

Dave Sisk, District Ranger, Medicine Wheel/Paintrock Ranger District, Bighorn National Forest, 604 E. Main, Lovell, Wyoming 82431.

FOR FURTHER INFORMATION: Direct questions to Bernie Bornong, Interdisciplinary Team Leader, Bighorn National Forest, phone (307) 674-2600.

SUPPLEMENTARY INFORMATION: The allotments are located approximately 35 miles, by road, southeast of Lovell, Wyoming in the Bighorn River drainage. National Forest System lands within the Bighorn National Forest will be considered in the proposal. The purpose of the analysis is to determine if livestock grazing will continue on the analysis area. If the decision is to continue livestock grazing, then updated management strategies outlining how livestock will be grazed will be developed to assure implementation of Forest Plan management direction. The analysis will consider actions that continue to improve trends in vegetation, watershed conditions, and ecological sustainability relative to livestock grazing within the allotments. Management actions are proposed to be implemented beginning in the year 2009.

The Bighorn National Forest Land and Resource Management Plan (Forest Plan) identifies livestock grazing as an appropriate use and makes initial determinations for lands capable and suitable for grazing by domestic livestock.

The fourteen allotments involved are: Bear/Crystal Creek Sheep and Goat (S&G), Beaver Creek S&G, Finger Creek Cattle and Horse (C&H), Grouse Creek S&G, Hunt Mountain S&G, Matthews Ridge C&H, Red Canyon S&G, Red Canyon C&H, Sunlight Mesa C&H, South Park C&H, Whaley Creek S&G, Wiley Sundown C&H, Antelope Ridge S&G, and Little Horn S&G Allotments.

Purpose and Need for Action: The purpose of this project is to determine if livestock grazing will continue to be authorized on the fourteen allotments, and if it is to continue, how to best to utilize adaptive management strategies to maintain or achieve desired conditions and meet forest plan objectives. Livestock grazing is currently occurring on most of the allotments under the existing allotment management plan (AMP) and through direction provided in the Annual Operating Instructions. A few of the allotments are currently vacant. Continuation of livestock grazing will require reviewing existing management strategies and, if necessary, updating them to implement forest plan direction and meet Section 504 of Public Law

104-19 (Rescission Bill, signed 7/27/95). The results of this analysis may require modifying term grazing permits and AMPs. Modifications will be documented in updated AMPs for the allotments.

An additional purpose of this project is to maintain or move toward desired conditions for sagebrush/grassland communities; specifically, to maintain a mosaic of vegetation composition and structure that emulates, or moves toward, natural processes. The need to provide a mosaic of sagebrush cover densities has been identified in the project area.

Proposed Action: The proposed action is to continue livestock grazing using adaptive management strategies to meet or move toward Forest Plan and allotment-specific desired conditions. This includes changing livestock management strategies, constructing additional improvements (fences and water developments), and treating sagebrush.

Possible Alternatives: Two additional alternatives have been identified to date: (a) Remove livestock grazing from these allotments; and, (b) Continue current management strategies.

Responsible Official: Dave Sisk, District Ranger, Medicine Wheel/Paintrock Ranger District, Bighorn National Forest, 604 E. Main, Lovell, Wyoming 82431.

Nature of Decision to be Made: The Responsible Official will consider the results of the analysis and its findings and then document the final decision in a Record of Decision (ROD). The decision will determine whether or not to authorize livestock grazing on all, part, or none of the allotments, and if so, what adaptive management design criteria, adaptive options, and monitoring will be implemented so as to meet or move toward the desired conditions in the defined timeframe.

Scoping Process: Formal scoping for this project occurred in March 2007.

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 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 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 21)

Dated: March 4, 2007.

Dave Sisk,
Medicine Wheel/Paintrock District Ranger.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RIN 0648-XA17]

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration, Commerce.

ACTION: Notice; issuance of permit.

SUMMARY: This notice advises the public that an incidental take permit has been issued to the Grants Pass Irrigation District for the continued operation and maintenance of Savage Rapids Dam at Grants Pass, Oregon, and that the decision documents are available upon request.

DATES: Permit 1607 was issued on May 7, 2007, subject to certain conditions set forth therein, and took effect on May 7, 2007. The permit expires on November 1, 2009.

ADDRESSES: Requests for copies of the decision documents or any of the other associated documents should be directed to the Habitat Conservation Division, NOAA's National Marine Fisheries Service, 2900 NW Stewart Parkway, Roseburg, OR 97470. The documents are also available on the Internet at www.nwr.noaa.gov.

FOR FURTHER INFORMATION CONTACT: Ken Phippen, at phone number: (541) 957-3385, e-mail: ken.phippen@noaa.gov.

SUPPLEMENTARY INFORMATION: This notice is relevant to the following species:

Coho salmon (*Oncorhynchus kisutch*); threatened Southern Oregon and Northern California Coasts evolutionarily significant unit.

Dated: May 10, 2007.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA32

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for an Exempted Fishing Permit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that an Exempted Fishing Permit (EFP)

application submitted by Dr. Pingguo He of the University of New Hampshire (UNH) contains all of the required information and warrants further consideration. The Assistant Regional Administrator has made a preliminary determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP).

However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow one commercial fishing vessel to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would enable researchers to test an experimental whiting net that uses wheeled ground gear by granting exemption from the requirement to use a raised footrope trawl. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before May 31, 2007.

ADDRESSES: You may submit written comments by any of the following methods:

- Email: DA7-138@noaa.gov. Include in the subject line “Comments on wheeled whiting trawl EFP.”
- Mail: Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope “Comments on wheeled whiting trawl EFP, DA7-138.”
- Fax: (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Douglas Potts, Fishery Management Specialist, 978-281-9341.

SUPPLEMENTARY INFORMATION: An application for an EFP was submitted on May 2, 2007, by Dr. He of UNH and his industry partner Vincent Balzano, for a project funded under the Northeast Consortium. The primary goal of this study is to conduct feasibility and field testing of a trawl net equipped with a novel wheeled ground gear that may reduce the environmental impact on the seabed and reduce fuel consumption by the vessel.

The EFP would exempt one vessel from the requirement to use a raised footrope trawl net as specified at 50 CFR 648.80(a)(16) while conducting research trips in the Gulf of Maine (GOM) Grate

Raised Footrope Trawl Whiting Exempted Fishery.

Initial testing of this gear will be conducted on a beach by towing the ground gear between two rented beach vehicles. During these trials, video recordings and photographs will be taken to evaluate the gear's rolling function and necessary initial adjustments and modifications will be made.

At sea research trips would be conducted over four days between July 1 and November 30, 2007. The experimental trawl net, with the exception of the ground gear, would conform to the requirements of this exempted fishery including a minimum 2.5-inch (6.35 cm) mesh size and a properly installed finfish excluder device. During trials, observations of the gear would be made with an underwater camera system and acoustic monitoring instruments would be used to measure net geometry.

The applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 11, 2007.

James P. Burgess,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[XRIN: 0648-XA29]

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The New England Fishery Management Council's (Council) Vessel Monitoring Systems (VMS)/Enforcement Committee will meet to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).