

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

Foreign Agricultural Service

Assessment of Fees for Dairy Import Licenses

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice of the fee for dairy import licenses for the 1997 quota year.

SUMMARY: This notice announces that the fee to be charged for the 1997 quota year for each license issued to a person or firm by the Department of Agriculture authorizing the importation of certain dairy articles which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule of the United States (HTS) will be \$103.00 per license.

EFFECTIVE DATE: January 1, 1997.

FOR FURTHER INFORMATION CONTACT:

Richard P. Warsack, Dairy Import Quota Manager, Import Policies and Programs Division, STOP 1021, U.S. Department of Agriculture, 1400 Independence Avenue, S.W., Washington, D.C. 20250-1021 or telephone at (202) 720-9439.

SUPPLEMENTARY INFORMATION:

Regulations promulgated by the Department of Agriculture and codified at 7 CFR 6.20-6.34 provide for the issuance of licenses to importers of certain dairy articles which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule of the United States (HTS). Those dairy articles may only be entered into the United States by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of such licenses and the regulations.

The licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country. The use of licenses by the license holder to import dairy articles is monitored by the Dairy

Import Quota Manager, Import Licensing Group, Import Policies and Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture (the "Licensing Authority") and the U.S. Customs Service.

Regulations at 7 CFR 6.33(a) provide that a fee will be charged for each license issued to a person or firm by the Licensing Authority in order to reimburse the Department of Agriculture for the costs of administering the licensing system under this regulation. The fee is to be based upon the total cost to the Department of Agriculture of administering the licensing system during the calendar year preceding the year for which the fee is to be charged, divided by the average number of licenses issued per year for the three years preceding the year for which the fee is to be assessed.

Regulations at 7 CFR 6.33(b) provide that the Licensing Authority will announce the annual fee for each license and that such fee will be set out in a notice to be published in the Federal Register. Accordingly, this notice sets out the fee for the licenses to be issued for the 1997 calendar year.

Notice

The total cost to the Department of Agriculture of administering the licensing system during 1996 has been determined to be \$382,225. Of this amount, \$236,201 represents the cost of the staff and supervisory hours devoted directly to administering the licensing system during 1996 (total personnel costs for the Import Licensing Group of the Foreign Agricultural Service equaled \$141,701; a proportionate share of the supervisory costs devoted directly to administering the licensing system equaled \$94,500); \$53,320 represents the total computer costs to monitor and issue import licenses during 1996; and \$92,704 represents other miscellaneous costs, including travel, postage, publications, forms, and an ADP system contractor.

The average number of licenses issued per year for the three years immediately preceding 1997 has been determined to be 3,710. Accordingly, notice is hereby given that the fee for each license issued to a person or firm for the 1997 calendar year, in accordance with 7 CFR 6.33, will be \$103.00 per license.

Issued at Washington, D.C. the 19th day of July, 1996.

Richard P. Warsack,

Licensing Authority.

[FR Doc. 96-18877 Filed 7-24-96; 8:45 am]

BILLING CODE 3410-10-M

Forest Service

Lost Trail Powder Mountain Ski Area Expansion; Bitterroot National Forest, Ravalli County, Montana

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The USDA Forest Service will prepare an environmental impact statement (EIS) to disclose the environmental effects of expansion of Lost Trail Powder Mountain ski area, including construction of a new ski lodge, a new warming hut facility, two new chair lifts, one surface tow, and several ski runs in the vicinity of Lost Trail Pass. A site specific amendment to the Bitterroot Forest Plan (1987) to change the management area designation for the expansion area is also proposed. The area is located adjacent to the existing ski area facilities near the southern edge of the Bitterroot National Forest, Sula Ranger District, Ravalli County, Montana.

The proposal's actions to construct two short sections of road, a new ski lodge, a new warming hut facility, two chair lifts, a surface tow, and clear ski runs are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). The purposes of the project are to enhance skiing opportunities on the Bitterroot National Forest, provide an affordable family skiing area for the foreseeable future, and contribute to the diversification of the local economies. This project level EIS will tier to the Bitterroot National Forest Land and Resource Management Plan (Forest Plan) and Final EIS (September 1987), which provides overall guidance of land management activities on the Bitterroot National Forest, including recreation management.

DATES: Written comments and suggestions should be received on or before September 9, 1996.

ADDRESSES: Submit written comments and suggestions on the proposed management activities or request to be placed on the project mailing list to Dave Campbell, District Ranger, Sula Ranger District, Bitterroot National Forest 7338 Hwy. 93 South, Sula, MT 59871.

FOR FURTHER INFORMATION CONTACT: Gina Owens, EIS Team Leader, Sula Ranger District, Bitterroot National Forest, Phone (406) 821-3201.

SUPPLEMENTARY INFORMATION: Skiing at Lost Trail Pass has been ongoing since 1935 with uphill transportation in the early years provided by a rope tow and walking. Improvements since that time have led to the current level of development which includes two chair lifts, two rope tows, 28 ski runs, a ski lodge, and several outbuildings for storage, power generation, and the ski patrol. The area has a large parking lot and the double lane entrance road is scheduled to be paved in 1997.

The project area is north of the existing ski area and consists of approximately 600 acres of National Forest land located in Section 4, T.2N., R.19W. and Sections 32 and 33T.1N, R.19W. This area is primarily located in an area burned by wildfire in 1960 and is commonly referred to as the "Saddle Mountain Burn." The majority of the area is covered with 30 year old lodgepole pine with some areas having very little vegetative recovery. No activities are proposed within the Allen Mountain Roadless Area, however the proposed activities would occur on lands adjacent to this Roadless area. Expansion of ski area facilities would require construction of approximately 0.25 mile of road, reconstruction of approximately 0.5 mile of road, and clearing of approximately 230 acres of forested land. A new ski lodge would be constructed near the existing parking area and a warming hut facility would be located at the base of the two new chair lifts. One of the ski lifts would be developed near Camp Creek and one ski lift would be located within the Saddle Mountain burn. Ski runs would be cleared adjacent to both lifts, with most runs located within the Saddle Mountain burn.

This proposal has been developed by Lost Trail Pass, Inc. to respond to the population growth occurring in western Montana. Ravalli County (Bitterroot Valley) leads the state of Montana in population growth, and the population is expected to continue to grow for the foreseeable future.

The decision to be made is whether the Forest Service should allow the proponent to expand the existing ski

area as described above, add approximately 600 acres to the ski area's permit area, and amend the Bitterroot Forest Plan by reallocating the proposed expansion area from Management Area 3A (visual quality emphasis) and Management Area 5 (semi-primitive recreation emphasis) to Management Area 10 (developed recreation sites).

The Bitterroot Forest Plan provides guidance for management activities within the potentially affected area through its goals, objectives, standards and guidelines, and management area direction. The areas of proposed ski area expansion activities would occur within Management Areas 3A, 3B, and 5. Road construction would occur in management area 3A and 3B when crossing streams.

Approximately 470 acres of Management Area 3a and 460 acres of Management Area 5 are proposed for redesignation as Management Area 10. This redesignation would be accomplished by a site specific amendment to the Bitterroot Forest Plan.

Here are brief descriptions of the applicable management area direction.

Management Area 3A: These areas are comprised of visually sensitive foreground and middle ground viewing areas along U.S. Highway 93 and other major road corridors. Lands within this management area may be managed for a variety of activities so long as the partial retention visual quality objective is maintained. The goal for lands within this management area is to maintain the partial retention visual quality objective while managing timber. Emphasis is placed on roaded dispersed recreation activities, old growth, and big-game cover.

Management Area 3B: These areas are comprised of riparian habitat and includes 100 feet on either side of small streams or the area defined by water influenced vegetation, whichever is greater. The goal of this management area is to manage riparian areas to maintain flora, fauna, water quality and water-related recreation activities. Emphasis is on water and soil protection, dispersed recreation use, visual quality, and old growth.

Management Area 5: This area is comprised of semi-primitive recreation and elk security areas. The semi-primitive recreation areas include the inventoried roadless acres and some adjacent roaded lands. Goals for this management area are to emphasize motorized and non-motorized semi-primitive recreation activities and elk security. Management of the Saddle Mountain road corridor is to provide for recreation access.

Management Area 10: This area is comprised of developed recreation sites (including the ski area) on the Forest. The goal of this management area is to provide developed recreation facilities which are not provided by the private sector. A standard for this management area is to "provide for the expansion of the Lost Trail Ski Area."

The Forest will consider a range of alternatives. One of these will be the no action alternative, in which none of the activities would be implemented. Additional alternatives will examine varying levels and locations for the proposed activities to achieve the proposal's purposes, as well as to respond to the issues and other resource values.

The EIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on National Forest lands will be considered. The EIS will disclose the analysis of site-specific mitigation measures and their effectiveness.

Public participation is an important part of the analysis, commencing with the initial scoping process (40 CFR 1501.7), which will occur July 1996 through August 1996. In addition, the public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be 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.

Comments from the public and other agencies will be used in preparation of the Draft EIS. The scoping process will be used to:

1. Identify potential issues.
2. Identify major issues to be analyzed in depth.
3. Eliminate minor issues or those which have been covered by relevant previous environmental analysis, such as the Bitterroot Forest Plan EIS
4. Identify alternatives to the proposed action.
5. Identify potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects).
6. Determine potential cooperating agencies and task assignments.

Some public comments have already been received in conjunction with the Camp-Reimel Integrated Resource Analysis and a proponent sponsored survey conducted during the winter of 1995-1996. The following preliminary issues have been identified.

1. How will the proposal affect visual quality along the U.S. Hwy. 93 corridor?

2. How will the proposed action affect the Allen Mountain Roadless Area and lands adjacent to the roadless area?

3. How will the proposed action affect wildlife?

4. How will the proposed action affect water quality and quantity within the Camp Creek drainage?

5. Will the proposed expansion impact the Lost Trail Pass fen (bog)?

6. Will the proposal affect the nature and character of the recreation opportunity currently provided at Lost Trail Pass?

7. What are the cumulative impacts of all activities proposed at Lost Trail Pass including a State operated rest area and a snowmobile parking area?

Other issues commonly associated with ski area development are effects on cultural resources, sensitive species, soils, and the local communities. This list may be verified, expanded, or modified based on public scoping for this proposal.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in April 1997. At that time, the EPA will publish a notice of availability of the Draft EIS in the Federal Register. The comment period on the Draft EIS will be 45 days from the date the EPA's notice of availability appears in the Federal Register. It is very important that those interested in expansion of the Lost Trail Pass Ski Area participate at that time. To be most helpful, comments on the Draft EIS should be as site-specific as possible. The Final EIS is scheduled to be completed in November 1997.

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 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 scoping 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 developing issues and alternatives.

To assist the Forest Service in identifying and considering issues on the proposed action, comments should be as specific as possible. Reviewers may wish to refer to the Counsel on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

I am the responsible official for this environmental impact statement. My address is Bitterroot National Forest, 1801 N First, Hamilton, Montana 59840.

Dated: July 18, 1996.

Stephen K. Kelly,
Forest Supervisor.

[FR Doc. 96-18916 Filed 7-24-96; 8:45 am]

BILLING CODE 3410-11-M

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