

3. As a result of past management activities, including fire suppression, there has been a shift in fire regime, forest structure, species composition and patch size across the landscape. Of particular concern is the extent of mature lodgepole pine stands at risk to mountain pine beetle mortality. Some level of vegetative treatment could stabilize stands, reduce risks to insect and disease mortality, and maintain vigor. Reintroduction of fire to simulate natural processes and patterns is desirable to improve wildlife habitat.

4. Recreational values and demand are high and need to be considered. At present the Clearwater area abounds with recreation opportunities such as driving the Clearwater Loop Road, hunting, fishing, snowmobiling, cross-country skiing, berry-picking and hiking. Unique and outstanding opportunities include scenic drives and canoeing on pristine Clearwater Lake. Management actions should not detract from the existing opportunities.

5. The area east of Clearwater Loop Road is in RARE II area 01485. The boundary of the RARE II area 01485 coincides with portions of Road 4370. Portions were precommercially thinned and roaded about 30 years ago. The roads are currently over-grown with brush and undrivable. Past wilderness proposals included areas above 5800 feet but did not include this area. Any treatments proposed within the RARE II area will be analyzed to determine impacts on roadless character and will be consistent with agency regulations and policies.

In addition to these key issues, secondary issues include: treatment of noxious weeds to curtail spread, the effects of treatments on old growth stands and the species that use them, effects of treatments on management indicator species or sensitive plant and wildlife species, biodiversity, fragmentation and corridors, cultural resources and precommercial thinning of young stands.

The Forest Service will consider a range of alternatives. Other alternatives will examine varying levels and locations for activities in response to issues and other resource values. In addition to the proposed action, one of these will be the "no action" alternative—in which none of the proposed activities would be implemented. Another alternative, in addition to the treatments in the proposed action, will address the impacts of commercial thinning from existing open roads. This concept is further broadened in an alternative that adds areas that can only be accessed

from existing road and must be logged during the winter using snow roads.

Public participation is an important part of the analysis, commencing with the initial scoping process (40 CFR 1501.7) which will occur during July, 1998. In addition to this initial scoping, the public may visit 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. Consultation with the USDI Fish, Wildlife Service on grizzly bear and bulltrout will occur. No public meetings are scheduled at this time.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in January, 1999. 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 management of the Clearwater project area participate at that time. The Final EIS is scheduled to be completed by April, 1999.

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 statements 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 Agoon 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 30-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, comments should be as specific to this proposal as

possible. 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.

Dated: June 23, 1998.

Charles C. Wildes,

Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Proposed Posting of Stockyards

The Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act (7 U.S.C. 202) and should be made subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*).

MS-171—Varner Horse Company, Edwards, Mississippi

NM-123—Southwest Livestock Auction, Los Lunas, New Mexico

Pursuant to the authority under section 302 of the Packers and Stockyards Act, notice is hereby given that it is proposed to designate the stockyards named above as posted stockyards subject to the provisions of said Act.

Any person who wishes to submit written data, views or arguments concerning the proposed designation may do so by filing them with the Director, Office of Policy/Litigation Support, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration, U.S. Department of Agriculture, 1400 Independence Avenue, SW, Stop 3646, Room 3418-S, Washington, D.C. 20250, by July 17, 1998.

All written submissions made pursuant to this notice will be made available for public inspection in the office of the Director of the Office of Policy/Litigation Support during normal business hours.

Done at Washington, DC, this 23rd day of June 1998.

Daniel L. Van Ackeren,

Director, Office of Policy/Litigation Support, Packers and Stockyards Programs.

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