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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

South Fork Yaak EIS; Kootenai National Forest; Lincoln County, Montana

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an Environmental Impact Statement (EIS) to analyze and disclose the environmental impacts of a Proposed Action in the South Fork Yaak Physiographic Area located about 24 air miles northeast of Troy, Montana. This EIS will tier to the Kootenai National Forest Land and Resource Management Plan and EIS, which provide overall guidance for achieving the desired forest condition of the area.

The Proposed Action was developed in response to the major fire events that burned over 3,000 acres in the Pink Mt. and Fowler Creek areas in August 1994. The proposal is to salvage timber, construct and reconstruct roads, reduce fuel concentrations, improve riparian and wildlife habitat, reforest timber stands, and improve wildlife security. These are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). Part of the proposed project's activities lie within an Inventoried Roadless Area (IRA), Zulu #166.

The Proposed Action was developed using various principles of Ecosystem Management. In doing so, the post-fire conditions were characterized at a broad scale with consideration to natural processes that historically shaped this ecosystem. A Forest Plan exception to certain Management Area standards may be needed to implement this alternative.

DATES: Written comments should be received on or before March 9, 1995.

ADDRESSES: The Responsible Official is Robert L. Schrenk, Forest Supervisor, Kootenai National Forest. Send written comments and suggestions on the proposed management activities or a request to be placed on the project mailing list to Michael L. Balboni, District Ranger, Three Rivers Ranger District, Kootenai National Forest, 1437 North Highway 2, Troy, Montana, 59935.

FOR FURTHER INFORMATION CONTACT: Jack Zearfoss, South Fork Yaak EIS Team Leader, Three Rivers Ranger District (406) 295-4693.

SUPPLEMENTARY INFORMATION: The timber salvage activities under consideration would occur within the 45,197 acre South Fork Yaak Physiographic Area. The specific areas considered are the Fowler Creek, Zulu Creek, and Clay Mt. areas. Primary salvage activities would occur in two specific fire-affected areas: the Fowler Fire (2,589 acres) and the Pink Mt. Fire (475 acres). Previous planning efforts (Zulu Smoot Environmental Impact Statement) have identified other salvage opportunities outside of the fire-affected areas which are included in this Proposed Action.

The project area lies within all or portions of T35N, R31W, Sections 10, 11, 14, 15, 21, 22, 23, 26, 27, 33, and 34, T34N, R31W, Sections 3 and 4, T35N, R32W, Sections 36, T34N, R32W, Sections 1, and 12 and Sections 6, and 7 T43N, R31W, PMM, Lincoln County, Montana.

The Proposed Action would harvest about 16.2 million board feet. Ninety-seven percent of this would be dead or high-risk trees. Three percent would be live trees. Conventional cable and ground-based logging systems would be utilized for harvest operations. This would occur from 33 harvest units totalling 1156 acres. Fuel reduction accomplished in conjunction with harvest includes grapple piling and prescribed burning. Reforestation is proposed on approximately 1383 acres of which 227 are burned plantations. Approximately 3.51 miles of new road would be constructed and 6.99 miles of existing road would be reconstructed. Road maintenance would occur on about 25.61 miles of existing road. Planting for wildlife forage would occur on 94 acres. Revegetation in riparian

areas would occur on 35 acres.

Placement of large woody debris would occur along 5.0 miles of stream channel. Existing roads would be rehabilitated through a variety of methods including the removal of approximately 25 in-stream culverts, recontouring of 3.44 miles of road, ripping and seeding of 22.65 miles of road and seeding of 3.12 miles of road.

Approximately 218 acres proposed for harvest lie within the Zulu #166 IRA. Approximately 1.41 miles of road construction would occur within the area.

The primary purposes of the Proposed Action are:

- (1) To revegetate the fire-affected areas as quickly as possible
- (2) To reduce the potential for future high intensity wildfires
- (3) To salvage fire and insect killed trees
- (4) To contribute to the supply of timber to local mills
- (5) To facilitate watershed recovery
- (6) To accelerate the recovery of some wildlife habitat.

The purpose of road construction and reconstruction is to facilitate access to the areas to be harvested and treated.

The decision to be made is, what action (if any) should be taken in the South Fork Yaak Physiographic Area to:

- (1) Recover the fire affected areas using Ecosystem Management principles
- (2) Provide goods and services to the local economy and U.S. citizens
- (3) Reduce the risk for high-intensity wildfire in the future
- (4) Develop and manage the road system to facilitate the removal of timber, post harvest treatments, reduce sedimentation, restore stream channel equilibrium, and maintain or improve wildlife habitat.

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. The areas of proposed activities would occur within Management Areas 12, 13, 14, 15, 17 and 19. Timber harvest would occur in all Management Areas. Road construction would occur in Management Areas 12, 13, 14, 15, and 17. Below is a brief description of the applicable management direction.

Management Area 12.—These are areas that contain productive timber

lands which are suitable for timber harvest, provided that big game summer habitat objectives are met.

Management Area 13.—These are areas that contain special habitat characteristics which are allocated as Old-Growth. Local road construction is permitted, providing that they are restricted following use to protect snag characteristics.

Management Area 14.—These are areas that contain productive timber lands which are suitable for timber harvest, provided that grizzly bear habitat objectives are met.

Management Area 15.—These are areas that contain productive timber lands which are suitable for timber harvest while providing for other resource values.

Management Area 17.—These are areas that contain productive timber lands which are suitable for timber harvest while achieving scenery management objectives in major travel routes.

Management Area 19.—These are areas that contain steep slopes requiring only activities which minimize surface disturbance and maintain a health vegetative cover.

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 desired conditions, 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 National Forest Lands will be considered. The EIS will disclose the analysis of site-specific mitigation measures and their effectiveness.

Public participation is an important part of the analysis. It will start with the initial scoping process (40 CFR 1501.7) which will begin with the publication of the notice. 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. Public meetings are scheduled for February 28th in Troy, Montana, and March 1st at the Upper Ford Work Center on the Kootenai National Forest. Comments from the public and other agencies will be used

in preparation of the Draft EIS. The scoping process will be used to:

1. Identify potential issues.
2. Identify major issues to be analyzed in depth.
3. Eliminate minor issues or those which have been covered by a previous environmental analysis, such as the Kootenai Forest Plan EIS.
4. Identify alternatives to the proposed action.
5. Identify potential environmental effects of the Proposed Action and alternatives (i.e. direct, indirect, and cumulative effects).
6. Determine potential cooperating agencies and task assignments.

The principle environmental issues identified to date are related to:

1. Vegetation for wildlife habitat and watershed recovery.
2. Security for Threatened, Endangered, and Sensitive species.
3. Reallocation of designated Old-Growth.
4. Protection of fish habitat and water quality.
5. Sustaining natural processes.
6. Entry into Roadless areas.

Other issues commonly associated with salvage harvesting and road construction include: heritage resources, soils, and scenery management. The list may be verified, expanded, or modified based on public scoping for this proposal.

Consultation with the U.S. Fish and Wildlife Service has been ongoing with regard to listed species. The Montana Department of Health and Welfare-Division of Environmental Quality, Montana Department of Fish and Game, and the Kootenai Salish Indian Tribe will also be consulted.

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, which is expected to be filed with the EPA and available for public review in June, 1995. A 45-day comment period will follow publication of a Notice of Availability of the draft EIS in the **Federal Register**. The comments received will be analyzed and considered in preparation of a final EIS, which will be accompanied by a Record of Decision. The final EIS is expected to be filed in September, 1995.

The Forest Service believes it is important at this early stage to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's 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, 513 (1978). Also, environmental objections that could be raised at the draft EIS stage but that 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 30 day comment period so that substantive comments and objections are 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 in identifying and considering issues and concerns 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.

I have the final authority for issuing a decision regarding this proposal. I have delegated the responsibility of preparing the EIS to Three Rivers District Ranger, Michael Balboni. My address is Kootenai National Forest, Supervisor's Office, 506 Hwy 2 West, Libby, MT 59923.

Dated: January 30, 1995.

Robert L. Schrenk

Forest Supervisor.

[FR Doc. 95-2953 Filed 2-6-95; 8:45 am]

BILLING CODE 3410-11-M

Fall Creek Postfire Project, Payette National Forest, Idaho

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare environmental impact statement.

SUMMARY: In the summer and fall of 1994, the Blackwell Fire covered 56,000 acres of Payette National Forest northeast of McCall, Idaho. The Forest Service intends to prepare an Environmental Impact Statement for the Fall Creek portion of the wildfire area to assess and disclose the environmental effects of a proposal. The purpose of the Proposed Action is to remove fire-killed and imminently dead timber, recover its economic value and meet socio-economic demands of local communities, reduce fuel loading, reforest the area, and retain and enhance wildlife habitat.