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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

Beaverhead and Deerlodge Forest Plan Amendments; Beaverhead and Most of Deerlodge National Forests; Beaverhead, Madison, Gallatin, Silver Bow, Deerlodge, Powell, Granite and Jefferson Counties, 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 amend the Forest Plans of the Beaverhead and Deerlodge National Forests to include further riparian area direction. The purpose is to determine what combination of goals, objectives and standards will restore and/or maintain riparian function.

DATES: Initial comments concerning the scope of the analysis should be received in writing no later than November 15, 1995.

ADDRESSES: Send written comments to Deborah L.R. Austin, Forest Supervisor, Beaverhead National Forest, 420 Barrett Street, Dillon, MT, 59725.

FOR FURTHER INFORMATION CONTACT: Diane Petroni, Environmental Analysis Team Leader, Madison Ranger District, 5 Forest Service Road, Ennis, MT, 59729, or phone: (406)682-4253.

SUPPLEMENTARY INFORMATION: The Forest Service proposes to amend the Beaverhead and Deerlodge Forest Plans to include a goal statement calling for restoration and maintenance of riparian function of all streams on the forest. Also included would be objectives stated as parameters within which riparian attributes would need to fall for the stream to be considered functioning. The only numerical standard would be a riparian forage utilization table applied to areas without site-specific riparian direction. This would result in

non-significant amendments to the plans.

Lands affected are riparian areas within the entire Beaverhead National Forest, and all of the Deerlodge except the Elkhorn Wildlife Management Unit. The analysis will include Bureau of Land Management (BLM) lands located within grazing allotments administered jointly by the Forest Service and BLM. The affected lands are roughly within 75 air miles of Dillon, Montana, or within 65 air miles of Butte, Montana. Riparian areas comprise about 5% of the total forest acreage.

A lawsuit against the Beaverhead National Forest grazing program resulted in a court approved settlement agreement stipulating that the Forest would propose an amendment to the Forest Plan to incorporate revised riparian guidelines.

Since the Beaverhead Forest Plan was adopted in 1986, monitoring has shown "(t)he one quantifiable forest plan standard (Range #7) is not adequately protecting riparian dependent values" (1993 Beaverhead National Forest Land and Resource Management Plan Five Year Review).

The Beaverhead Forest Supervisor recommended to "Amend the Forest Plan to include specific riparian goals and objectives (including Desired Future Condition statements describing a fully functioning riparian ecosystem). In the Forest Plan, detail the analysis process (through a procedural guideline and an appendix document) to be used in the determination of site specific riparian management in the development of Allotment Management Plans."

The Deerlodge Forest Plan was adopted in 1987. Since then, monitoring has been conducted to determine and evaluate the effects of management practices. Based on initial findings, riparian standard #8, which states grazing utilization standards in riparian areas, does not appear to meet the physical and biological needs of all riparian areas within grazing allotments.

Potential issues identified are the effects of the amendment on sensitive and other fish species, water quality, economics, wildlife habitat, recreation opportunity, lifestyle, and grazing capacity.

Public participation will be important to the analysis. Part of the goal of public involvement is to identify additional

issues and to refine the general, tentative issues identified above. People may visit with Forest Service officials at any time during the analysis and prior to the decision. Two periods are specifically designated for comments on the analysis: (1) During the scoping process and (2) during the draft EIS comment period.

During the scoping process, the Forest Service is seeking information and comments from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. The United States Fish and Wildlife Service will be consulted concerning effects to threatened and endangered species. A scoping document will be prepared and mailed to parties known to be interested in the proposed action by September 29, 1995. The agency invites written comments and suggestions on this action, particularly in terms of identification of issues and alternative development.

In addition to the proposed action, a range of alternatives will be developed in response to issues identified during scoping. One of these will be the "no-action" alternative, in which no changes would be made to the forest plans. The Forest Service will analyze and document the direct, indirect, and cumulative effects of all alternatives.

The Forest Service will continue to involve the public and will inform interested and affected parties as to how they may participate and contribute to the final decision. Another formal opportunity for response will be provided following completion of a DEIS.

The draft EIS should be available for review in November, 1996. The final EIS is scheduled for completion in August, 1997.

The comment period on the draft EIS 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 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 Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but 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 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 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.

The Forest Supervisors of the Beaverhead and Deerlodge National Forests are the responsible officials who will make the decision. They will decide on this proposal after considering comments and responses, environmental consequences discussed in the Final EIS, and applicable laws, regulations, and policies. The decision and reasons for the decision will be documented in a Record of Decision.

Dated: September 18, 1995.

Deborah L.R. Austin,

Forest Supervisor, Beaverhead National Forest and Acting Forest Supervisor, Deerlodge National Forest.

[FR Doc. 95-23655 Filed 9-22-95; 8:45 am]

BILLING CODE 3410-11-M

Environmental Impact Statement for the Illinois Creek Timber Sale, Grand Mesa, Uncompahgre and Gunnison National Forests, Gunnison County, CO

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to supplement a final environmental impact statement.

SUMMARY: The Forest Service will prepare a supplement to the final environmental impact statement for the Illinois Creek Timber Sale located on the Gunnison National Forest, Cebolla/Taylor River Ranger District.

DATES: Comments concerning the scope and issues of the analysis should be received by October 6, 1995; Publication of Supplement to Final EIS: November, 1995.

ADDRESSES: Send written comments to James Dawson, District Ranger, Cebolla/Taylor River Ranger District, 216 North Colorado, Gunnison, CO 81230.

FOR FURTHER INFORMATION CONTACT: Arthur Haines, Forester, Cebolla/Taylor River Ranger District, 216 North Colorado, Gunnison, CO 81230, (303) 641-0471.

SUPPLEMENTARY INFORMATION: The Forest Service is proposing to prepare a supplement to the Final environmental impact statement for the Illinois Creek Timber Sale. The biological assessment and evaluation will be revised to meet current standards and issues raised during appeal of the Final environmental impact statement will be reviewed. A new decision will be made on whether to proceed with the project.

The original Notice of Intent for this project was published in the Federal Register Vol. 57, No. 76, Monday April 20, 1992, Pages 14383-14384. A Record of Decision and Final environmental impact statement were approved June 9, 1995. This decision was appealed and the decision voluntarily withdrawn on September 8, 1995. The deficiencies identified in the appeal will be corrected in the Supplement to the Final Environmental Impact Statement.

The comment period on the final environmental impact statement will be 45 days from the date the Environmental Protection Agency's notice of availability appears in the Federal Register.

The Forest Service believes, at this early state, 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 have been raised at the draft stage may be waived if not raised until after

completion of the final environmental impact statement. *City of Angoon v. Hodel*, (9th Circuit, 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 comment period (October 6, 1995) 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 supplement to the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the final environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the final 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.

The responsible official for this supplement to the final environmental impact statement is Robert L. Storch, Forest Supervisor, Grand Mesa, Uncompahgre and Gunnison National Forests, 2250 Highway 50, Delta, Colorado 81416.

Dated: September 15, 1995.

Robert L. Storch,

Forest Supervisor.

[FR Doc. 95-23730 Filed 9-22-95; 8:45 am]

BILLING CODE 3410-11-M

Deschutes Provincial Interagency Executive Committee (PIEC), Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Deschutes PIEC Advisory Committee will meet on October 12 & 13 1995 at the BLM office in Prineville, Oregon. October 12 will be a field trip to view selected riparian areas on BLM and Forest Service land. October 13 will be a regular business meeting. Start time is 9:00 a.m. both days. Agenda items include: (1) Properly functioning conditions in riparian areas of the Province; (2) New range responsibilities for the Advisory Committee; (3) An update on the salvage program on Province forests; and (4) Open public forum. All Deschutes Province Advisory