

# 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

#### Swan Lake–Lake Tyee Intertie Transmission Line, Tongass National Forest, Ketchikan Area and Stikine Area, AK

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** Ketchikan Public Utilities proposes to build and operate a 138 kV electric transmission line in Southeast Alaska between the switchyard of the Swan Lake Hydroelectric Station on Revillagigedo Island and the switchyard at the Lake Tyee Hydroelectric Station on the Alaska mainland. The proposed new line would be a single-circuit 138 kV line having three conductors and no shield wire. The proposed action would intertie the electrical systems of Ketchikan Public Utilities, Petersburg Municipal Power and Light, and Wrangell Municipal Light and Power. The Notice of Intent published in the Federal Register on Friday, January 6, 1995, (Vol. 60, No. 4, pages 2074–2076) identified Acting District Ranger Linn Shipley, Ketchikan Ranger District, Ketchikan Area of the Tongass National Forest as the responsible official. It also identified the proposed line as a 115 kV line.

This revised Notice of Intent identifies two responsible officials: the Ketchikan District Ranger, Ketchikan Area, Tongass National Forest, and the Wrangell District Ranger, Stikine Area, Tongass National Forest. These responsible officials have been delegated decision-making authority for those segments of the proposed transmission line that would traverse their respective Districts. The responsible officials will coordinate their efforts though the Ketchikan District Ranger will serve as primary

liaison with Ketchikan Public Utilities. This revised Notice of Intent also corrects the line voltage to 138 kV for the proposed transmission line.

**ADDRESSES:** Send written comments and suggestions concerning the scope of this project to Jimmy DeHerrera, District Ranger, Tongass National Forest, Ketchikan Ranger District, 3031 Tongass Avenue, Ketchikan, AK 99901.

**FOR FURTHER INFORMATION:**

Questions about the proposal and the EIS should be directed to Bill Angelus, EIS Liaison, Tongass National Forest, Ketchikan Ranger District, 3031 Tongass Avenue, Ketchikan, AK 99901, phone: (907) 225–2148.

**SUPPLEMENTARY INFORMATION:** The Draft Environmental Impact Statement is expected to be issued in February 1996. The comment period on the draft environmental impact statement will be a minimum of 45 days from the date the Environmental Protection Agency publishes the notice of availability in the Federal Register. Subsistence hearings, as required by Section 810 of the Alaska National Interest Lands Conservation Act, are planned during this 45-day comment period.

The Forest Services 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 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 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 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 of 40 CFR 1503.3 in addressing these points.

Issuance of the Final Environmental Impact Statement is projected in November 1996. The proposed transmission line would cross two Districts on two Administrative Areas of the Tongass National Forest. The Forest Supervisors for the Ketchikan Area and the Stikine Area have delegated decision authority to the District Rangers for the portions of the proposed transmission line that would cross their respective Ranger Districts. The responsible official for the decision regarding the segment that would cross the Ketchikan Area is the Ketchikan District Ranger, Tongass National Forest, Ketchikan Ranger District, 3031 Tongass Avenue, Ketchikan, AK 99901. The responsible official for the decision regarding the segment that would cross the Stikine Area is the Wrangell District Ranger, Tongass National Forest, Wrangell Ranger District, P.O. Box 51, Wrangell, AK 99929.

Dated: December 17, 1995.  
Bradley E. Powell,  
Ketchikan Area Forest Supervisor.

Dated: January 9, 1996.  
Abigail R. Kimbell,  
Stikine Area Forest Supervisor.  
[FR Doc. 96–2377 Filed 2–5–96; 8:45 am]

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