

# Notices

Federal Register

Vol. 66, No. 52

Friday, March 16, 2001

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

#### Viveash Fire Timber Salvage EIS— Santa Fe National Forest

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Santa Fe National Forest will prepare an environmental impact statement (EIS) on a proposal to harvest trees killed by the Viveash Fire. The Viveash Fire burned approximately 29,000 acres on the Pecos Ranger District in late May through early June of 2000. The purpose of the proposal is to harvest some of the fire killed timber and provide a variety of wood products through both commercial timber sales and non-commercial personal use permits. The EIS will be designed to satisfy the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321–4370a, and the National Forest Management Act, 16 U.S.C. 1600–1614, and their respective implementing regulations.

**DATES:** Comments concerning the scope of the analysis should be received on or before April 14, 2001. The draft EIS is expected to be available for public review in June 2001. The final EIS is expected to be published in September 2001.

**ADDRESSES:** Submit written comments and suggestions on the proposal, or requests to be placed on the project mailing list, to Daniel A. Crittenden, District Ranger, Pecos-Las Vegas Ranger District, Santa Fe National Forest, P.O. Drawer 429, Pecos, NM, 87552.

**FOR FURTHER INFORMATION CONTACT:** Chris Napp, Viveash Project Coordinator (505) 757-6121; or [cnapp@fs.fed.us](mailto:cnapp@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** The proposed action is to recover forest products—sawtimber, firewood, specialty products (vigas and latillas)—from trees killed by the Viveash Fire.

Specifically this includes removing up to 25 million board feet over 5,000 acres of the 29,000 acre fire, concentrating in areas with high volume per acre; removing trees in areas with high and moderate intensity burns only (trees 100% scorched or totally devoid of any green needles) except incidental removal of green trees where necessary; no new road construction (specified or temporary); concentrating harvest from areas with low susceptibility to soil erosion, compaction and water runoff. Resource protection measures will be included to protect resources such as snags, soils, heritage resources, water quality and wildlife.

Public scoping packages are expected to be sent out to those on the Viveash project mailing list in February or early March, 2001. A public scoping meeting will be held in the town of Pecos soon thereafter. A second public meeting in Pecos is planned shortly after issuance of the draft EIS.

#### Decision To Be Made

The Forest Service will prepare an EIS. The District Ranger of the Pecos/Las Vegas Ranger District, Santa Fe National Forest will decide whether or not to implement this project, and if so, in what manner.

#### Responsible Official

Daniel A. Crittenden, District Ranger Pecos/Las Vegas Ranger District, Santa Fe National Forest, P.O. Drawer 429, Pecos, New Mexico 87552, is the Responsible Official for this decision. He will document his decision in a Record of Decision.

#### Estimated Dates for Filing

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by July 15, 2001. At that time, 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 publishes the Notice of Availability in the **Federal Register**. It is very important that those interested in the management of this area participate at that time.

The final EIS is scheduled to be completed by October 2001. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental

consequences discussed in the draft EIS and applicable laws, regulations and policies considered in making a decision regarding the proposal.

#### The Reviewers Obligation To Comment

The Forest Service believes it is important to give reviewers notice at this early stage 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 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 final 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 at 40 CFR 1503.3 in addressing these points.

Dated: March 7, 2001.

**Leonard Atencio,**

*Forest Supervisor, Santa Fe National Forest.*

[FR Doc. 01-6511 Filed 3-15-01; 8:45 am]

**BILLING CODE 3410-11-M**

**DEPARTMENT OF AGRICULTURE****Rural Housing Service****Housing Demonstration Program**

**AGENCY:** Rural Housing Service, United States Department of Agriculture (USDA).

**ACTION:** Notice of fund availability for the Rural Housing Demonstration Program.

**SUMMARY:** The Rural Housing Service (RHS) announces the availability of housing funds for fiscal year (FY) 2001 for the Rural Housing Demonstration Program. For FY 2001, RHS has set aside \$3 million for the Innovative Demonstration Initiatives and is soliciting proposals for a Housing Demonstration program under section 506(b) of title V of the Housing Act of 1949. Under section 506(b), RHS may provide loans for innovative housing units and systems which do not meet existing published standards, rules, regulations, or policies. The intended effect is to increase the availability of affordable Rural Housing (RH) for low-income families through innovative designs and systems.

**EFFECTIVE DATE:** March 16, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Gloria L. Denson, Senior Loan Specialist, Single Family Housing Direct Loan Division, RHS, U.S. Department of Agriculture, STOP 0783, 1400 Independence Ave. SW., Washington, DC 20250-0783, Telephone (202) 720-1474. (This is not a toll free number.)

**SUPPLEMENTARY INFORMATION:** Under current standards, regulations, and policies, some low-income rural families lack sufficient income to qualify for loans to obtain adequate housing. Section 506(b) of title V of the Housing Act of 1949, authorizes a housing demonstration program that could result in housing that these families can afford. The Congress of the United States made two conditions: (1) That the health and safety of the population of the areas in which the demonstrations are carried out will not be adversely affected, and (2) that the aggregate expenditures for the demonstration may not exceed \$10 million in any fiscal year.

Rural Development State Directors are authorized in FY 2001 to accept demonstration concept proposals from nonprofit and for profit organizations.

The objective of the demonstration programs is to test new approaches to offering housing under the statutory authority granted to the Secretary of Agriculture. Rural Development will be required to review each application for

completeness and accuracy; however, some demonstration programs may or may not be consistent with some of the provisions of our 7 CFR part 3550-Direct Single Family Housing Loans and Grants regulation. Under section 506(b) of the Housing Act of 1949, the Agency may provide loans for innovative housing design units and systems which do not meet existing published standards, rules, regulations, or policies.

The Equal Credit Opportunity Act and Title VIII provides that a program such as this be administered affirmatively so that individuals of similar low-income levels in the housing market area have housing choices available to them regardless of their race, color, religion, sex, national origin, familial status and handicap. Under Section 504 of the Rehabilitation Act of 1973 we must make reasonable accommodations to permit a person with disabilities to apply for the benefit from agency programs. Executive Order 12898 requires our Agency to conduct a Civil Rights Impact Analysis on each project prior to eligibility/loan approval. Also, the requirements of Executive Order 11246 are applicable regarding equal employment opportunity when the proposed contract exceeds \$10,000.

A completed application which has been determined to carry out the objectives of the program will be considered on a first come, first served basis based on the date a completed application is submitted. An application is considered complete only if the "Application for Approval of Housing Innovation" is complete in content, contains information related to the criteria and all applicable additional information required by the application form has been provided. All application packages must be in accordance with the technical management requirements and address the criteria in the Proposal Content. The application, Proposal Content and Criteria, and further information may be obtained from the Rural Development State office in your area. (See the State Office address list at the end of this notice or access the website at [http://www.rurdev.usda.gov/recd\\_map.html](http://www.rurdev.usda.gov/recd_map.html). Organizations that submit incomplete applications will be advised in writing of additional information needed for continued processing.

The following evaluation factors will not be weighted and are non-competitive. RHS, in its analysis of the proposals received, will consider whether the proposals will carry out the objectives of this demonstration effort in accordance with the following criteria:

**A. Housing Unit Concept**

1. A proposal must be well beyond the "idea" state. Sufficient testing must have been completed to demonstrate its feasibility. The proposal must be judged ready for full scale field testing in a rural setting.

2. Ability of the housing unit to provide for the protection of life, property, and for the safety and welfare of the consumer, general public and occupants through the design, construction, quality of materials, use, and maintenance of the housing unit.

3. Flexibility of the housing units in relation to varying types of housing and varying site considerations.

4. Flexibility of the housing unit concept, insofar as it provides the ability to adjust or modify unit size and arrangements, either during design or after construction.

5. Efficiency in the use of materials and labor, with respect to cost in place, the conservation of materials, and the effective use of labor skills. Potential for Self-Help Technical Assistance Grant applications.

6. Selection of materials for durability and ease of maintenance.

7. Concepts for the effective use of land and development.

**B. Organization Capabilities**

1. The experience and "know-how" of the proposed organization or individual to implement construction of the housing unit concept in relation to the requirements of RHS's housing programs.

2. The management structure and organization of the proposer.

3. The quality and diversity of management and professional talent proposed as "key individuals."

4. The management plan of how this effort will be conducted.

**C. Cost and Price Analysis**

1. The level of costs which are proposed, as they may compare with other proposals and be considered realistic for the efforts planned. Also, the quantity and level of detail in the information supplied.

2. Projected cost of "housing in place," with particular reference to housing for very low and low-income families.

An acceptable proposal will be sent by the State Director to the National office for concurrence by the RHS Administrator before the State Director may approve it. If the proposal is not selected, the State Director will so notify the applicant in writing, giving specific reasons why the proposal was not selected. The funds for the RH