

# Notices

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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

#### Agricultural Research Service

##### **Notice of the Advisory Committee on Biotechnology and 21st Century Agriculture Meeting**

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, 5 U.S.C. App. II the United States Department of Agriculture announces a meeting of the Advisory Committee on Biotechnology and 21st Century Agriculture (AC21).

**DATES:** March 8–9, 2004, 8:30 a.m. to 5 p.m. both days. Written request to make oral presentations at the meeting must be received by the contact person identified herein at least three business days before the meeting.

**ADDRESSES:** Oasis Room at the Sphinx Club, 1315 K Street, NW., Washington, DC 20005. Requests to make oral presentations at the meeting may be sent to the contact person at USDA, Office of the Deputy Secretary, 202 B Jamie L. Whitten Federal Building, 12th and Independence Avenues, SW., Washington, DC 20250.

**FOR FURTHER INFORMATION CONTACT:** Michael Schechtman, Designated Federal Official, Office of the Deputy Secretary, USDA, Telephone (202) 720-3817; Fax (202) 690-4265; E-mail [mschechtman@ars.usda.gov](mailto:mschechtman@ars.usda.gov).

**SUPPLEMENTARY INFORMATION:** The fourth meeting of the AC21 has been scheduled for March 8–9, 2004. The AC21 consists of 18 members representing the biotechnology industry, the seed industry, international plant genetics research, farmers, food manufacturers, commodity processors and shippers, environmental and consumer groups, and academic researchers. In addition, representatives from the Departments of

Commerce, Health and Human Services, and State, and the Environmental Protection Agency, the Council on Environmental Quality, and the Office of the United States Trade Representative serve as “ex officio” members. The Committee meeting will be held from 8:30 a.m. to 5 p.m. on each day. The AC21 at this meeting will continue its work to develop a report examining the impacts of agricultural biotechnology on American agriculture and USDA over the next 5 to 10 years, specifically: to review a draft report introduction prepared by USDA staff; to review the progress of two work groups, one on potential issues, concerns, and benefits, and one on scenario-setting; to provide guidance to work groups in adapting the information they have developed into chapters of the committee report; and to consider preliminary presentations and introductory discussions related to trends in public versus private biotechnology research and implications for public research. The AC21 will also discuss the progress of a work group drafting a separate report for the committee’s consideration on the issue of the proliferation of traceability and mandatory labeling regimes for biotechnology-derived products in other countries, the implications of those regimes, and what industry is doing to attempt to address those requirements for products shipped to those countries.

Background information regarding the work of the AC21 will be available on the USDA Web site at <http://www.usda.gov/agencies/biotech/ac21.html>. On March 8, 2004, if time permits, reasonable provision will be made for oral presentations of no more than five minutes each in duration.

The meeting will be open to the public, but space is limited. If you would like to attend the meetings, you must register by contacting Ms. Dianne Harmon at (202) 720-4074, by fax at (202) 720-3191 or by E-mail at [dharmon@ars.usda.gov](mailto:dharmon@ars.usda.gov) at least 5 days prior to the meeting. Please provide your name, title, business affiliation, address, telephone, and fax number when you register. If you require a sign language interpreter or other special accommodation due to disability, please

indicate those needs at the time of registration.

**Edward B. Knippling,**

*Acting Administrator, ARS.*

[FR Doc. 04-3299 Filed 2-13-04; 8:45 am]

**BILLING CODE 3410-03-P**

### DEPARTMENT OF AGRICULTURE

#### Forest Service

##### **San Juan National Forest; Colorado; Durango Mountain Resort 2004 Master Development Plan**

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The USDA Forest Service will prepare an Environmental Impact Statement (EIS) to disclose the anticipated environmental effects of the Durango Mountain Resort (DMR) 2004 Master Development Plan. The MDP includes plans to upgrade and expand DMR within the existing Special Use Permit (SUP) area to achieve a balance of guest service facilities and skiing opportunities with existing and proposed visitation, thereby enhancing the quality of the recreation experience.

The major aspects of the Proposed Action include:

- Replace existing lifts 2 and 8 with higher capacity lifts along their existing alignments, and shorten Lift 6 along its same alignment while utilizing the same lift equipment.

- Install one six-person lift (Lift 11), five three or four-person chairlifts (lifts 12, 13, 14, 16 and 17), one surface beginner lift (Lift 15), and three lateral surface (transfer lifts—T1, T2, and T3).

- Construct new roads to access Lift 11 top terminal (1,000 feet), Lift 2 bottom terminal (250 feet), Lift 14 top terminal (800 feet), and Lift 16 bottom terminal (200 feet). Bury power line from the top of Lift 4, down Salvation trail to the base of Lift 11, and along lifts T2 and T3 to service new lifts.

- Create 17 new trails primarily in the areas associated with new lifts to improve the overall terrain distribution by skier ability level and to better meet the skier market demand.

- Improve four trails within the existing trail network and develop two gladed areas.

- Re-route the existing snowmobile access route.

- Install snowmaking infrastructure, make snow on the first 400 feet of the proposed re-route, and groom the re-route periodically to create a smooth rideable surface for snowmobile riders of all ability levels.

- Develop a snowmobile parking/staging area along Hermosa Park Road, north of Purgatory Village on the east side of Highway 550, which would accommodate cars, trucks, and trailers.

- Relocate the existing snowmobile outfitter and guide to the top of the Twilight Lift (Chair 4).

- Expand snowmaking coverage on 14 existing trails and two proposed trails (detailed below) by approximately 149 acres for a resort total of 364 acres.

#### Styx

Lower Hades

Lower Catharsis

Mercy

The Bank

Upper Hermosa

Angel's Tread

Columbine

Divinity

Pinkerton Toll Road

Nirvana

Peace

Dead Spike

Legends

Proposed Run

Proposed Snowmobile Re-route

- Expand the existing Powderhouse Restaurant by approximately 11,000 square feet to include a restaurant with 419 additional seats, restrooms, a ski school desk, retail services, and public lockers. Expand the on-site septic system.

- Expand the existing Dante's Restaurant by 1,200 square feet to include a restaurant with 473 additional seats and guest services similar to those at the Powderhouse. This facility would continue to operate during the winter season and is proposed for summer use as well. Re-drill two existing wells to produce a higher water flow for domestic water needs. Upgrade the on-site septic system.

- Construct a new 13,500 square foot lodge adjacent to the top terminal of Twilight Lift (#4) to include a 444-seat restaurant, restrooms, a ski school desk, retail services, and public lockers. This facility is proposed for winter and summer use. Haul domestic water from existing storage tanks or proposed well and develop an on-site septic system.

- Drill one additional well along the Pinkerton Toll Road ski trail to provide additional domestic water for the resort.

- Double the size of the aboveground fuel storage tanks at the mid-mountain maintenance building.

**DATES:** Comments concerning the scope of the analysis must be received by March 18, 2004.

**ADDRESSES:** Written comments concerning this notice should be addressed to Richard Speegle at the San Juan Public Lands Center, 15 Burnett Court, Durango, CO 81301. Comments may also be sent via e-mail to [richard.speegle@co.blm.gov](mailto:richard.speegle@co.blm.gov) or via facsimile to (970) 375-1243.

#### FOR FURTHER INFORMATION CONTACT:

Richard Speegle, Supervisory Recreation Planner, at the Public Lands Center via telephone at (970) 375-3310. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The Proposed Action addresses issues related to the recreation experience. Presently, alpine skiing/snowboarding and other resort activities are provided to the public through a Special Use Permit (SUP) issued by the Forest Service and administered by the San Juan National Forest. All elements of the proposal remain within the existing SUP boundary area. The proposed improvements are consistent with the San Juan National Forest Land and Resource Management Plan (Forest Plan). The proposed improvements are considered necessary in light of current resort deficiencies and projected future visitation.

#### Purpose and Need for Action

The Forest Service and Durango Mountain Resort (DMR) cooperatively identified a purpose for this proposal, which is to upgrade and expand DMR within the existing Special Use Permit (SUP) are to achieve a balance of guest service facilities and skiing opportunities with existing and proposed visitation, thereby enhancing the quality of the recreation experience.

**Responsible Official:** The responsible official is Mark Stiles, Forest Supervisor for the San Juan National Forest, Public Land Center, 15 Burnett Court, Durango, CO 81301. The responsible official will document the decision and reasons for the decision in a Record of Decision. That decision will be subject to appeal under 36 CFR part 215 or part 251.

#### Nature of Decision To Be Made

Based on the analysis that will be documented in the forthcoming EIS, the responsible official for this project, the Forest Supervisor of the San Juan National Forest, will decide whether or not to implement, in whole or in part, the Proposed Action or another alternative developed by the Forest Service.

#### Scoping Process

Public questions and comments regarding this proposal are an integral part of this environmental analysis process. Comments will be used to identify issues and develop alternatives to DMR's proposal. To assist the Forest Service identifying and considering issues and concerns on the proposed action, comments should be as specific as possible.

An open house will be held on Wednesday, March 3, 2004 from 4:30 pm until 8:30 pm at the San Juan Lands Center. Input provided by interested and/or affected individuals, organizations and governmental agencies will be used to identify resource issues that will be analyzed in the Draft EIS. The Forest Service will identify significant issues raised during the scoping process, and use them to formulate alternatives, prescribe mitigation measures, or analyze environmental effects.

**Preliminary Issues:** Identified preliminary issues include:

- Water quantity and quality.
- Wetlands.
- Wildlife and vegetation

(Threatened, Endangered, and Sensitive species).

- Quality of the recreation experience.

#### Comment Requested

This notice of intent initiates the scoping process which guides the development of the draft environmental impact statement, including the identification of the range of alternatives to be considered. While public participation is strictly optional at this stage, the Forest Service believes that it is important to give reviewers notice of several court rulings related to public participation in the subsequent environmental review process. First, reviewers of draft 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. Hotel*, 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 draft environmental impact statement 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 also may address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. In addressing these points, reviewers may wish to refer to the Council on Environmental Quality regulations which implement the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3.

Dated: February 9, 2004.

**Pauline E. Ellis,**  
Columbine District Ranger, San Juan National Forest.

[FR Doc. 04-3343 Filed 2-13-04; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Umatilla National Forest, Oregon, Rimrock Ecosystem Restoration Projects

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Rimrock Ecosystem Restoration Projects was listed in the **Federal Register** on June 6, 2003 (68 FR 33934). On August 14, 2003, the decision to implement commercial and non-commercial thinning within the C3 winter range was withdrawn from the ROD. All other aspects of the June 6th ROD are being implemented. There is a need to amend the Umatilla National Forest Land and Resource Management Plan (LRMP) in order to implement the commercial and non-commercial thinning within the C3 Management area. The FEIS will be supplemented to inform and support a new decision on the C3 area of the Rimrock Ecosystem Restoration Projects.

**DATES:** Comments concerning the scope of the analysis must be received by March 15, 2004. The supplemental draft environmental impact statement is expected April 2004 and the final supplemental environmental impact statement is expected July 2004.

**ADDRESSES:** Send written comments to the Responsible Official, Jeff Blackwood, Forest Supervisor, Umatilla National Forest, 2517 S.W. Hailey Avenue, Pendleton, OR 97801. Send electronic comments to [comments.pacificnorthwest.umatilla@fs.fed.us](mailto:comments.pacificnorthwest.umatilla@fs.fed.us). For further information, mail correspondence to David Kendrick, Project Team Leader, Heppner Ranger District, PO Box 7, Heppner, OR 97836.

**FOR FURTHER INFORMATION CONTACT:** See address above.

#### SUPPLEMENTARY INFORMATION:

##### Purpose and Need for Action

The purpose of this supplement to the Rimrock FEIS is to consider new information on the commercial and non-commercial thinning treatments in the C3 management area. The existing habitat effectiveness index for the Monument winter range is 67. Implementation of the commercial and non-commercial thinning portion of the Rimrock Ecosystem Restoration Project within the C3 management area in the proposed action or alternative actions (Rimrock FEIS pages 26–36) would result in a habitat effectiveness index of 67 for the Monument winter range. Although there is no change in habitat effectiveness index, an index of no less than 70 was not achieved as stated in the LRMP (page 4–152). Therefore, to fully address the original purpose and need for the project and implement the proposed action or alternative actions within the C3 management area, an amendment to the LRMP would be required. The purpose of the amendment is to permit implementation of the commercial and non-commercial thinning in the C3 management area of the Rimrock Ecosystem Restoration Projects.

##### Proposed Action

In addition to the proposed commercial and non-commercial activities as described in the Rimrock FEIS (pages 26–37), the Forest Supervisor proposes to amend the LRMP following procedures described in Forest Service Handbook 1909.12, Chapter 5 *Forest Plan Implementation and Amendment Process*. The amendment will allow a project specific change to the wildlife standard on page 4–152 for all action alternatives. The

standard reads: "Elk habitat will be managed on designated big game winter ranges to achieve a habitat effectiveness index of no less than 70, including discounts for roads open to motorized vehicular traffic as described in *Wildlife Habitats in Managed Forests* (Thomas and others, 1979). The habitat effectiveness standard will be measured on an individual winter range basis." The amendment will allow an HEI of 67 for the Monument winter range only for the site-specific project called Rimrock Ecosystem Restoration Projects.

#### Possible Alternatives

All alternatives described in Chapter 2 of the FEIS remain unchanged except for an amendment to only change the HEI to 67 for the wildlife standard on LRMP page 4–152 for this site-specific project. The alternatives are described in detail on pages 23 to 37 in the Rimrock FEIS. In addition to these alternatives, one action alternative that does not amend the LRMP will be considered.

#### Responsible Official

Jeff Blackwood, Forest Supervisor, Umatilla National Forest, 2517 S.W. Hailey Avenue, Pendleton, OR 97801.

#### Nature of Decision To Be Made

Whether or not to implement the proposed commercial and non-commercial thinning activities in the C3 management area as described in the Rimrock Ecosystem Restoration Projects FEIS and amend the LRMP habitat effectiveness standard to 67 for this site-specific project only.

#### Scoping Process

The formal scoping period opened with publication of the Notice of Intent to produce an Environmental Impact Statement, which first appeared in the **Federal Register** on February 25, 1999 (Vol. 64, No. 37, page 9310–9311). Notification of the Draft Environmental Impact Statement was printed in the **Federal Register** on September 1, 2000 (Vol. 65, No. 171, page 53295). A Notice of Availability of the Final Environmental Impact Statement (FEIS) was printed in the **Federal Register** on June 6, 2003 (Vol. 68, No. 109, page 33934). On August 15, 2003, a letter was mailed to 156 stakeholders and agency representatives, to notify that the commercial and precommercial thinning activities in the C3 management area had been withdrawn from the decision. An additional scoping period is being conducted to examine the need for an LRMP amendment for the HEI in the C3 Monument Winter Range.