

**Responsible Official**

District Ranger, Mystic Ranger District, Black Hills National Forest, 8221 South Highway 16, Rapid City, South Dakota 57702.

**Nature of Decision To Be Made**

The decision to be made is whether or not to implement the proposed action or possible alternative at this time.

**Scoping Process**

Comments and input regarding the proposal will be received via direct mailing from the public, other groups, and agencies during the initial public comment period in October and November 2011. If you would like to be more involved, a public meeting is scheduled for Thursday, November 3, 2011, from 7 p.m. to 9 p.m. at the Mystic Ranger District Office, Rapid City, South Dakota. Comments submitted based on 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 February 2012.

**Comment Requested**

This notice of intent provides information that the agency will prepare an environmental impact statement in response to public comment and feedback during the October and November 2011, scoping period. Comments received will assist the planning team to develop the mailing list for the draft EIS and help identify key issues and opportunities used to refine the proposal or possible alternative and mitigation measures. Comments on the DEIS will be requested during the 45-day comment period following the Notice of Availability, expected to be published in the **Federal Register** in February 2012 (See discussion below).

**Early Notice of Importance of Public Participation in Subsequent Environmental Review**

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 1503.3 in addressing these points.

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

Dated: October 17, 2011.

**Robert J. Thompson,**

*Acting Deputy Forest Supervisor, Black Hills National Forest.*

[FR Doc. 2011-27404 Filed 10-21-11; 8:45 am]

**BILLING CODE 3410-11-P**

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Order No. 1789]

**Expansion of Foreign-Trade Zone 276; Kern County, CA**

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 County of Kern Department of Airports, grantee of Foreign-Trade Zone 276, submitted an application to the Board for authority to expand FTZ 276 to include a site in Shafter, California, within the Bakersfield U.S. Customs and Border Protection port of entry (FTZ Docket 28-2011, filed 04/28/2011);

*Whereas*, notice inviting public comment has been given in the **Federal**

**Register** (76 FR 25300, 05/04/2011) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to expand FTZ 276 is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28, and further subject to the Board's standard 2,000-acre activation limit.

Dated: Signed at Washington, DC, this 13th day of October 2011.

**Ronald K. Lorentzen,**

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

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2011-27450 Filed 10-21-11; 8:45 am]

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**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Order No. 1788]

**Reorganization of Foreign-Trade Zone 205 Under Alternative Site Framework Port Hueneme, CA**

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 Board adopted the alternative site framework (ASF) (74 FR 1170, 01/12/09; correction 74 FR 3987, 01/22/09; 75 FR 71069-71070, 11/22/10) as an option for the establishment or reorganization of general-purpose zones;

*Whereas*, the Board of Harbor Commissioners of the Oxnard Harbor District, grantee of Foreign-Trade Zone 205, submitted an application to the Board (FTZ Docket 25-2011, filed 03/31/2011) for authority to reorganize under the ASF with a service area of Ventura County, California, within and adjacent to the Port Hueneme U.S. Customs and Border Protection port of entry, and FTZ 205's existing Sites 1 through 4 would be categorized as magnet sites;

*Whereas*, notice inviting public comment was given in the **Federal Register** (76 FR 19314-19315, 04/07/2011) and the application has been