

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

Hood/Willamette Resource Advisory Committee (RAC)

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Hood/Willamette Resource Advisory Committee (RAC) will meet on Friday, April 23, 2010. The meeting is scheduled to begin at 9:30 a.m. and will conclude at approximately 12:30 p.m. The meeting will be held at Salem Office of the Bureau of Land Management Office; 1717 Fabry Road SE; Salem, Oregon; (503) 375-5646. The tentative agenda includes: (1) Election of chairperson; (2) Decision on overhead rate for 2011 projects; (3) Presentation of 2011 Projects; and (4) Public Forum.

The Public Forum is tentatively scheduled to begin at 10:15 a.m. Time allotted for individual presentations will be limited to 4-5 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits for the Public Forum. Written comments may be submitted prior to the April meeting by sending them to Connie Athman at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Connie Athman; Mt. Hood National Forest; 16400 Champion Way; Sandy, Oregon 97055; (503) 668-1672.

Dated: April 2, 2010.

Bill Westbrook,

Acting Deputy Forest Supervisor.

[FR Doc. 2010-7989 Filed 4-8-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Kemmerer Ranger District, Bridger-Teton National Forest, Wyoming Kemmerer Grazing and Rangeland Vegetation Management Project

AGENCY: Forest Service, USDA.

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

SUMMARY: The Bridger-Teton National Forest will prepare an Environmental Impact Statement to analyze the effects of continued authorization of grazing on 16 sheep allotments on the Kemmerer Ranger District in southwest Wyoming. The first Notice of Intent to prepare an Environmental Impact Statement (EIS) was published in the **Federal Register** on 11/17/2008 (Volume 73, #222, pages 67835-67836) and included 15 grazing allotments. This Notice of Intent is revised from the original to include the addition of the Porcupine allotment to the proposed project area. The project area encompasses 176,828 acres of National Forest System lands within Lincoln County of western Wyoming. Most of the project area's east boundary is west of Commissary Ridge; the west boundary is Salt Creek. The center of the project area lies roughly 17 air miles northeast of Cokeville, Wyoming. The allotments included in the analysis are: Porcupine, Lower Salt Creek, Buckskin Knoll, Lake Alice, Smiths Fork, Aspen Springs, Basin Creek, Devil's Hole, Elk Creek, Green Knoll, Indian Creek, Lake Mountain, Pole Creek, Sams Allen Creek, South Fontenelle and Spruce Creek Allotments.

The analysis contained in the EIS will be used by the Responsible Official to decide whether or not, and if so, how to authorize livestock grazing and manage rangeland vegetation within the project area.

DATES: Comments concerning the scope of the analysis were solicited in the 11/17/2008 Notice of Intent. All comments that were received during the previous analysis period are being considered in the current analysis. The Draft EIS is expected in May of 2010 and the Final EIS is expected in September of 2010.

ADDRESSES: District Ranger, Kemmerer Ranger District, Kemmerer Ranger District, Bridger-Teton National Forest, 308 U.S. Highway 189 North, Kemmerer, WY 83101. Send electronic

mail to: *comments-intermtn-bridger-teton-kemmerer@fs.fed.us* and on the subject line put only "Kemmerer Grazing Allotments."

FOR FURTHER INFORMATION CONTACT: Aimee Cameron, Rangeland Management Specialist, Kemmerer Ranger District, 308 U.S. Highway 189 North, Kemmerer, WY, 83101 (307-828-5115), *amieecameron@fs.fed.us*. 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 Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The purpose of this analysis is to determine if continued livestock grazing is appropriate within the project area. If livestock grazing is re-authorized then the adaptive management strategies under which grazing would be managed to maintain or achieve desired conditions and meet Forest Plan objectives. Desired conditions are defined by the Bridger Teton Land and Resource Management Plan, Forest Service Manual, and applicable laws. This effort is undertaken to comply with the 1995 Rescissions Act (Pub. L. 104-19).

Proposed Action

The proposed action is to continue to authorize livestock grazing on 16 allotments within the project area with updated livestock grazing and rangeland vegetation management direction. Resource desired conditions are identified. Grazing practices addressing frequency of grazing and of rest from grazing will be guided by the amount and diversity of vegetation given the capability of soils, as well as indicators of soil quality such as amount of ground cover, sign of active erosion and healing of headcuts. Other Best Management Practices addressing the timing, duration, and in specific settings the intensity, of use are identified. Adaptive management is part of the proposed action. Identified are: criteria to guide management, pre-determined optional courses of action used to make adaptive changes in management over time, and the focused monitoring which provides the basis for adjusting management to attain desired resource conditions. One last element of rangeland vegetation

management, non-structural improvements, is included. Allotment Management Plans will become part of a re-issued term grazing permit and contain the livestock grazing and rangeland vegetation management direction identified by the Responsible Official's decision.

Possible Alternatives

To date the Bridger-Teton National Forest has identified two alternatives to the proposed action: (A) No Domestic Livestock Grazing, and (B) Continuation Of Current Livestock Management. Alternative A would eliminate livestock grazing on the project area over the next five years. This alternative will demonstrate the effects of eliminating livestock grazing on the environment and more clearly illustrate the potential effects of implementing any grazing and rangeland vegetation management alternative. Alternative B would continue current grazing management practices including annual adjustments in authorized livestock numbers and season.

Responsible Official

The official responsible for this proposed action is the Kemmerer District Ranger, Kemmerer Ranger District, Bridger-Teton National Forest, 308 U.S. Highway 189 North, Kemmerer, WY 83101.

Nature of Decision To Be Made

The decision to be made, based on this analysis, is if livestock will be allowed to continue to graze on 16 allotments within the project area, and if so, under what management direction. The management direction would be either through implementation of the proposed action or a grazing alternative to the proposed action.

Preliminary Issues

Preliminary issues associated with the proposed action include:

- (1) The amount and diversity of vegetation in some locations is less than the current capability of soils.
- (2) Sediment delivery to drainages supporting fisheries, and retention of precipitation on uplands, as evidenced by headcutting/gullies and sign of active erosion.
- (3) Wildlife values within some aspen stands are minimized by a lack of diverse aspen age classes; in some locations the diversity of herbaceous and shrub species in the understory is also diminished.

Scoping Process

This Notice of Intent continues the scoping process. The first formal

opportunity to respond to the proposed action was during the public scoping process (40 CFR 1501.7) which began with the issuance of the Notice of Intent to prepare an EIS published in the **Federal Register** on 11/17/2008 (Volume 73, #222, pages 67835–67836). A scoping letter was mailed to those listed on the Bridger-Teton National Forest's general mailing list on 11/18/2008. The mailing list included private landowners, term grazing permit holders, special interest groups, interested members of the public, and local, State, and Federal agencies. The letter described the proposed action, the environmental analysis, and the scope of the decision to be made. Additionally, the letter solicited public participation in the process, specifically the submission of comments, concerns, and recommendations regarding the management of grazing allotments within the project area. News releases were also made to encourage public comments and input into the project. The scoping process is used to assist the forest in identifying specific issues to be addressed related to the purpose and need and the scope of the decision.

Although a formal comment period is not being reopened for this NOI, comments related to the scope of the analysis will be accepted any time prior to the final decision being made. All previously submitted comments will be used to prepare the Draft EIS. Additional news releases will be prepared to give the public general notice concerning the progress on this project analysis. Ongoing information related to the proposed action and related analysis will be posted on the Bridger-Teton National Forest Web site <http://www.fs.fed.us/r4/btnf>. *Early Notice of Importance of Public Participation in Subsequent Environmental Review: A Draft EIS will be prepared for comment. The comment period on the Draft EIS will be for a period of 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 a Draft EIS 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. NRD*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the Draft EIS 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 EIS 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 EIS 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 21.

Date: April 5, 2010.

Tracy Hollingshead,

District Ranger, Kemmerer Ranger District, Bridger-Teton National Forest.

[FR Doc. 2010-8104 Filed 4-8-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Eastern Arizona Counties Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Eastern Arizona Counties Resource Advisory Committee will meet in Pinetop, Arizona. The purpose of the meeting is to review and recommend funding of project proposals in accordance with Public Law 110-343 (the Secure Rural Schools and Community Self-Determination Act).

DATES: The meeting will be held April 29, 2010 starting at 10 a.m. Should this