

# Notices

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

#### Trout Slope West Timber Project, Ashley National Forest, Uintah County, UT

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Ashley National Forest has proposed to harvest live and dead timber within the Trout Slope West area of the Vernal Ranger District. The objectives of the proposal are to: reduce potential fuel loadings within treatment areas, prevent a likely future forest condition of blown down and jack-strawed timber, reduce stand density and thereby increase the growth of individual residual trees, begin the development of greater tree species diversity within treatment areas, and to recover the economic value of wood products associated with these objectives.

**DATES:** To be most useful, comments concerning the scope of the analysis should be received in writing by August 14, 2002.

**ADDRESSES:** Send written comments to: Brad Exton, District Ranger, Vernal Ranger District, Ashley National Forest, 255 N. Vernal Avenue, Vernal, Utah 84078, or e-mail at [bexton/r4\\_Ashley@fs.fed.us](mailto:bexton/r4_Ashley@fs.fed.us)

**FOR FURTHER INFORMATION CONTACT:** Specific questions about the proposed project and analysis should be directed to Ralph Rau, ID Team Leader, Vernal Ranger District, 355 N. Vernal Ave., Vernal, Utah, (435) 789-1181

**SUPPLEMENTARY INFORMATION:** This proposal arises out of the Vernal Ranger District's Trout Slope Landscape Assessment (TSLA), (1996) that describes the existing condition of an 80,000-acre area between East Park and Leidy Peak. The assessment suggests a

desired future condition for the area and recommends resource management strategies to move the area towards the desired condition as a more specific complement to the broad direction of the Ashley National Forest Land and Resource Management Plan (FLRMP), (1986).

The Trout Slope West analysis area is approximately 18,500 acres and lies between Oak Park Reservoir to the east and Leidy Peak to the west. The project area is approximately 24 miles to the northwest of Vernal, Utah and can be accessed via Taylor Mountain Road and Forest Service Road 018. There are approximately 33 miles of open system roads that provide public access to the area. The proposed action was selected from the TSLA by using existing stand level data, areas with existing roads, and areas that included either high proportions of dead and dying trees or were in need of thinning. Environmental conditions that were considered in developing the proposal were sensitive soils, riparian areas, a timber stand patch size and arrangement in relation to wildlife use, slopes suitable for tractor harvesting, forest type, landtype associations, level and types of recreation use, archaeological resources, and vegetative structural stages.

**Proposed Action:** The proposed action includes the following activities:

1. Individual tree selection and salvage on approximately 1700 acres.
2. Intermediate harvest (thinning) on approximately 470 acres.

3. Placement of a temporary bridge on the North Fork of Ashley Creek, located about one-quarter mile to the east of Long Park Reservoir. The bridge would be removed when harvest activities are completed.

4. Reconstruction of approximately one-half mile of existing road to allow for correct placement of the bridge noted above.

5. Approximately 12 miles of existing roads would be opened to access proposed harvest areas. A minimal amount of work including cleaning of ditches, and turnouts, spot blading as required, and removal of down timber would be necessary to make the roads suitable for hauling. All of these roads would be closed at the end of harvest operations and seeded with grasses as needed.

**Responsible Official:** The responsible official for the environmental impact

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statement is Bert Kulesza, Forest Supervisor, Ashley National Forest. The Forest Supervisor's address is 355 North Vernal Ave., Vernal, Utah 84078.

**Nature of Decision To Be Made:** The decision to be made is: Should the proposed action for the Trout Slope West Area be implemented or a different alternative that arises out of issues identified through public scoping and internal agency concerns.

**Scoping Process:** Formal scoping begins upon publication of this notice and will include mailing of information to known and interested parties.

## Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement. To be most helpful please submit your comments by August 30, 2002. All comments become part of the public record and can be made available upon request.

**Early Notice of Importance of Public Participation in Subsequent Environmental Review:** A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement 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 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 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 CFR 1503.3 in addressing these points.

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

Dated: July 17, 2002.

**Bert Kulesza,**  
Forest Supervisor.

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Couverden Timber Sale Project

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Department of Agriculture, Forest Service, will prepare an Environmental Impact Statement (EIS) on a proposal to harvest timber for the Couverden Timber Sale(s) project on the south end of the Chilkat Peninsula north of Icy Strait and west of Lynn Canal on the Juneau Ranger District, Tongass National Forest. The proposed action provides for: (1) Timber harvest on approximately 1500 acres of forested land resulting in the production of an estimated 25 million board feet of sawlog and utility timber volume, (2) construction of approximately 5 miles of new specified road and 3 miles of temporary road, and (3) reconstruction of 19 miles of existing specified road. The Record of Decision will disclose how the Forest Service allocates timber harvest in the project area using the existing transportation infrastructure including existing roads and the permitted log transfer facility known as Homeshore LTF.

**DATES:** A public mailing that outlines the project timeline and public involvement opportunities is planned for distribution in Summer 2002. Individuals who want to receive this mailing should contact us within 30 days of the publication of this NOI. To be most useful, comments concerning the scope of this project should be received by September 15, 2002. The Draft Environmental Impact Statement is expected in Winter 2003 and will begin a 45-day public comment period. The Final Environmental Impact Statement and Record of Decision are expected Fall 2004.

**ADDRESSES:** Please send written comments to: District Ranger, Juneau Ranger District, ATTN: Couverden EIS, 8465 Old Dairy Road, Juneau, AK 99801.

**FOR FURTHER INFORMATION CONTACT:** Stan McCoy, Project Team Leader, telephone (907) 790-7431 or Dave Carr, Timber Management Assistant, telephone (907) 790-7402. Juneau Ranger District, 8465 Old Dairy Road, Juneau, AK 99801.

#### SUPPLEMENTARY INFORMATION:

##### Background

The proposed timber sale is located about 30 air miles west of Juneau, Alaska, 20 air miles southeast of Gustavus, Alaska and 10 air miles northeast of Hoonah, Alaska on the south end of the Chilkat Peninsula north of Icy Strait and west of Lynn Canal. The project is within townships 41 and 42 south, Ranges 61, 62 and 63 west, Copper River Meridian. The Juneau Ranger District of the Tongass National Forest, Juneau, Alaska, administers the project area. The project area contains Value Comparison Units 1170, 1180, 1190, and 1200 as designated by Tongass Land and Resource Management Plan. The project area includes approximately 66,486 acres. It includes portions of Homeshore, Humpy, and Swanson river drainages within the developed timber management land use designation. The project area includes one medium old growth reserve as designated in Tongass Land and Resource Management Plan. Another medium old growth reserve is located north of the project area near the community of Excursion Inlet. A Forest Plan amendment may be required to modify the old growth reserve boundaries associated with this project. Inventoried roadless area #304, Chilkat-West Lynn Canal, lies north and east of the project area and encompasses 198,525 acres. This Inventoried roadless area is currently managed for semi-remote recreation and old growth habitat. The proposed action does not

include timber harvest or road construction in the adjacent inventoried roadless area.

The purpose and need for the Couverden Project is: (1) To implement the direction contained in the 1997 Tongass Land Management Plan and the 1997 ROD, including goals, objectives, management prescriptions, and standards and guidelines; (2) to maintain wood production from suitable timber lands, providing a continuous supply of wood to meet societies needs; (3) to help provide a stable supply of timber from the Tongass National Forest which meets existing and potential market demand and is consistent with sound multiple use and sustained yield objectives; and (4) to help meet the desired future condition of the landscape as described by the 1997 Tongass Land and Resource Management Plan.

#### Public Participation

Opportunities for the public to participate in the development of the Couverden Timber Sale Environmental Impact Statement will be provided throughout the process. The Forest Service will use a combination of methods to engage and involve the public, including public mailings, postings on the Tongass National Forest internet web page, public meetings and the news media. The comment period on the Draft Environmental Impact statement will be a minimum of 45 days from the date the Environmental Protection Agency (EPA) publishes the notice of availability in the **Federal Register**. The Draft EIS is projected to be filed with the EPA in Fall 2004.

The Forest Service believes it is important to give reviewers notice of several court rulings 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). Environmental objections that could have been raised at the draft environmental impact statement stage may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2nd 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 received by the Forest Service at a