

FOR FURTHER INFORMATION CONTACT:

Direct questions about the proposed action and environmental impact statement to Vernon McLean, Forest Geologist, Inyo National Forest, 873 N. Main Street, Bishop, California 93514, phone 619-873-2424.

SUPPLEMENTARY INFORMATION: U.S.

Tungsten Corporation has submitted a plan of operations, as directed by 36 CFR 228, to construct an evaporation pond on a Federal mill site. The evaporation pond will facilitate meeting water quality requirements while increasing production from the U.S. Tungsten facility.

In preparing the environmental impact statement, the Forest Service will identify and consider a range of alternatives for this site. One of these will be no construction of the pond.

Dennis W. Martin, Forest Supervisor, Inyo National Forest, Bishop, California, is the responsible official.

The Forest Service is 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. This input will be used in preparation of the draft environmental impact statement (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); (6) Determining potential cooperating agencies and task assignments.

The draft environmental impact statement (DEIS) is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by October 31, 1995. At that time EPA will publish a notice of availability of the DEIS in the Federal Register.

The comment period on the draft 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 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 reviewers 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.

After the comment period ends on the DEIS, the comments will be analyzed and considered by the Forest Service in preparing the final environmental impact statement (FEIS). The FEIS is scheduled to be completed by September 1996. 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, disclosure 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 the Record of Decision. That decision will be subject to appeal under 36 CFR 215.

Dated: October 6, 1995.

Dennis W. Martin,
Forest Supervisor.

[FR Doc. 95-25484 Filed 10-13-95; 8:45 am]

BILLING CODE 3410-11-M

Seed Orchard Pest Management Program in the Oconto River Seed Orchard, Nicolet National Forest, Oconto County, WI

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service, will prepare a draft and final environmental impact statement (EIS) on a proposed action to develop an integrated pest management program at the Oconto River Seed Orchard near White Lake, Wisconsin. The Forest Service invites written comments on the scope of the analysis. In addition, the Forest Service gives notice of the environmental analysis and decisionmaking process that will occur on the proposed action so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATE: Comments concerning the scope of the analysis should be received in writing, on or before November 15, 1995, to ensure timely consideration.

ADDRESS: Send written comments to: Seed Orchard EIS Project, Oconto River Seed Orchard, 18100 Saul's Spring Road, White Lake, WI 54491.

FOR FURTHER INFORMATION CONTACT: Bill Sery, Oconto River Seed Orchard Manager, (715) 276-7400.

SUPPLEMENTARY INFORMATION: The Oconto River Seed Orchard is managed for the production of Jack pine, white pine, red pine, white spruce, black spruce, and tamarack seed. The seed is used to produce seedlings for the National Forests in the Lake States region. The primary objective of the orchard is to produce seed of high quality and sufficient quantity to meet Forest Service needs. A portion of the seed orchard is under management of a special use permit for the production of agricultural crops and seed. Use of current pest management technology and products is necessary in order to achieve these goals.

The Forest Service will conduct an environmental analysis to determine what type of integrated pest management program will be used at the Oconto River Seed Orchard near White Lake, Wisconsin, to produce seed for the National Forests in Wisconsin, Michigan, and Minnesota, and to protect agricultural investments. The pest management practices that will be analyzed include, but are not limited to, control of unwanted vegetation by mechanical and chemical methods; control of diseases using sanitation and biological control organisms; control of

insect pests with biological and chemical insecticides, and use of sanitation; and control of animal pests through mechanical and preventative measures.

In preparing the environmental impact statement, the Forest Service will identify and consider a range of alternative pest management programs. One alternative will be no action. Another alternative will be a pest management program without the use of chemical pesticides. Other alternatives will be pest management programs comprised of various combinations of control methods.

Public participation will be especially important at several points during the analysis. The first point is during the scoping process (40 CFR 1501.7), which includes:

1. Defining the scope of the analysis and nature of the decision to be made.
2. Identifying the issues and determining the significant issues for consideration and analysis within the environmental impact statement.
3. Defining the proper make-up of the interdisciplinary team.
4. Exploring possible alternatives.
5. Identifying potential environmental effects.
6. Determining potential cooperating agencies.
7. Identifying groups or individuals interested or affected by the decision.

The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations interested in or affected by the proposed action.

Public participation will be solicited by notifying in person and/or by mail known interested and affected publics and key contacts of the scope of the analysis. In addition, news releases will be used to give the public general notice. One public meeting was already held at the Oconto River Seed Orchard on September 21 and others can be held as needed. Input from interested people and organizations will be used in preparation of the draft environmental impact statement.

The preliminary issues identified are: (1) The effect of seed orchard pesticides on human health and the environment; (2) the impact of pest management activities on threatened and endangered species and non-target organisms; (3) the effect of pest management activities on the surrounding community's lifestyle; and (4) the effectiveness of pest control methods.

The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public

review by August of 1996. At that time, EPA will publish a notice of availability of the draft environmental impact statement in the Federal Register.

The comment period on the draft environmental impact statement will be 45 days from the date the EPA's notice of availability appears 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 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 so that substantive comments and objections are made available to the Forest Service at the 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 of Environmental Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Following the comment period on the draft environmental impact statement, comments will be analyzed, considered, and responded to by the Forest Service in preparing the final environmental impact statement. The final environmental impact statement is scheduled to be completed by February of 1997.

The responsible official will consider the comments and responses; environmental consequences discussed in the environmental impact statement; and applicable laws, regulations, and policies in making a decision regarding this proposal. The decision and reasons for the decision will be documented in the Record of Decision. That decision will be subject to appeal in accordance with 36 CFR part 217.

Jack G. Troyer, Forest Supervisor, Nicolet National Forest, in Wisconsin, is the responsible official.

Dated: October 2, 1995.

Jack G. Troyer,
Forest Supervisor.

[FR Doc. 95-25497 Filed 10-13-95; 8:45 am]

BILLING CODE 3410-11-M

Sequoia National Forest

AGENCY: Forest Service, USDA.

ACTION: Notice of intent.

SUMMARY: The Forest Service will prepare an Environmental Impact Statement (EIS) on a proposed Amendment to the Land and Resource Management Plan (LRMP) to clarify the standards and guidelines under which commercial livestock grazing may be managed on the Sequoia National Forest, Tulare County, California.

ADDRESSES: Submit written comments and suggestions to the responsible official Del A. Pengilly, Acting Forest Supervisor, Sequoia National Forest, 900 W. Grand Avenue, Porterville, California 93257-2035.

FOR FURTHER INFORMATION CONTACT: Direct questions about the proposed Amendment to Julie Allen, Land Management Planning Officer, Sequoia National Forest, 900 W. Grand Avenue, Porterville, California 93257-2035, telephone (209) 784-1500.

SUPPLEMENTARY INFORMATION: The Sequoia National Forest proposes to amend the standards and guidelines in its LRMP in regards to commercial livestock grazing and to evaluate this proposal in an EIS. A range of alternatives for this proposed amendment will be considered and documented in the EIS. One of these will be a no action/no change alternative, essentially leaving the current Land and Resource Management Plan in place. Other alternatives will propose to adopt standards and guidelines regarding commercial livestock grazing including the grazing related portions of the 1990 Mediated Settlement Agreement as is or with modifications.