and associated timber harvesting facilities. The proposed action is to harvest up to an estimated 40 million board feet (mmnbf) of timber on an estimated 1800 acres in several timber sales. The project area is located within Gravina roadless area (#522) as inventoried in the Tongas Land and Resource Management Plan. A range of alternatives responsive to significant issues will be developed and will include a no-action alternative. The proposed timber harvest is located within Tongass Forest Plan Value Comparison Units 7610, 7630, 7640, 7650 on Gravina Island, Alaska, on the Ketchikan Ranger District/Misty Fiords National Monument of the Tongass National Forest.

**DATES:** Opportunities for comment will be made available throughout the process and are identified below. In order to take full advantage of scheduled comment periods, individuals interested in receiving a scoping package should contact us by December 1, 1999. Further opportunities for comment will be provided following development of a specific agency proposed action, during alternative development and following release of the Draft EIS.

**ADDRESSES:** Please send written comments to District/Monument Ranger, Ketchikan Ranger District/Misty

Fiords National Monument, 3031 Tongass Avenue, Ketchikan, AK 99901.

#### FOR FURTHER INFORMATION CONTACT:

Questions about the proposal and EIS should be directed to Jerry Ingersoll, District/Monument Ranger, Ketchikan Ranger District/Misty Fiords National Monument, Tongass National Forest, 3031 Tongass Ave., Ketchikan, AK 99901 telephone (907) 228-4100 or Susan Marthaller, NEPA Coordinator, Ketchikan Ranger District/Misty Fiords National Monument, 3031 Tongass Ave., Ketchikan, AK 99901 telephone (907) 228-4124.

**SUPPLEMENTARY INFORMATION:** Public participation will be an integral component of the study process and will be especially important at several points during the analysis. The first is during the scoping process. The Forest Service will be seeking information, comments, and assistance from Federal, State, local and tribal agencies, individuals and organizations that may be interested in, or affected by, the proposed activities. The scoping process will include: (1) Identification of potential issues; (2) identification of issues to be analyzed in depth; and (3) elimination of insignificant issues or those which have been covered by a previous environmental review and (4) suggestions for possible alternatives.

Opportunities to provide both written and verbal comment and to provide feedback on the process will be made available. A series of public meetings will be scheduled and a scoping package sent to the project mailing list. This active scoping will begin with the publication of the NOI and continue through preparation of a draft Environmental Impact Statement (Draft EIS).

Based on results of scoping and the resource capabilities within the project area, alternatives including a "no action" alternative will be developed for the Draft Environmental Impact Statement (Draft EIS). The Draft EIS is projected to be filed with the Environmental Protection Agency (EPA) in late March 2000 or early April 2000. Subsistence hearings, as provided for in Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA), will be planned, if needed, during the comment period on the Draft EIS. The Final EIS is anticipated by October 2000.

The comment period on the draft environmental impact statement will be a minimum of 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.