

associated road construction is proposed. The site would be located approximately 4 miles south-southeast of the town of Clear Creek, via FSR50110, in Section 22, T.14S., R.7E, SLM, Carbon County, UT on Castle Valley Ridge within an Inventoried Roadless Area.

#### Purpose and Need

The purpose of the exploration program is to assess the economic recoverability of potential gas reserves in the Ferron Sandstone. The exploration drilling program would provide the structural, stratigraphic, and reservoir data necessary for the development of a suitable plan which would allow the company to economically and efficiently recover the gas reserves within Federal Oil and Gas Lease UTU-77087.

#### Proposed Action

The BLM is proposing to approve the APD. The Forest Service is proposing to approve the Surface Use Plan of Operations (SUPO) with conditions for mitigation of effects to non-mineral resources.

#### Public Participation

The Forest Service is seeking information and comments from Federal, State, and local agencies as well as individuals and organizations that may be interested in, or affected by, the proposed action. The agency invites written comments regarding potential issues and alternatives related to the proposed action and the area being analyzed. Information received will be used to prepare the Draft and Final EIS and considered in making agency decisions.

The EIS and Record of Decision (ROD) will tier to the Final EIS and ROD for the Manti-La Sal National Forest Land and Resource Management Plan (Forest Plan) 1986, as amended, by the 1994 Record of Decision for Oil and Gas Leasing on Lands Administered by the Manti-La Sal National Forest.

Draft preliminary issues include effects to wildlife, visual quality, roadless character, and dispersed recreation use along the Castle Valley Ridge Trail System.

Agency representatives and other interested people are invited to visit with Forest Service and BLM officials at any time during the EIS process. Two specific time periods are identified for the receipt of formal comments on the analysis. The two comment periods are, (1) during the scoping process, the next 30 days following publication of this Notice in the **Federal Register**, and (2)

during the formal review period of the Draft EIS.

The Draft EIS is estimated to be filed with the Environmental Protection Agency (EPA) and available for public review in October 2002. At that time the EPA will publish an availability notice in the **Federal Register**. The comment period on the Draft EIS will be 45 days from the date that EPA's notice of availability appears in the **Federal Register**. The Final EIS is expected to be released in March 2003.

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, 533 (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 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.

**Authority:** (Mineral Leasing Act of February 25, 1920 (Pub. L. 66-146, 41 Stat. 437, as amended; 30 U.S.C. 181-287))

Dated: April 19, 2002.

**Elaine J. Zieroth,**

*Forest Supervisor, Manti-La Sal National Forest.*

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**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Manti-La Sal National Forest; State of Utah, State Institutional Trust Lands Administration Access Route on East Mountain, Emery County, UT; Notice of Intent To Prepare an Environmental Impact Statement**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement.

**SUMMARY:** The Forest Service (FS) will prepare an Environmental Impact Statement (EIS) to disclose the impacts of authorizing an access route across National Forest System Lands to the State of Utah State Institutional Trust Lands Administration (SITLA) inholdings in Emery County, Utah.

#### Agency Decision

The Regional Forester, Intermountain Region, must decide whether or not to authorize access to SITLA inholdings and what Terms and Conditions to require for resource protection.

**DATES:** Comments concerning the scope of the analysis must be received within 30 days from the date of publication of this Notice of Intent (NOI) in the **Federal Register**. The Draft Environmental Impact Statement (DEIS) is expected by May 2003, and the Final Environmental Impact Statement (FEIS) is expected by February 2004.

**ADDRESSES:** Send written comments to Elaine J. Zieroth, Forest Supervisor, Manti-La Sal National Forest, 599 West Price River Drive, Price, Utah, 84501, ATTN: Leland Matheson.

**FOR FURTHER INFORMATION CONTACT:** Aaron Howe, Mineral and Lands Staff Officer, Manti-La Sal National Forest 599 West Price River Drive, Price, Utah, 84501.

**SUPPLEMENTARY INFORMATION:** The Forest Service will prepare an EIS to decide whether to authorize SITLA to construct and reconstruct an access route across National Forest System Lands, for management purposes including timber removal, on their inholdings on East Mountain. A segment of the access route would traverse portions of the East Mountain Inventoried Roadless Area.

The SITLA inholdings consist of two sections: Section 36, T15S, R6E, (about

634 acres) and Section 2, T16S, R6E (about 987 acres). Provisions of the Alaska National Interest Lands Conservation Act (ANILCA) of 1980, section 1323(a)(16 U.S.C. 3210) provides that the owners of non-Federal land within the National Forest System shall be provided adequate access to their land. Regulations implementing section 1323(a) are set forth in Title 36, Code of Federal Regulations, part 251, subpart D—Access to Non-Federal Lands. The Forest Service Policy is further explained in the Forest Service Manual (FSM) 5400 and 2700. Access must comply with other laws and regulations such as the Threatened and Endangered Species Act, Clean Water Act, Historic Preservation Act, and the National Environmental Protection Act.

#### Purpose and Need for Action

The purpose and need for this action is to provide an adequate access route across National Forest System Lands to SITLA inholdings consistent with applicable laws, regulations, and Forest Service Policy.

#### Proposed Action

The Forest Service proposes to authorize SITLA permanent occupancy and use of National Forest System Lands along the proposed access location subject to terms and conditions.

#### Responsible Official

The Responsible Official for the Record of Decision is Jack G. Troyer, Regional Forester, Intermountain Region, 324 25th Street, Ogden, Utah 84401.

#### Scoping Process

This Notice of Intent initiates the scoping process which guides the development of the EIS. Scoping will be by Newspaper Legal Notice, mailings to interested parties and Quarterly Schedule of Proposed Actions. No public meetings are planned.

#### Preliminary Issues

Preliminary issues have been identified as new road construction in the East Mountain Inventoried Roadless Area and unstable steep slopes.

#### Comment Requested

If you choose to participate, your comments should be in writing and as specific as possible. All comments will be considered. Please note: comments submitted, as well as the names and addresses of those who comment, are considered part of the public record and will be released if requested under the Freedom of Information Act. If you provide a comment, you will remain on

our mailing list for this project. If you do not comment but want to remain on the mailing list, please notify us. Those who do not comment or otherwise notify us will be dropped from the mailing list for this project. The estimated dates for filing the draft EIS is May 2003 and the FEIS is February 2004.

#### Early Notice of Importance of Public Participation in Subsequent Environmental Review

A DEIS will be prepared for comment. The comment period on the DEIS will be 45 days from the date the Environmental Protection Agency 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 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 that are not raised until after completion of the 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 action, 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 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.

**Authority:** 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21.

Dated: April 19, 2002.

**Elaine J. Zieroth,**

*Forest Supervisor, Intermountain Region.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Revised Land and Resource Management Plan for the Monongahela National Forest: Barbour, Grant, Greenbrier, Nicholas, Pendleton, Pocahontas, Preston, Randolph, Tucker, and Webster Counties, WV

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The USDA Forest Service intends to prepare an environmental impact statement for revising the Monongahela National Forest Land and Resource Management Plan (*Forest Plan*) pursuant to 16 U.S.C. 1604(f)(5) and USDA Forest Service National Forest System Land and Resource Management Planning regulations. The revised *Forest Plan* will supersede the *Forest Plan* previously approved by the Regional Forester in January 1986, and *Forest Plan* amendments 1 through 5; dated June 24, 1988, April 20, 1990, June 28, 1991, October 1992, and August 27, 1992, respectively. The 1986 *Forest Plan* will remain in effect until this revision effort is completed. This notice identifies the topics that will help focus our revision effort, lists possible changes to the *Forest Plan*, displays the estimated dates for filing the EIS, provides information concerning public participation, and provides the names and addresses of the responsible agency official and the individuals who can provide additional information.

**DATES:** We need to receive your comments on this Notice of Intent in writing within 90 days after this notice is published in the **Federal Register**. The draft EIS should be available for public review by December 2004. The final EIS and revised *Forest Plan* are expected to be completed by December 2005.

**ADDRESSES:** Send written comments to: NOI—FP Revision, Monongahela National Forest, 200 Sycamore Street, Elkins, West Virginia 26241, or direct electronic mail to: [r9\\_monong\\_website@fs.fed.us](mailto:r9_monong_website@fs.fed.us) and "ATTN: Forest Plan Revision" in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Doug Adamo, Forest Planner; or Kate