

hauling on Forest roads and trails; effects of mining operations on surface and sub-surface waters; effects of mining operations on cultural or historic properties; effects of mining operations on wildlife, plant life and ecosystems; effects of mining operations on recreation experience, and on opportunities for users of the area during and after mining operations; and effects on the long term condition of the site.

Permits or Licenses Required

Additional permits or licenses which may be required in addition to Forest Service authorizations include, but are not limited to the following: Department of the Army (Section 404 of the Federal Clean Water Act) Permit for dredge and fill of wetlands or waters of the United States; Permit from Colorado Department of Public Safety (Section 402 of the Federal Clean Water Act) addressing storm-water run-off; Environmental Protection Agency approval of Spill Prevention, Control, and Countermeasures Plan; Colorado Division of Minerals 110 Limited Impact Permit. In addition water rights for use of water from Porphyry Creek will need to be obtained.

Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement. Public scoping describing the Plan of Operations associated with the Robin Redbreast Lode mining claim is being initiated with this Notice of Intent. Comments from this scoping effort will be reviewed to identify potential issues for this analysis. While comments are welcome at any time, comments received within 45 days of the publication of this notice in the **Federal Register** will be most useful for the identification of issues and the analysis of alternatives. The name and mailing address of commenters should be provided with their comments so that future documents pertaining to this environmental analysis and the decision can be provided to interested parties.

In the final EIS, the Forest Service will respond to any comments, received during the public comment period, that pertain to the environmental analysis. Those comments and the Forest Service responses will be disclosed and discussed in the final EIS and will be considered when the final decision about this proposal is made.

Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement will be

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

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 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, 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 on 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 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.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

Also, comment during this 45-day comment period is required to establish eligibility to appeal the final decision under 36 CFR part 215.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: June 3, 2004.

Larry M. Hill,

Acting Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Forest Service

Kootenai National Forest Noxious Weed Management EIS; Kootenai National Forest, Lincoln County, MT

AGENCY: Forest Service, USDA.

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

SUMMARY: The Forest Service will prepare an Environmental Impact Statement (EIS) for a proposal to manage noxious weeds (invasive plant species) on the Kootenai National Forest. The project includes the entire Kootenai National Forest. Counties included in the analysis area are Lincoln, Sanders, and Flathead in Montana, and Boundary and Bonner in Idaho.

DATES: *Scoping comment date:* Written comments or suggestions concerning the scope of the analysis should be postmarked by July 19, 2004.

ADDRESSES: The Responsible Official is Bob Castaneda, Forest Supervisor, Kootenai National Forest, 1101 Hwy 2 West, Libby, MT 59923. Written comments and suggestions concerning the scope of the analysis may be sent to him at that address.

FOR FURTHER INFORMATION CONTACT: Contact Lou Kuennen, Team Leader, Kootenai National Forest Supervisor's Office, 1101 Hwy 2 W, Libby, MT 59923, phone (406) 293-6211.

SUPPLEMENTARY INFORMATION: The analysis area is the entire Kootenai National Forest, approximately 2.2 million acres. The purpose and need of this project is to: (1) Prevent or discourage introduction and establishment of newly invading weed species on Forest land; (2) prevent or limit spread of established weeds into areas with few or no infestations on Forest land; (3) restore native plant communities and improve forage on specific big game summer and winter ranges; (4) treat weeds near the Forest boundary where adjacent landowners are interested in or are currently managing weeds; (5) limit spread of weeds into and within wilderness areas. Both ground and aerial application of herbicides is proposed to control noxious weeds. This application of herbicides will be part of Integrated Pest Management (IPM). The other areas of IPM are cultural, biological (bioagents),

and mechanical control as well as prevention and education. Noxious weeds generally possess one or more of the following characteristics: aggressive and difficult to manage, poisonous, toxic, parasitic, a carrier or host of serious insects or disease, and generally non-native. They also have a probability of causing economic or environmental damage. Specific areas of ground application will vary depending on weed locations. Potential areas of aerial applications have been identified and involve approximately 29,000 acres.

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 would be implemented. Additional alternatives will examine ground and aerial herbicide application as well as respond to the issues and other resource values.

Public Involvement and Scoping: Public participation will be especially important at several points during the analysis. The first point is during the scoping process (40 CFR 1501.7). The Forest Service will be 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 action. This input will be used in preparation of the DEIS. The scoping process includes:

1. Identifying potential issues;
2. Identifying issues to be analyzed in depth;
3. Eliminating insignificant issues or those which have been covered by a relevant previous environmental analysis;
4. Exploring additional alternatives;
5. Identifying potential environmental effects of the proposed action and alternatives (*i.e.*, direct, indirect, and cumulative effects and connected actions); and
6. Determining potential cooperating agencies and task assignments.

Estimated Dates for Filing: The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by June 2005. At that time EPA will publish a notice of availability (NOA) of the DEIS in the **Federal Register**. The comment period on the DEIS will be 45 days from the date the EPA's NOA appears in the **Federal Register**. It is very important that those interested in the management of invasive plants on the Kootenai National Forest participate at the time.

Reviewer's Obligations: Federal court decisions have established that reviewers of DEIS's must structure their participation in the environmental

review of the proposal so it is meaningful and alerts the 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 have been raised at the draft stage may be waived if not raised until after completion of the FEIS (*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 Draft EIS 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 FEIS.

To be most helpful, comments on the DEIS should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (*see* the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). It is also helpful if comments refer to specific pages or chapters of the draft document.

After the comment period ends on the DEIS, the comments will be analyzed and considered by the Forest Service in preparing FEIS. The FEIS completion date is scheduled for August 2005. The Forest Service is required to respond, in the FEIS, to the comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, disclosures of environmental consequences and applicable laws, regulations, and policies in making a decision regarding this proposal. The responsible official will document the decision and rationale in a Record of Decision. That decision will be subject to appeal under 36 CFR 215.

Responsible Official: Bob Castaneda, Forest Supervisor of the Kootenai National Forest, is the Responsible Official (Decision Maker). As the Decision Maker he will decide if the proposed project will be implemented and will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations.

Dated: June 7, 2004.

Frank Votapka,

Acting Forest Supervisor, Kootenai National Forest.

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DEPARTMENT OF COMMERCE

Economic Development Administration

[Docket No. 0405426162-4162-01]

Trade Adjustment Assistance for Firms Program

AGENCY: Economic Development Administration (EDA); Department of Commerce (DOC).

ACTION: Notice and request for proposals.

SUMMARY: The mission of EDA is to lead the Federal economic development agenda by promoting innovation and competitiveness, which will prepare American regions for growth and success in the worldwide economy. EDA administers the Trade Adjustment Assistance (TAA) for Firms Program (the "Program") to assist manufacturing and production firms, which have lost domestic sales and employment due to increased imports of similar or competitive goods (a "trade-impacted firm"), become more competitive in the global economy. EDA administers the Program through a national network of Trade Adjustment Assistance Centers (TAACs).

With funding from EDA, TAACs assist trade-impacted firms by (i) preparing and submitting petitions to EDA for certification of eligibility necessary to apply for assistance under the Program (a "certified firm"), (ii) assisting certified firms in developing and submitting for EDA approval adjustment proposals and (iii) sharing in the cost of implementing (primarily through private sector consultants) the technical assistance tasks as set forth in approved adjustment proposals. 13 CFR 315(8)(c). The Program also benefits certain organizations assisting or representing trade-impacted manufacturing or production firms. Firms (or organizations representing firms) other than manufacturing or production firms (*e.g.*, service industries) are not eligible for benefits under the Program.

Through this competitive solicitation, EDA is seeking proposals from organizations to administer the Program for the State of New Jersey. The applicant selected will operate a TAAC to serve the State of New Jersey for a twelve-month period encompassing the remainder of FY 2004 and a portion of FY 2005.

DATES: Proposals must be received by the EDA Office of Strategic Initiatives at the below address by July 15, 2004 at 4 p.m. (EDT). Proposals received after 4 p.m. (EDT) on July 15, 2004 will not be considered for funding. By August 15, 2004, EDA will notify applicants as to