

and aesthetic values and fish and wildlife habitat and otherwise protect the environment.

Proposed Action: The proposed action is to re-issue a special use authorization to Water Supply and Storage to allow the continued use of Long Draw Reservoir and Dam.

Lead and Cooperating Agencies: Lead Agency: USDA Forest Service, Cooperating Agency: USDI National Park Service, Rocky Mountain National Park.

Responsible Official: James S. Bedwell, Forest Supervisor, Arapaho and Roosevelt National Forests and Pawnee National Grassland, 2150 Centre Avenue, Building E, Fort Collins, CO 80526.

Nature of Decision To Be Made: The deciding officer will decide whether to implement the proposed action, take an alternative action that meets the purpose and need, or take no action.

Scoping Process: The project will be included in the Arapaho and Roosevelt National Forests and Pawnee National Grasslands quarterly schedule of proposed actions. Information on the proposed action will also be posted on the Forest Web site, <http://www.fs.fed.us/r2/arnf/projects/ea-projects/clrd/index.shtml> and will be advertised in the Denver Post. A scoping letter will be mailed to a Forest wide mailing list, known to be interested in Forest management. Comments submitted in response to this NOI will be most useful if received within 30 days from the date of this notice. Response to the draft EIS will be sought from the interested public beginning in September 2006.

Preliminary Issues:

Local Impacts to Stream Flows, Aquatic Dependent Species and Fish

Directly below the reservoir, changes in stream channel morphology and water quantity affect the aquatic ecosystem and fish habitat. Fish abundance is often dictated by habitat conditions that occur during base flow (winter) periods. Over-winter survival defines fish population for many streams. The amounts of stream flow that occurs during these critical periods can affect fish densities, biomass species composition and distribution. The extended periods of zero flow below Long Draw Reservoir and the resulting reduction in habitat represent total loss of habitat in some locations. These habitat conditions preclude the maintenance of self-sustaining fish populations immediately downstream of Long Draw Dam.

Downstream Impacts to Threatened, Endangered, Sensitive and Management Indicator Species

Several threatened and endangered species found downstream in Colorado and Nebraska, including fish, birds, plants and an insect, would likely be affected based on the previous EIS. The list of species to be assessed will be developed with concurrence by the U.S.D.I. Fish and Wildlife Service.

Other species dependent or closely associated with water from the Rocky Mountain Region's Sensitive Species list and the Arapaho and Roosevelt National Forests and Pawnee National Grassland Management Indicator Species list will also be evaluated for effects due to the proposed action. Combined with effects of the many other water development projects in the North and South Platte drainages, the project contributes to the cumulative dewatering of the Platte River system, which has jeopardy implications to downstream threatened and endangered species as identified in the previous EIS.

Comment Requested: This notice of intent initiates the scoping process which guides the development of the environmental impact statement.

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 of 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 40 CFR 503.3 is addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

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

Dated: May 11, 2005.

James S. Bedwell,
Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Forest Service

**"Northwest Howell Project",
Chequamegon-Nicolet National Forest,
WI**

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare a supplement to the environmental impact statement.

SUMMARY: In response to Federal District Judge Adelman's April 1, 2005 order regarding the "Northwest Howell" environmental impact statement and Record of Decision, I am preparing a Supplement to the April 2003 "Northwest Howell Project" Final Environmental Impact Statement. Consistent with the Court's findings, this supplement will clarify and add more detail to the cumulative effects regarding analysis area boundaries and other activities as they relate to specific Regional Forester Sensitive Species that may be affected by the actions considered in the original Environmental Impact Statement.

DATES: Comments concerning the scope of the analysis must be received by June

27, 2005 in order to be fully considered in preparing this supplemental statement. The draft supplemental environmental impact statement is expected July, 2005 and the final supplemental environmental impact statement is expected September, 2005.

ADDRESSES: Send written comments to Anne F Archie, Forest Supervisor (Responsible Official), Chequamegon-Nicolet National Forest, 1170 4th Avenue S, Park Falls, WI 54552.

FOR FURTHER INFORMATION CONTACT: Brian Quinn, Forest Environmental Coordinator, (see address above).

SUPPLEMENTARY INFORMATION: On April 14, 2003, District Ranger Butch Fitzpatrick signed a record of decision (ROD) and released the final EIS for the Northwest Howell Project. This EIS and ROD were challenged in federal district court by the Habitat Education Center, Inc. The plaintiffs raised several issues including the adequacy of the cumulative effects analysis in the FEIS. On April 1, 2005, United States Eastern District of Wisconsin Judge Adelman issued his order granting plaintiff's motion with respect to sufficiency of the cumulative impacts analysis and affirming the Forest Service's motion regarding all other issues raised by plaintiff's. After review of the court's findings, CEQ regulations, Forest Service policy, and a review of the Northwest Howell FEIS/ROD and administrative record, I have decided that the court order and the public can best be served by preparing a Supplement to the FEIS.

This notice begins the public involvement process. I will use the public response plus interdisciplinary team analysis to decide whether to revise, amend or reaffirm the original Northwest Howell Record of Decision.

The proposed action and purpose and need of the Northwest Howell Project remains unchanged from the April 2003 FEIS. The purpose is to move the structure and cover of the existing forest closer to desired conditions described under Forest Plan management direction, and to provide forest products while doing so. A concurrent purpose is to eliminate unneeded roads and manage needed roads in a more efficient and effective way.

Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft supplement to the environmental impact statement will be prepared for comment. The comment period on the draft 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 supplemental environmental impact statement stage but that are not raised until after completion of the final supplemental 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.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection. (Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 20)

Dated: May 19, 2005.

Anne F. Archie,

Forest Supervisor, Chequamegon-Nicolet National Forest.

[FR Doc. 05-10403 Filed 5-24-05; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

"McCaslin Project", Chequamegon-Nicolet National Forest, WI

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare a supplement to the environmental impact statement.

SUMMARY: In response to Federal District Judge Adelman's March 31, 2005 order regarding the "McCaslin" environmental impact statement and Record of Decision, I am preparing a Supplement to the September 2003 "McCaslin Project" Final Environmental Impact Statement. Consistent with the Court's findings, this supplement will clarify and add more detail to the cumulative effects regarding analysis area boundaries and other activities as they relate to specific Regional Forester Sensitive Species that may be affected by the actions considered in the original Environmental Impact Statement.

DATES: Comments concerning the scope of the analysis must be received by June 27, 2005 in order to be fully considered in preparing this supplemental statement. The draft supplemental environmental impact statement is expected July, 2005 and the final supplemental environmental impact statement is expected September, 2005.

ADDRESSES: Send written comments to Anne F. Archie, Forest Supervisor (Responsible Official), Chequamegon-Nicolet National Forest, 1170 4th Avenue S, Park Falls, WI 54552.

FOR FURTHER INFORMATION CONTACT: Brian Quinn, Forest Environmental Coordinator, (see address above).

SUPPLEMENTARY INFORMATION: On September 29, 2003, Deputy Forest Supervisor Larie Tippin signed a record of decision (ROD) and released the final EIS for the McCaslin Project. This EIS and ROD were challenged in federal district court by the Habitat Education Center, Inc. The plaintiffs raised several issues including the adequacy of the cumulative effects analysis in the FEIS. On March 31, 2005, United States Eastern District of Wisconsin Judge Adelman issued his order granting plaintiff's motion with respect to sufficiency of the cumulative impacts analysis and affirming the Forest Service's motion regarding all other issues raised by plaintiffs. After review of the court's findings, CEQ regulations, Forest Service policy, and a review of the McCaslin FEIS/ROD and administrative record, I have decided that the court order and the public can