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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

Upper Blue Stewardship Project; White River National Forest, Summit County, Colorado

AGENCY: Forest Service, USDA.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement in conjunction with planning the Upper Blue Stewardship Project (hereafter referred to as the Stewardship Project).

SUMMARY: The USDA Forest Service, White River National Forest, gives notice of the agency's intent to prepare an environmental impact statement (EIS) to disclose the environmental effects of timber harvest, prescribed fire, watershed rehabilitation, road construction/re-construction/closure/obliteration, trail reconstruction, non-system trail obliteration, historic site interpretation, a 4 cfs water diversion from the Miner's Creek drainage to the North Barton Gulch, and a hut site location in conjunction with designing the Stewardship Project for the Dillon Ranger District of the White River National Forest. These proposed actions are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). This notice describes the proposed actions, environmental issues considered, estimated dates for filing the environmental impact statement, information concerning public participation, and the names and addresses of the agency officials who can provide additional information.

Project Area: The Stewardship Project is using an interdisciplinary approach to manage 14,000 acres between the towns of Frisco, CO to the north and Breckenridge, CO to the south, Highway 9 to the east, and the top of the Tenmile Range to the west. The area is located in T5S, R77W, Sec. 31. T6S, R78W, Sec.

1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 on the Dillon Ranger District of the White River National forest, Summit County, CO. The elevation in the area is between 9,000–12,933 feet.

Background: The project area was heavily logged during the mining era (1860–1940). Many trees were removed &/or burned, particularly Douglas-fir and ponderosa pine due to their superior lumber qualities. The result is a dense, even-aged forest between 80–140 years old that is dominated by lodgepole pine. The forest lacks diversity of tree species, age classes, structure (mixed-size forests, young stands, old growth), and understory species. The lack of diversity affects both forest health (it is more susceptible to insects, disease and fire), and habitat for wildlife species.

Preliminary issues: Issues identified to date include: proximity of the proposal to private property, commercial harvest of trees in a recreation setting, quantity of system and non-system roads and trails, water quality, RARE II roadless area, riparian condition, impacts to heritage resources, existing and potential impacts to visual quality, potential spread of noxious weeds, air quality impacts from burning, potential hut site locations, recreation user conflicts, water depletions, providing a ditch for the Town of Breckenridge water diversion, and affects on threatened, endangered, sensitive and management indicator species.

Purpose & Need: This Stewardship Project aims to improve forest health, visual quality, wildlife habitat, and fire resilience through greater species and structural diversity; to promote responsible recreation use; and to evaluate a ditch permit application from the Town of Breckenridge. The Project uses a variety of techniques to improve the health of the forest and species diversity, while protecting and enhancing the heritage, recreation, visual, watershed and wildlife resources. The Forest Service hopes to develop a strong partnership with local government, private land owners and forest users to help implement the necessary treatments on the ground.

The EIS will tier to the Land and Resource Management Plan for the White River National Forest 2nd Printing Updated through 08/01/90.

Proposed Action: Three-quarters-mile of new road construction may be needed. No road construction is planned within the Rare II roadless boundary. A total of 1.5 miles of system road and 5.5 miles of non-system roads will be closed or obliterated. Non-system trails will be obliterated or added to the system, depending upon public input.

The Summit Huts master plan of 1989 approved a conceptual location of an overnight hut in the Gold Hill area. This analysis will look at site specific impacts of the Gold Hill location, and 3–4 alternative sites. All five of the possible hut sites are within RARE II (roadless area review and evaluation) identified areas, though three of the sites are in former timber sale areas. All of the five possible hut sites are within 1B management prescription which emphasizes downhill or cross country skiing opportunities.

The Town of Breckenridge proposes to divert up to 4 cfs of water from the Miners Creek drainage to the North Barton drainage, in order to draw more water from the Blue River while maintaining minimum stream flow. This will involve using 2,400 feet of an existing ditch built in the early 1900's, constructing approximately 1500 feet of new ditch, and running the water down an existing tributary of the Blue River.

Interpretive sites are planned along major trails. Riparian areas may be expanded by 50 acres through removal of encroaching conifers.

All vegetation management units will follow visuals mitigation, where possible, by modifying existing and created openings to be irregular in shape, mimicking natural openings (including utilities corridors). Edges will be feathered at varying densities, to reduce sharp transition between openings and forest. Slash treatment will emphasize the tops of the trees where fine fuels exist. These activity fuels exist. These activity fuels will be treated by lopping and scattering, piling and burning or broadcast burning. Activity fuels will be treated to be less than 10 tons per acre near private property and less than 20 tons per acre in lodgepole units. Higher fuel levels will be allowed in areas that are surrounded by lower fuels areas.

Noxious weed management will include an integrated approach including preventative measures such as

re-seeding and cleaning equipment to prevent spread, as well as treatment of existing populations through mechanical, cultural, biological, and chemical methods based on the species to be treated, extent of infestation, and site specific conditions.

Aspen Units—Increase aspen by 300 acres over a 1,600 acre area by removing conifer overstory to promote aspen understory &/or aspen sprouting. Look for opportunities to increase aspen near private property boundaries, and existing clearcuts and utilities corridors. Openings created will be no larger than 10 acres. Removal of the conifers can be done by commercial, or noncommercial sale of the logs, force account felling or girdling of the trees, burning, &/or Christmas tree sales. There are two methods to do this, aspen release and aspen regeneration.

Aspen release will remove the conifer overstory to allow aspen understory to dominate the site. A young aspen forest will remain. Conifer islands (where 10–15 trees are grouped together) will be left to enhance landscape mosaic and increase structural diversity. Around the unit boundary, up to a 30 meter strip will be cleared, to allow for aspen colonization.

Aspen regeneration will occur in areas where few live, and some dead aspens remain. Group selection cuts will be made in areas where aspen root still exist, so the aspen can recolonize the site.

Spruce/Fir Units—Increase spruce/fir forests by 1,000 acres over a 1,880 acre area by removing lodgepole pine overstory to promote spruce/fir understory. A young spruce/fir forest will remain. A patchy, mosaic effect will be created. Trees will be harvested commercially, collected for firewood, felled or girdled and left on site for nutrient cycling. Tin, 1,000 acres of spruce/fir—lodgepole pine mix through a combination of prescribed fire, force account, and commercial harvest.

Ponderosa Pine Units—Increase ponderosa pine by 150 acres over a 190 acre area, at or below 9,200 ft. in elevation. Some existing clearcuts will be planted with ponderosa pine. Approximately 80 acres of new habitat for ponderosa pine will be created using clearcutting &/or burning, and planting ponderosa pine in several areas. Remove lodgepole commercially, for public firewood, or by felling and burning.

Douglas-Fir Units—Increase Douglas-fir to be present in 250 acres over a 270 acre area. Thin the lodgepole and underplant Douglas-fir in areas where remnant Douglas-fir trees have been found. Lodgepole will be removed by force account or commercially. If areas

are found where Douglas-fir is already present, clear an area of 1 tree height around it to allow for natural regeneration of Douglas-fir.

Lodgepole Pine Units—Create more early seral stage (young stands) and mixed age classes by treating 1,740 acres over a 2,680 acre area. Regenerate approximately 25% of each unit. Regenerate by removing overstory conifers in up to 2 acre patches. The remaining units will be thinned, with variable tree spacing of 8–16 feet between each remaining tree. Trees will be removed by commercial harvest, collected for firewood, burned, felled or girdled and left on site for nutrient cycling.

Involving the Public: Pursuant to Part 36b Code of Federal Regulations (CFR) 219.10(g), the Forest Supervisor for the agency's intent to prepare an environmental impact statement for the Stewardship Project described above. The Forest Service is seeking information, comments, and assistance from individuals, organizations and federal, state, and local agencies who may be interested in or affected by the proposed action (36 CFR 219.6).

Public participation will be solicited by notifying in person and/or by mail known interested and affected publics. News releases will be used to give the public general noticed, and public scoping meeting will occur. Public participation activities will include (but are not limited to) requests for written comments, open houses, and field trips. The public is invited to help identify issues and define the range of alternatives to be considered in the environmental impact statement.

A reasonable range of alternatives will be evaluated and reasons will be given for eliminating some alternatives from detailed study. A "no-action alternative" is required, meaning that management will not change the present condition. Alternatives will provide different ways to address and respond to public issues, management concerns, and resource opportunities identified during the scoping process. Scoping comments and existing condition reports will be used to develop preliminary alternatives; however, additional public involvement and collaboration will be done for final alternative development.

DATES: An **issue identification (scoping) meeting is scheduled for April 20, 1999** from 4:00–7:00 PM. An **alternative development meetings will be held May 20, 1999** from 5:00–8:00 PM. Both meetings will be in the Buffalo Mountain Room at the Summit County Commons Building off of Highway 9 (37

CR 1005) in Frisco, CO 80443.

Comments concerning the scope of the analysis should be received in writing by May 3, 1999. In June and July a field trip(s) can be scheduled to look at particular concerns or alternatives in the field (such as non-system trail closures). Please respond if you are interested in attending field trip(s).

ADDRESSES: Send written comments to: Upper Blue Stewardship Project, Dillon Ranger District P.O. Box 620, Silverthorne, CO 80498.

FOR FURTHER INFORMATION CONTACT: Kathleen Phelps, Gwenan Stephens, or Alissa Roeder D'Onofrio, at (970) 468–5400. For road and trail questions and concerns, contact Angela Glenn (970) 262–3446.

Release and Review of the EIS

The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public comment in December 1999. At that time, the EPA will publish a notice of availability for the DEIS in the **Federal Register**. The comment period on the DEIS will be 45 days from the date the EPA publishes the notice of availability 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 the DEIS 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 DEIS stage but are not raised until after completion of the Final Environmental Impact Statement (FEIS) 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 FEIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed actions, comments on the DEIS 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 DEIS or the merits of the alternatives formulated and discussed in the statements. 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, comments will be analyzed, considered, and responded to by the Forest Service in preparing the Final EIS. The FEIS is scheduled to be completed in February 2000. The responsible official will consider the comments, responses, environmental consequences discussed in the FEIS, and applicable laws, regulations, and policies in making decisions regarding these revisions. The responsible official will document the decisions and reasons for the decisions in a Record of Decision for the revised Plan. The decision will be subject to appeal in accordance with 36 CFR 217.

Responsible Official

Martha J. Ketelle, Forest Supervisor, White River National Forest, PO Box 948, Glenwood Springs, CO. 81602-0948 "As the Responsible Official, I will decide which, if any, of the proposed projects will be implemented. I will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations."

Dated: March 22, 1999.

Daniel Hormaechea,

Acting Forest Supervisor, White River National Forest.

[FR Doc. 99-7977 Filed 4-2-99; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1032]

Grant of Authority for Subzone Status Tosco Refining Company (Oil Refinery) Los Angeles, California, Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for ". . . the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to

qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved;

Whereas, the Los Angeles Board of Harbor Commissioners, grantee of Foreign-Trade Zone 202, has made application to the Board for authority to establish special-purpose subzone status at the oil refinery complex of Tosco Refining Company, located in the Los Angeles, California, area (FTZ Docket 37-98, filed 7/8/96);

Whereas, notice inviting public comment was given in the **Federal Register** (63 FR 38368, 7/16/98); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations would be satisfied, and that approval of the application would be in the public interest if approval is subject to the conditions listed below;

Now, Therefore, the Board hereby authorizes the establishment of a subzone (Subzone 202C) at the oil refinery complex of Tosco Refining Company, located in the Los Angeles, California, area, at the locations described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28, and subject to the following conditions:

1. Foreign status (19 CFR §§ 146.41, 146.42) products consumed as fuel for the refinery shall be subject to the applicable duty rate.
2. Privileged foreign status (19 CFR § 146.41) shall be elected on all foreign merchandise admitted to the subzone, except that non-privileged foreign (NPF) status (19 CFR § 146.42) may be elected on refinery inputs covered under HTSUS Subheadings #2709.00.1000—# 2710.00.1050, #2710.00.2500, and #2710.00.4510 which are used in the production of:
 - petrochemical feedstocks and refinery by-products (examiners report, Appendix C);
 - products for export; and,
 - products eligible for entry under HTSUS #9808.00.30 and 9808.00.40 (U.S. Government purchases).
3. The authority with regard to the NPF option is initially granted until September 30, 2000, subject to extension.

Signed at Washington, DC, this 19th day of March 1999.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 99-8220 Filed 4-2-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1033]

Expansion of Foreign-Trade Zone 26 Atlanta, Georgia, Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Georgia Foreign-Trade Zone, Inc., grantee of Foreign-Trade Zone 26, submitted an application to the Board for authority to expand FTZ 26 to include the Peachtree City Industrial Park (Site 2) in Peachtree City, Georgia, within the Atlanta Customs port of entry (FTZ Docket 22-98; filed 4/16/98);

Whereas, notice inviting public comment was given in the **Federal Register** (63 FR 23720, 4/30/98) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 26 is approved, subject to the Act and the Board's regulations, including Section 400.28, and subject to the Board's standard 2,000-acre activation limit.

Signed at Washington, DC, this 19th day of March 1999.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 99-8221 Filed 4-2-99; 8:45 am]

BILLING CODE 3510-DS-P