

two vectors were among the seven included in Calgene's initial petition to APHIS. FLAVR SAVR™ tomato lines constructed using these vectors were not included in our October 19, 1992, determination because they had not yet been field tested. These lines have since been field tested in accordance with APHIS' regulations in 7 CFR part 340, and data provided to APHIS indicate that the new transformants, produced in a manner identical to the earlier transformant lines, behave similarly to those earlier FLAVR SAVR™ tomato lines to which the original determination applied. Reports from field trials and other data indicate that the new tomato lines grow normally, exhibit the expected morphological, reproductive, and physiological properties, and do not have unexpected pest or disease susceptibility or symptoms. Therefore, the APHIS determination of October 19, 1992, of nonregulated status of previously tested FLAVR SAVR™ tomato lines applies as well to the new transformed lines.

Done in Washington, DC, this 18th day of July 1995.

**Terry L. Medley,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

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BILLING CODE 3410-34-P

## Forest Service

### Salmon River Corridor Management Project, Sawtooth National Recreation Area, Sawtooth National Forest, Custer County, Idaho

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare environmental impact statement.

**SUMMARY:** The Forest Service will prepare an environmental impact statement to disclose the effects of proposed management direction for use and facilities on the upper main Salmon River corridor, located in Custer County, Idaho.

The project area involves approximately thirty miles of the upper main Salmon River. The project area starts south of the community of Stanley, Idaho, at the Sawtooth Fish Hatchery and continues to the eastern boundary of the Sawtooth National Recreation Area (SNRA). The north and south boundaries of the project area generally parallel the river, approximately 1/4 mile from the water's edge. A few exceptions to this width occur in the canyon in areas of flatter topography, where the project area widens to the toe of the slope.

**DATES:** The agency expects to file the DEIS with the Environmental Protection Agency and make it available for public comment in October 1995. The agency expects to file the final EIS in December, 1995.

**FOR FURTHER INFORMATION CONTACT:**

For additional information contact Salli Rinella, project coordinator at the Sawtooth National Recreation Area, Star Route, Ketchum, ID 83340, (208) 727-5000.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Salmon River corridor, with its outstanding natural features is eligible as a "recreation river" within the National Wild and Scenic River System. Currently there is no capacity identified for recreation use. Although this narrow corridor contains less than two percent of the SNRA's total land base, it currently receives almost 15 percent of the entire recreation use for the area. It is expected that demand for recreation opportunity will continue to increase. There is a need to identify and manage for a recreation capacity that is compatible with the natural resources in the area.

There are currently eight developed campground facilities within the project area, with capacity of 131 camping units. Some of the developed facilities are outdated and in need of repair. Most of the existing campground spurs and turn-around areas were not designed for today's larger vehicles. Many sites and most of the existing toilets within the project area are not designed to provide a barrier-free opportunity as required by the Americans with Disabilities Act. Some of the developed sites lie within riparian areas. The use that is occurring within the areas and some of the facilities themselves are causing resource impacts.

Disperse camping is allowed anywhere on the SNRA except in developed campgrounds or in areas signed "No Camping Allowed". Many of the dispersed campsites are impacting riparian areas and streambank stability. Vehicular movement for dispersed camping also is causing loss of vegetation and possible soil compaction.

In the past, Idaho Fish and Game has fed wintering elk in emergency situations within the corridor. Elk wander onto the highway creating safety hazards to motorists. Additional safety problems occur as visitors traveling along the highway slow down or stop along the highway to view the wildlife. Large concentrations of elk have also caused vegetation loss and soil compaction at the emergency feed sites.

Past Biological Opinions from consultation with National Marine Fisheries Service (NMFS) indicates that river-oriented activities may effect the threatened Snake River spring/summer chinook salmon. Activities may also be limiting the habitats of threatened, endangered or sensitive fish, wildlife and plant species.

On August 22, 1972 Congress passed Public Law 92-400 establishing the SNRA. The intent of establishing the SNRA was to protect the areas primary values of natural beauty, fish and wildlife resources, pastoral and historical values, and recreation attributes.

There is a need to identify a river capacity level to ensure the area's primary values are protected and a need to update existing facilities to reduce impacts and accommodate today's user needs. There is also a need to address elk feeding in the corridor to reduce impacts and address safety.

**Proposed Action**

The Sawtooth National Forest proposes to develop FLRMP standards and guidelines identifying limits of acceptable change that will determine when carrying capacity for recreation activities on the upper main Salmon River have been met, and to prohibit surfing on this section of the river.

The Forest also proposes to issue six five-year special use outfitter-guide floatboating permits, one five-year year-round special use fishing permit, four five-year special use walk and wade fishing permits, and to allow the Idaho Department of Fish and Game to continue to feed wintering elk in emergency situations on National Forest System lands at two locations within this project area. The Forest proposes to rehabilitate existing facilities at Salmon River, Riverside, Upper O'Brien, Holman Creek, and Mormon Bend Campgrounds; Snyder Spring Picnic Area; Yankee Fork floatboat launch site; and Buckhorn Bridge Picnic Site. Areas of impact at developed recreation sites will also be revegetated or otherwise protected or improved. The Forest further proposes: to remove thirteen camp sites and portions of the road at Basin Creek Campground, four sites at Holman Creek Campground, and one unit at Mormon Creek Campground and to reclaim associated riparian and floodplain areas; to expand Sunny Gulch Campground to accommodate those developed sites lost at Basin Creek, Holman Creek Campgrounds; to manage undeveloped camping and river access by a combination of vehicle restrictions, permanent or temporary closures, and allowing undeveloped camping at areas

designated with signs and permanent fire grills; to provide improved river access facilities at Basin Creek and Four Aces; to improve/define/develop pullouts along Highway 75 to make them safer and provide educational and interpretation information at some of them; and to utilize seasonal closures at Lower Holman and Riverside Campgrounds, Buckhorn Bridge Picnic Site, and other areas along the river to reduce impacts to spawning salmon and/or their habitat.

#### Decision To Be Made

Based on the analysis in the EIS, two levels of decision must be made by the Forest Supervisor. The Forest Supervisor must decide what additional standards and guidelines, if any, must be incorporated into the Sawtooth National Forest Land and Resource Management Plan (FLRMP) to ensure recreation uses within the Salmon River Corridor are managed in such a fashion to allow for protection of the primary values of the SNRA, as established by PL92-400. This "programmatic" level of decision may result in an amendment to the FLRMP. The Forest Supervisor also must make "site specific" decisions as to the level of use that will be allowed to occur on the upper main Salmon River and what modifications if any are needed to both developed and dispersed recreation sites to ensure protection of the primary values of the SNRA, as established by PL 92-400.

#### Issues Identified to Date

Past scoping and public participation for some of these projects have helped identify preliminary issues for this project.

1. Recreation use may be causing impacts to sensitive, threatened, and endangered fish, wildlife and plants, and their associated habitat.
2. Recreation use may be causing the loss of vegetation and soil compaction.
3. Modifying current use and facilities may impact visitors recreation experience.
4. Modifying current use and facilities may impact the economy of local communities and businesses.
5. Use within the corridor may impact heritage resources.
6. Concentrations of elk during emergency winter feeding may be impacting resources and causing safety problems on Highway 75.
7. Condition of current facilities may be impacting visitors experiences.

#### Possible Alternatives

Alternative A—No Action. This alternative maintains the current location and management of developed

and dispersed recreation sites. No special use permits would be issued for walk and wade, fishing, and floatboating. No river carrying capacity would be developed. Surfing would continue to occur and winter emergency elk feeding by Idaho Department of Fish and Game would continue to be reviewed on an as needed basis.

Alternative B—In this alternative, undeveloped camping and river access would be managed by a combination of vehicle restrictions, permanent or temporary closures, and allowing undeveloped camping at areas designated with signs and permanent fire grills. Numbers of sites available for undeveloped camping would generally remain the same. Eighteen sites would be removed from developed campgrounds and would be "replaced" by 18 new sites at Sunny Gulch Campground. Camping and day-use facilities in need of upgrading would be replaced. Number of river floatboat access sites would be reduced, but facilities at remaining river access sites would be improved. Seasonal closures would be utilized at Lower O'Brien and Riverside Campgrounds. All of Lower O'Brien and the lower portion of Riverside would be closed from August 1 to June 15. Pullouts occurring along Highway 75 that provide parking space for day use (fishing, sightseeing, picnicking, etc.) would be managed as much as practicable by utilizing barriers and/or designated trails to the river. Signs would be utilized when necessary to educate and/or notify visitors of any restrictions, such as seasonal access closures to protect spawning salmon and redds, or other resource needs. The portion of the upper Salmon River from the Fish Hatchery to the SNRA boundary would be closed to surfing. The six special use outfitter guide floatboating permits, the one special use year-round fishing permit, and four special use walk and wade permits would be issued for five years. Mitigation measures similar to what is currently being used would be included to minimize impacts to spawning salmon and their redds. A river floatboat carrying capacity would be determined. This capacity would allow for use and the enjoyment of the river that is compatible with the resources. Two areas would be approved for use by Idaho Fish and Game for emergency winter elk feeding.

Alternative C—In this alternative, undeveloped camping and river access would be managed by a combination of vehicle restrictions, permanent or temporary closures, and allowing undeveloped camping at areas designated with signs and permanent

fire grills. Numbers of sites available for undeveloped camping would be reduced. Eighteen sites would be removed from developed campgrounds and would not be "replaced". Camping and day-use facilities in need of upgrading would be replaced. Number of river floatboat access sites would be reduced, but facilities at remaining river access sites would be improved. Seasonal closures would be utilized at Lower O'Brien and Riverside Campgrounds. All of Lower O'Brien and the lower portion of Riverside would be closed from August 1 to June 15. Pullouts occurring along Highway 75 that provide parking space for day use (fishing, sightseeing, picnicking, etc.) would be managed as much as practicable by utilizing barriers and/or designated trails to the river. Signs would be utilized when necessary to educate and/or notify visitors of any restrictions, such as seasonal access closures to protect spawning salmon and redds, or other resource needs. The portion of the upper Salmon River from the Fish Hatchery to the SNRA boundary would be closed to surfing. The six special use outfitter guide floatboating permits, the one special use year-round fishing permit, and four special use walk and wade permits would be issued for five years. Mitigation measures more restrictive than what are currently required would be included to minimize impacts to spawning salmon and their redds. A river floatboat carrying capacity would be determined. This capacity would generally be less than in Alternative B, but would allow for use and enjoyment of the river that is compatible with the resources. Two areas would be approved for use by Idaho Fish and Game for emergency winter elk feeding.

#### Scoping Process

This Notice of Intent formally initiates the scoping process for the draft environmental impact statement (DEIS). The Forest Service invites comments and suggestions on the scope of the analysis to be included in the DEIS. In addition, the Forest Service gives notice that it is beginning a full environmental analysis and decision-making process for this proposal so that interested or affected people may know how they can participate in the environmental analysis and contribute to the final decision. Public comments on the proposal are welcome and should be submitted in writing to Paul Ries, Area Ranger, Sawtooth National Recreation Area, Star Route, Ketchum, ID 83340. Comments will be most useful to the analysis team if they are received by August 31, 1995. The Forest Service

intends to hold public meetings on the proposal but the meetings have not been scheduled at this time.

There are no known permits or licenses required to implement the proposed actions. Several agencies and organizations will be invited to participate as cooperating agencies.

As previously stated, the Forest Service expects to publish the DEIS by mid-October 1995. The comment period on the DEIS will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of DEIS must structure their participation in the environmental review of the proposal so that it is meaningful and alters 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 DEIS 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 DEIS 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 DEIS 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.)

Please note that comments you make on the DEIS will be regarded as public information.

Thomas L. Tidwell, Acting Forest Supervisor, Sawtooth National Forest, is the responsible official.

Dated: July 24, 1995.

**Thomas L. Tidwell,**

*Acting Forest Supervisor.*

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BILLING CODE 3410-11-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Flower Garden Banks National Marine Sanctuary Symbol

**AGENCY:** Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** SRD is announcing the adoption of a symbol for the Flower Garden Banks National Marine Sanctuary, of the National Marine Sanctuary Program. Announcement in the **Federal Register** is required by the National Marine Sanctuaries Program Amendments Act of 1992 (Act). The symbol is one element of a pilot project under the Act to enhance funding for designation and management of national marine sanctuaries. In accordance with the Act, SRD is publishing, in the **Federal Register**, the symbol shown in the attachment to this document. This symbol shall be the official symbol for the Flower Garden Banks National Marine Sanctuary, one of the sites included in the National Marine Sanctuary Program. This notice also announces the opportunity for interested persons to become official sponsors of the Flower Garden Banks National Marine Sanctuary.

**DATES:** The Office of Ocean and Coastal Resource Management will begin using the new symbol immediately.

**ADDRESSES:** Information on becoming an official sponsor may be obtained from: Justin Kenney, National Oceanic and Atmospheric Administration, Sanctuaries and Reserves Division, 1305 East-West Highway, 12th floor, Silver Spring, MD 20910

or

Dr. Stephen Gittings, Manager, Flower Garden Banks National Marine Sanctuary, 1716 Briarcrest Drive, Suite 702, Bryan, Texas 77802.

**FOR FURTHER INFORMATION CONTACT:** Justin Kenney at (301) 713-3145 ext. 153, or Dr. Stephen Gittings at (409) 847-9296.

**SUPPLEMENTARY INFORMATION:** Under Title III of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, also known as the National Marine Sanctuaries Act, the United States Congress authorizes the designation of discrete areas of the marine environment as National Marine Sanctuaries to protect distinctive natural and cultural resources whose protection and beneficial use requires comprehensive planning and management. The National Marine Sanctuary Program was established pursuant to the National Marine Sanctuaries Act, and is administered by the Sanctuaries and Reserves Division of the National Oceanic and Atmospheric Administration.

The mission of the National Marine Sanctuary Program is to identify, designate and manage areas of marine environment of special national significance due to their conservation, recreational, ecological, historical, research, educational, or aesthetic qualities.

The Program currently has 14 designated sites: Olympic Coast, Cordell Bank, Gulf of the Farallones, Monterey Bay, Channel Islands, Hawaiian Islands Humpback Whale, Fagatele Bay, Florida Keys, Flower Garden Banks, Looe Key, Key Largo, Gray's Reef, the Monitor, and Stellwagen Bank National Marine Sanctuaries.

In 1992, with the passage of the National Marine Sanctuaries Program Amendments Act (Act), Title II of Pub. L. 102-587, Congress directed the National Marine Sanctuary Program to enhance funding for the designation and management of national marine sanctuaries through the creation, adoption and marketing of a symbol for the national program or for individual National Marine Sanctuaries. The National Marine Sanctuary Program symbol has been adopted and published in the **Federal Register** (Vol. 60, No. 59, March 28, 1995). This notice displays the symbol adopted for the Flower Garden Banks National Marine Sanctuary; this symbol was developed by Mr. Joel Hickerson from College Station, Texas.

The Act also directs the Sanctuary Program to solicit and designate official sponsors for the Program or the individual National Marine Sanctuaries. These sponsors shall be authorized to manufacture, reproduce, or use the symbol. The Sanctuary Program is authorized to sell rights to the symbols for such use and retain the funds to enhance and manage National Marine Sanctuaries. The symbol is the property of the United States and it is unlawful for any person, except a designated