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Done at Washington, DC on April 10, 2000.

**Thomas J. Billy,**

*Administrator.*

[FR Doc. 00-9273 Filed 4-13-00; 8:45 am]

BILLING CODE 3410-DM-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Information Collection; Request for Comments; Timber Purchasers' Costs and Sales Data

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service announces its intention to reinstate a previously approved information collection. The collected information will help the Forest Service facilitate the appraisal and sale of timber on National Forest System lands. Information will be collected from purchasers of this timber.

**DATES:** Comments must be received in writing on or before June 13, 2000.

**ADDRESSES:** All comments should be addressed to Rex Baumbach, Forest Management, Mail Stop 1105, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090-6090.

Comments also may be submitted via facsimile to (202) 205-1045 or by email to: [rbaumbach@fs.fed.us](mailto:rbaumbach@fs.fed.us).

The public may inspect comments received in the Office of the Director, Forest Management Staff, Forest Service, USDA, Room 3NW, Yates Building, 201 14th Street, SW, Washington, D.C. Callers are urged to

call ahead to facilitate entrance into the building.

**FOR FURTHER INFORMATION CONTACT:** Rex Baumbach, Timber Sale Contract Administration Specialist, Forest Management, at (202) 205-0855.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Multiple-Use Sustained Yield Act of 1960, the Forest Rangeland Renewable Resources Planning Act of 1974, and the National Forest Management Act of 1976 authorize the Forest Service to sell forest products and National Forest System timber.

Forest Service timber appraisers develop advertised timber sale prices using a transaction evidence method of appraisal. Transaction evidence appraisals begin with an average of past successful bids by timber purchasers for timber for which the stumpage rate has been adjusted for the timber sale and the market conditions at the time. The Forest Service transaction evidence appraisal system includes costs incurred by the timber purchaser to log the timber and get the logged timber to the lumber mill.

The Western Wood Products Association (WWPA) cooperates with the agency to evaluate the lumber and other products values, provided by the timber purchasers to the WWPA, which the Forest Service uses to develop average value information for transaction evidence appraisals. This average value information enables Forest Service appraisers to better estimate the fair market value of a particular sale of National Forest System timber and helps the appraisers develop the prices that are advertised in local newspapers for the timber sale. The timber will be sold at not less than the appraised value and not below a minimum stumpage rate established by the Chief.

Timber purchasers also provide information on product values. Product values are the values of products that result from the harvested timber, such as lumber chips, plywood, and pressed board. The value of these products may vary from one geographical location to another. In many areas, product values may be purchased from the Western Wood Products Association.

##### Description of Information Collection

The following describes the information collection to be reinstated:

*Title:* Timber Purchasers' Costs and Sales Data.

*OMB Number:* 0596-0017.

*Expiration Date of Approval:* September 30, 1998.

*Type of Request:* Reinstatement of an information collection previously approved by the Office of Management and Budget.

*Abstract:* Forest Service personnel will evaluate the collected information to facilitate the appraisal and sale of timber on National Forest System lands.

Forest Service timber appraisers will use a transaction evidence method of appraisal to update the selling values and advertised rates of National Forest System timber.

The Forest Service transaction evidence appraisal system includes costs incurred by the timber purchaser to log the timber and get the logged timber to the lumber mill. Timber purchasers will provide incurred cost information, upon written request from the Forest Service. The costs incurred by timber purchasers should include items similar to the following: (1) falling and bucking, (2) skidding and loading, and (3) hauling. The Forest Service will share this cost data with States and other Federal agencies for their use in developing appraisals of timber sales.

Forest Service personnel also will request product value information from timber sale purchasers. Timber purchasers will provide both the cost data and the product value information via surface mail or electronic mail, using their own report formats. Some timber sale purchasers, instead of sending the requested information to the agency, will provide on-site access to Forest Service personnel, so the information may be retrieved from the timber purchasers' files or electronic databases.

Data gathered in this information collection are not available from other sources.

*Estimate of Annual Burden:* 1 hour.

*Type of Respondents:* Purchasers of National Forest System timber.

*Estimated Annual Number of Respondents:* 20.

*Estimated Annual Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 20 hours.

##### Comment Is Invited

*The agency invites comments on the following:* (a) Whether the proposed collection of information is necessary for the stated purposes and the proper performance of the functions of the agency, including whether the information will have practical or scientific utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and

clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

#### Use of Comments

All comments received in response to this notice, including names and addresses when provided, will become a matter of public record. Comments will be summarized and included in the request for Office of Management and Budget approval.

Dated: April 7, 2000.

**James R. Furnish,**

*Deputy Chief, National Forest System.*

[FR Doc. 00-9290 Filed 4-13-00; 8:45 am]

BILLING CODE 3410-11-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Windmill Timber Harvest in the Mill Creek Drainage, Gallatin National Forest, Park County, Montana

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice, intent to prepare environmental impact statement.

**SUMMARY:** The Forest Service intends to prepare an environmental impact statement (EIS) to disclose the environmental effects of the Windmill timber harvest and associated activities in the Mill Creek drainage located in the Absaroka/Beartooth Mountain Range, Gallatin National Forest, Livingston Range District, Park County, Montana.

The proposed timber harvest of approximately 5 mmbf from an estimated 650 acres of timbered lands and associated actions including road construction, reconstruction and restoration, prescribed fire and reforestation 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 Windmill Timber Sale is one of 12 project being proposed on the Gallatin National Forest to contribute time volume to assist in the acquisition of four sections of land as directed by the Gallatin Land Consolidation Act of 1998 (PL 105-267). In addition, harvest of this sale would: contribute toward providing a flow of wood products from National Forest lands, proposed road restoration of roads would maintain or improve watershed conditions,

proposed prescribed fire would reduce the potential for catastrophic fires, and tree planting in regeneration units would address reforestation.

**DATES:** Written comments should be received by May 10, 2000.

**ADDRESSES:** Submit written comments on proposed activities or a request to be placed on the project mailing list to Terri Marceron, District Ranger, Livingston Ranger District, 5245 Highway 89 South, Livingston, Montana, 59047.

**FOR FURTHER INFORMATION CONTACT:** JT Stangl, Project Leader, Livingston Ranger District, Gallatin National Forest, Phone (406) 222-1892.

**SUPPLEMENTARY INFORMATION:** The project area consists of National Forest lands located in T6S, R9E, Sec. 10, 11, 14, 15, 19, 23, 24, 25 and 30; and T6S, R10E, Sec 32, 33, 34, and 35 and T7S, R10E Sec 2, 4, and 5, P.M. MT. The majority of activities would occur within the Counts, West Fork, Passage and Colley Creek areas in the Mill Creek drainage. Timber harvest is proposed on land that is designated as suitable for timber management by the Gallatin Forest Plan (USDA 1987). Timber harvest would occur outside of roadless area as designed using Region One protocol. New roads would be effectively closed to vehicle traffic after completion of post-sale activities. The EIS would also analyze the restoration of some existing roads, that are generally not open to motorized public use, to maintain or improve watershed conditions.

The USDA Forest Service, "Report to the Montana Congressional Delegation Proposed Gallatin Land Consolidation" (September 1997) and the Gallatin Forest Plan (USDA 1987) provides the overall guidance for management activities in the potentially affected area through its goals, objectives, standards and guidelines, and management area direction.

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 issues to be analyzed in depth, (3) Eliminate insignificant issues or those which have been covered by a relevant precious environmental analysis, such as the Gallatin 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) and (6) Determine potential cooperating agencies and task assignments. Preliminary issues identified by Forest Service specialist include assessing if

proposed activities would effect: threatened and endangered species, sensitive fish, wildlife and plant species, ungulate habitat, Neotropical migratory bird habitat, management indicator species habitat, fragmentation, vegetative structural diversity, soils, water quality, noxious weeds, fire management, visual quality, cultural resources, recreation use special uses, roadless areas, and public safety. This list will be verified, expanded, or modified based on public scoping for this proposal.

Public participation is an important part of the analysis, commencing with the initial scoping process (40 CFR 1501.7). In addition to 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 individual or organizations who may be interested in or affected by the proposed action. 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 November of 2000. 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 Mill Creek area participate at that time. The Final EIS is scheduled for completion by the end of March 2001.

The Forest Service believes, at the 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 in 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 30-