

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

Environmental Impact Statement, King George Timber Harvest on the Wrangell Ranger District, Stikine Area of the Tongass National Forest, Petersburg

AGENCY: Forest Service, USDA.

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

SUMMARY: The Stikine Area of the USDA Forest Service proposes to harvest timber on approximately 1300 acres in the King George project area on North Etolin Island using a variety of harvest methods that would leave various densities of trees within harvested areas. A variety of yarding systems would be used including helicopter, cable, skyline, and shovel systems. Approximately ten miles of road would be constructed in the Honeymoon and King George drainages. A log transfer site with a ramp for both large and small scale operators would be constructed north of Honeymoon Creek.

The purpose and need for this project is to make available for harvest approximately 15 to 25 million board feet (MMBF) of timber to (1) implement direction in the Tongass Land Management Plan, (2) contribute to providing a sustained volume of wood to meet local and national demand, and (3) provide local and regional employment opportunities. A comparison of the existing and desired condition suggests that approximately 900 to 1300 acres would be treated with a variety of silvicultural methods. Silvicultural methods will be designed to maintain stand structure and ecological functions over time while still producing timber. These methods will leave low, medium, and high densities of trees within the stands following harvest. Harvesting between 900 to 1300 acres of forest using these

methods could make available approximately 15 to 25 MMBF of timber. A variety of resources and values will be maintained through the application of ecosystem management principles in the design of the project.

A range of alternatives will respond to environmental issues such as scenery and recreation values, economics, subsistence hunting and gathering, freshwater and estuary systems, and habitat conservation. The no-action alternative will not harvest timber in the area. The action alternatives will harvest approximately 15 to 25 million board feet of timber and construct alternate road systems.

The decision to be made is (1) if, where, how, and how much timber harvest will occur in the King George area, (2) how much and where road construction will occur to facilitate harvest, and (3) what mitigation measures and monitoring will be implemented.

EFFECTIVE DATE: Public coping began in June 1993. The Draft Environmental Impact Statement should be available for public review by August, 1995. The Final Environmental Impact Statement is scheduled to be completed by November, 1995.

FOR FURTHER INFORMATION CONTACT: Questions, written comments and suggestions concerning the analysis should be sent to Margaret Y. Mitchell, Team Leader, P.O. Box 51, Wrangell, AK, 99929, phone (907) 874-2323, fax (907) 874-2095.

SUPPLEMENTARY INFORMATION: The following permits or approvals will be necessary to implement the proposed action;

1. U.S. Army Corp of Engineers approval to dredge of fill materials into coastal waters under Section 404 of the Clean Water Act.

2. Environmental Protection Agency National Pollution Discharge Elimination System Review under Section 402 of the Clean Water Act.

3. State of Alaska, Department of Natural Resources tideland permit and lease or easement.

4. State of Alaska, Department of Environmental Conservation Solid Waste Disposal Permit and Certificate of Compliance with Alaska Water Quality Standards under Section 401 of the Clean Water Act.

5. State of Alaska Coastal Zone Consistency.

6. State of Alaska, State Historic Preservation Officer compliance with Section 106 of the National Historic Preservation Act.

Public Comment

Federal, State, and local agencies; potential contractors; and other individuals or organizations who may be interested in, or affected by, the decision are invited to participate in the scoping process. This process will include:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Determination of potential cooperating agencies and assignment of responsibility.
4. Examination of various alternatives.

The Forest Supervisor will hold public meetings during the planning process. Meetings have not been scheduled at this time.

Interested publics are invited to comment. The comment period on the Draft EIS will be 45 days from the date the Environmental Protection Agency Notice of Availability appears in the **Federal Register**.

The Forest Service believes, at this 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 it is meaningful and alerts an agency to the reviewer's position and contentions (*Vermont Yankee Nuclear Power v. NRDC*, 435 U.S. 519, 533 [1978]). Also, environmental objections that could have been raised at the Draft EIS stage may be waived if not raised until after the 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 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 environment 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 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 Environment Policy Act in 40 CFR 1503.3 while addressing these points.

The responsible official for the decision is Abigail R. Kimbell, Forest Supervisor of the Stikine Area, Tongass National Forest, Alaska Region, Petersburg, Alaska.

Dated: July 12, 1995.

Abigail R. Kimbell,
Forest Supervisor.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 070695C]

Shrimp Fishery of the South Atlantic Region; Intent to Prepare a Supplemental Environmental Impact Statement

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare a supplemental environmental impact statement (SEIS); request for comments.

SUMMARY: NMFS announces the intent of the South Atlantic Fishery Management Council (Council) to prepare an SEIS for proposed Amendment 2 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP) to address the issue of bycatch in the shrimp trawl fishery. The SEIS will examine the environmental effects of shrimp trawling on the human environment, as well as other fisheries and protected species (endangered or threatened). The FMP was prepared by the Council and approved and implemented by NMFS under provisions of the Magnuson Fishery

Conservation and Management Act (Magnuson Act).

DATES: Written comments on the scope of the SEIS must be submitted by August 25, 1995.

ADDRESSES: Comments and requests for copies of the SEIS should be sent to Robert K. Mahood, Executive Director, South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699 (FAX: 803-769-4520).

FOR FURTHER INFORMATION CONTACT: Sharon Coste, Public Information Officer, 803-571-4366.

SUPPLEMENTARY INFORMATION: The Council held scoping meetings on bycatch in the shrimp fishery to determine the scope of significant issues to be addressed in the SEIS and associated Amendment 2. The scoping meetings were held in conjunction with the following Council meetings: February 7, 1995, in

St. Augustine, FL, April 11, 1995, in Savannah, GA, and June 20, 1995, in Palm Beach Gardens, FL. Additional scoping meetings were held on May 22, 1995, in Wilmington, NC, and May 23, 1995, in Charleston, SC. Minutes of the scoping meetings are available from the Council office.

The Council prepared the FMP in 1992 and NMFS approved and implemented it in 1993. At the time the Shrimp FMP was implemented, the Council was concerned about bycatch in the shrimp trawl fishery, and intended to begin developing management measures that would reduce bycatch through an FMP amendment.

The Council's goal of bycatch reduction was delayed by the 1990 amendments to the Magnuson Act, which prohibited the Gulf and South Atlantic Councils from implementing regulations for bycatch reduction in the southeast shrimp fisheries. These amendments also mandated that NMFS conduct a 3-year research program to assess the impact on fishery resources of incidental harvest by the shrimp trawl fishery within the authority of the South Atlantic and Gulf of Mexico Fishery Management Councils. The results of this research program have been summarized recently in a NMFS report to Congress entitled "A Report to Congress—Cooperative Research Program Addressing Finfish Bycatch in the Gulf of Mexico and South Atlantic Shrimp Fisheries—April 1995."

The Council is considering these research results as an important basis for any specific management action. Recent advances in gear development through cooperative efforts between Federal and state governments and the

shrimp industry have produced Bycatch Reduction Devices (BRDs) that successfully exclude fish from shrimp trawls with a minimum of shrimp loss. Both the Council and the South Atlantic States have requested that NMFS proceed as rapidly as possible to obtain the research information needed to identify and assess options for requiring the use of BRDs under the FMP and under coastal fishery management plans (CFMPs) developed by the Atlantic States Marine Fisheries Commission (Commission), pursuant to provisions of the Atlantic Coastal Fisheries Cooperative Management Act of 1993 (Atlantic Coastal Act).

The Council still is concerned about the impacts of shrimp bycatch on the Spanish and king mackerel resources. In addition, under the current amendment to the CFMP for Weakfish, prepared by the Commission under the Atlantic Coastal Act, all South Atlantic states must implement measures to reduce the bycatch of weakfish in the shrimp trawl fisheries by 50 percent for the 1996 fishing season. Bycatch reduction plans must be submitted to the Commission's Weakfish Technical Committee by October 1, 1995.

As a result of the scoping process, the Council has determined that the following principal issues need to be addressed in the SEIS for Amendment 2: Reducing the bycatch of non-target finfish and invertebrates in the shrimp trawl fishery, and coordinating the development of State and Federal measures for reducing bycatch to enhance enforceability.

The Council is considering the following management measures for this amendment: Developing specific bycatch reduction measures for all penaeid shrimp fisheries in the South Atlantic exclusive economic zone (EEZ), including possibly requiring the use of NMFS-approved BRDs in all penaeid shrimp trawls in the South Atlantic EEZ, and reducing the bycatch component of weakfish and Spanish mackerel fishing mortality by 50 percent. The Council may consider seasonal and areal restrictions to reduce bycatch. Also, regarding the bycatch issue, the SEIS would evaluate the effects of taking no management action. The Council is also considering adding brown and pink shrimp to the management unit.

The Council intends to approve draft Amendment 2 to the FMP and the draft SEIS for public hearings at its August 1995 meeting. These documents are expected to be released for public comment in early September. The draft SEIS would be filed with the Environmental Protection Agency for a