

Notices

Federal Register

Vol. 67, No. 153

Thursday, August 8, 2002

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

Fishtrap EIS, Lolo National Forest, Sanders County, MT

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) on a proposal to implement timber harvest, precommercial thinning, prescribed burning, herbicide treatment of noxious weeds, abandonment of the Fishtrap grazing allotment, temporary road construction, road reconstruction and road decommissioning; and to correct management area mapping errors in the Lolo National Forest Land and Resource Management Plan (Forest Plan) in the Fishtrap Creek drainage, Lolo National Forest, Plains/Thompson Falls Ranger District, Sanders County, Montana.

This EIS will tier to the Lolo Forest Plan Final EIS (April, 1986).

DATES: Written comments should be received within 30 days following publication of this notice.

ADDRESSES: Please submit written comments on the proposed management activities or a request to be placed on the project mailing list to: Lisa Krueger, District Ranger, Plains/Thompson Falls Ranger District, Lolo National Forest, P.O. Box 429, Plains, Montana 59859.

FOR FURTHER INFORMATION CONTACT: Pat Partyka, EIS Team Leader, (406) 826-4314.

SUPPLEMENTARY INFORMATION: The Fishtrap analysis area of approximately 36,400 acres is located approximately 20 air miles north of Thompson Falls, Montana, Sanders County, in T23N, R28W; T23N, R29W; T24N, R27W; T24N, R28W; T24N, R29W; and T25N, R28W; PMM. Within this area, the Lolo National Forest proposes (1)

Approximately 2921 acres of timber harvest; (2) approximately 1037 acres of precommercial thinning; (3) approximately 887 acres of prescribed burning; (4) approximately 2½ miles of temporary road construction to access some of the harvest units; (5) approximately 177 miles of road decommissioning; (6) approximately 30–35 miles of road reconstruction; (7) approximately 30 miles of herbicide treatment of noxious weeds along roadsides; (8) abandonment of the Fishtrap grazing allotment; and (9) to correct Forest Plan mapping errors in scattered parcels throughout the analysis area by changing an approximate net 625 acres from timber suitable to unsuitable management areas. In addition to these proposals, the Forest Service will consider alternate road access to the Fishtrap Lake campground, which may include long-term specified road construction.

The Lolo National Forest Plan, 1986, provides overall guidance for land management activities in the project area. The purposes for these actions are to: (1) Improve water quality, fish habitat and fish passage; (2) Improve grizzly bear habitat within the Cabinet-Yaak Grizzly Bear Recovery Zone; (3) Restore, maintain or enhance native “at risk” vegetative communities, as identified in the Northern Region Overview, USDA 1998; (4) Provide for ecological sustainability and community stability through the use of forest products; (5) Improve and maintain big game winter range; (6) Provide for a transportation system that better reflects current access and resource concerns and reduces economic burdens associated with maintaining unneeded roads.

Issues currently identified for analysis in the EIS include potential effects on wildlife (particularly grizzly bear), water quality, fisheries and forest access.

The Forest Service will consider a range of alternatives. A No Action alternative and other alternatives, which respond to significant issues, will be developed, analyzed and compared in the Draft EIS.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in April 2003. Comments on the Draft EIS will be considered and responded to in the Final EIS,

scheduled to be completed by August 2003.

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 scoping 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. *Responsible Official:* Deborah L.R. Austin, Forest Supervisor, Lolo National Forest, Building 24—Fort Missoula,

Missoula, MT 59804, is the responsible official. In making the decision, the responsible official will consider comments, responses, disclosure of environmental consequences, and applicable laws, regulations, and policies. The responsible official will state the rationale for the chosen alternative in the Record of Decision.

Dated: August 2, 2002.

Deborah L.R. Austin,
Forest Supervisor.

[FR Doc. 02-20036 Filed 8-7-02; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Forest Service

South Gifford Pinchot National Forest Resource Advisory Committee Meeting Notice

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The South Gifford Pinchot National Forest Resource Advisory Committee will meet on Monday, August 19, 2002 at the Skamania County Public Works Department basement located in the Courthouse Annex, 170 N.W. Vancouver Avenue, Stevenson, Washington. The meeting will begin at 8:30 a.m. and continue until 6 p.m. The purpose of the meeting is to:

(1) Review and recommend for funding Title II projects for fiscal year 2003.

(2) Provide for a Public Open Forum.

All South Gifford Pinchot National Forest Resource Advisory Committee meetings are open to the public. Interested citizens are encouraged to attend. The "open forum" provides an opportunity for the public to bring issues, concerns, and discussion topics to the Advisory Committee. The "open forum" is scheduled as part of agenda item (2) for this meeting. Interested speakers will need to register prior to the open forum period. The committee welcomes the public's written comments on committee business at any time.

FOR FURTHER INFORMATION CONTACT:

Direct questions regarding this meeting to Tom Knappenberger, Public Affairs Officer, at (360) 891-5005, or write Forest Headquarters Office, Gifford Pinchot National Forest, 10600 NE 51st Circle, Vancouver, WA 98682.

Dated: July 26, 2002.

Claire Lavendel,
Forest Supervisor.

[FR Doc. 02-20030 Filed 8-7-02; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1237]

Grant of Authority For Subzone Status, Archer Daniels Midland, Inc. (Natural Vitamin E), Decatur, IL

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, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the Decatur Park District, grantee of Foreign-Trade Zone 245, has made application to the Board for authority to establish special-purpose subzone status at the manufacturing facilities (vitamin E) of Archer Daniels Midland, Inc., located in Decatur, Illinois (FTZ Docket 29-2000, filed 6/13/2000; amended 6/6/2001);

Whereas, notices inviting public comment have been given in the **Federal Register** (65 FR 39123, 6/23/2000; 66 FR 32599, 6/15/2001); and,

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

Now, therefore, the Board hereby grants authority for subzone status at the natural vitamin E manufacturing facilities of Archer Daniels Midland, Inc., located in Decatur, Illinois (Subzone 245A), at the locations described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 29th day of July, 2002.

Faryar Shirzad,

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

[FR Doc. 02-20072 Filed 8-7-02; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1241]

Approval for Expansion of Subzone 124h, Bollinger Shipyards Lockport, LLC (Shipbuilding), Lafourche, Jefferson and Orleans Parishes, LA

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 Port of South Louisiana, grantee of FTZ 124, has requested authority on behalf of Bollinger Shipyards Lockport, LLC (Bollinger), to expand Subzone 124H to include six additional sites in Lafourche, Jefferson and Orleans Parishes, Louisiana (FTZ Docket 3-2002, filed 1/8/2002);

Whereas, notice inviting public comment has been given in the **Federal Register** (67 FR 1960, 1/15/02);

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the 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 orders:

The application to expand Subzone 124H on behalf of Bollinger, is approved, subject to the FTZ Act and the Board's regulations, including § 400.28, and subject to the following conditions:

1. Any foreign steel mill products admitted to the subzone, including plate, angles, shapes, channels, rolled steel stock, bars, pipes and tubes, not incorporated into merchandise otherwise classified, and which is used in manufacturing, shall be subject to Customs duties in accordance with applicable law, unless the Executive Secretary determines that the same item is not then being produced by a domestic steel mill; and

2. In addition to the annual report, Bollinger Shipyards Lockport, LLC, shall advise the Board's Executive Secretary (§ 400.28(a)(3)) as to significant new contracts with appropriate information concerning foreign purchases otherwise dutiable, so that the Board may consider whether any foreign dutiable items are being imported for manufacturing in the subzone primarily because of subzone status and whether the Board should consider requiring Customs duties to be paid on such items.