

proposed activities could increase water yield in amounts that would decrease bank stability, thus increasing sediment in Johnson Creek and lower Big Creek.

Possible Alternatives to the Proposed Action

Three alternatives to the proposed action have been identified: (1) A no action alternative; (2) An alternative that would exclude timber harvesting and road construction in the IRA's; and (3) an alternative that would mitigate increases in water yield and loss of pileated woodpecker, northern goshawk, and fisher habitat. Other alternatives may be developed as issues are raised and information is received.

Decisions To Be Made

The Boise National Forest Supervisor will decide the following:

Should roads be built and timber harvested within the Prince John Project area at this time, and if so; where within the project area, and how many miles of road should be built; and which stands should be treated and what silvicultural systems should be used?

Should prescribed fire be used within the Prince John Project area at this time, and if so; where within the project area; and what mitigation/watershed enhancement measures should be applied to the project?

Should the obliteration of portions of roads 497, 497A, 497A2, 497F, 497J1, and 497L be implemented at this time?

Schedule

Draft Environmental Impact Statement (DEIS), September 1996.
Final EIS, November 1996.

Public Involvement

The proposal has been previously scoped by two public meetings. The first was at the Cascade Ranger District office on December 6, 1995, with the second meeting at the Boise National Forest Supervisor's Office on December 7, 1995. In addition, the Cascade Ranger District mailed a scoping package in November 1995 to over 180 individuals and/or groups who may be affected by the decision. Further, the EA was released for a 30-day public review and comment period in April 1996 to 75 interested groups and/or individuals. Comments received from these public involvement efforts will be incorporated into the analysis process.

Comments

Written comments concerning the proposed project and analysis are encouraged and should be postmarked within 30 days following publication of this announcement in the Federal

Register. Mail comments to Steve Patterson, Cascade Ranger District, Boise National Forest, P.O. Box 696, Cascade, ID 83611, telephone, 208-382-7430. Further information can be obtained at the same location.

The comment period on the DEIS 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 the DEIS 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 DEIS stage but are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1002 (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 section 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the DEIS 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 DEIS 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.

Responsible Official

David D. Rittenhouse, Forest Supervisor, Boise National Forest, 1750 Front Street, Boise, ID 83702.

Dated: August 14, 1996.

Milton D. Coffman,

Acting Forest Supervisor.

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Natural Resources Conservation Service

Potomac Headwaters Watershed, Hardy, Hampshire, Mineral, Grant, and Pendleton Counties WV; Finding of No Significant Impact

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council of Environmental Quality Regulations (40 CFR Part 1500); and the Natural Resources Conservation Service Regulations (7 CFR Part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Potomac Headwaters Watershed, Hardy, Hampshire, Mineral, Grant, and Pendleton Counties, West Virginia.

FOR FURTHER INFORMATION CONTACT:

Roger L. Bensey, State Conservationist, Natural Resources Conservation Service, 75 High Street, Morgantown, West Virginia 26505, Telephone: 304-291-4153.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Roger L. Bensey, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project purpose is water quality improvement of streams in the Potomac Headwaters. The planned works of improvement include installation of animal waste storage systems, dead bird composters, livestock confinement areas, nutrient management plans, and riparian buffer zones.

The Notice of a Finding Of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Roger L. Bensey.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the Federal Register.

(This activity is listed in the Catalog of Federal Domestic Assistance under NO. 10.904, Watershed Protection and Flood Prevention, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials.)

Richard W. Sims,
Acting State Conservationist.

Finding of No Significant Impact for Potomac Headwaters Land Treatment Watershed Project Hardy, Hampshire, Mineral, Grant, and Pendleton Counties, West Virginia

Introduction

The Potomac Headwaters Land Treatment Watershed Project is a federally assisted action authorized for planning under Public Law 78-534, the Flood Control Act. An environmental assessment was undertaken in conjunction with the development of the watershed plan. This assessment was conducted in consultation with local, State, and Federal agencies as well as with interested organizations and individuals. Data developed during the assessment are available for public review at the following location: U.S. Department of Agriculture, Natural Resources Conservation Service, 75 High Street, Room 301, Morgantown, West Virginia 26505.

Recommended Action

Proposed is the installation of animal waste storage systems, dead bird composters, livestock confinement improvements, nutrient management plans, and riparian buffer zones for the purpose of reducing nutrient and bacterial pollution in the Potomac River headwaters.

Effects of the Recommended Action

Improvements in animal waste management will result in decreased runoff of nutrients and bacteria to streams, improving the water quality of the project area. Proper storage and application of manure and poultry litter will not only improve water quality, but will also improve the farmers efficiencies and make the product available for market. Installation of dead bird composters will enable more growers to manage this poultry waste product in an environmentally sound and economical means. Development of nutrient management plans will assure proper field application rates of animal waste. Installation of riparian buffer zones will reduce nutrient and bacteria runoff to streams and surface waters.

Risks of water-borne illnesses will be reduced, and the water pollution threat to fishing, boating, swimming, and tourism in the area will be lessened.

The proposed action will have little or no effect on wetlands. No adverse effects to threatened/endangered species are anticipated.

Consultation has been initiated with the State Historic Preservation Office. Should significant cultural resources be identified during implementation, they will be avoided or otherwise preserved in place to the fullest practical extent. If significant cultural resources cannot be avoided or preserved, pertinent information will be recovered before construction. If there is a significant cultural resource discovery during construction, appropriate notice will be made by NRCS to the State Historic Preservation Officer and the National Park Service. Consultation and coordination have been and will continue to be used to ensure the provisions of Section 106 of Public Law 89-665 have been met and to include provisions of Public Law 89-523, as amended by Public Law 93-291. NRCS will take action as prescribed in NRCS GM 420, Part 401, to protect or recover any significant cultural resources discovered during construction.

Alternatives

The planned action is the most practical means of reducing nutrient and bacterial pollution of streams. Because no significant adverse environmental impacts will result from installation of the measures, no other alternatives, other than the no project one, were considered.

Consultation—Public Participation

Formal agency consultation began with the initiation of the notification of the State Single Point of Contact for Federal Assistance in September 1995. Scoping meetings were held in September, October, and December 1995 and interdisciplinary efforts were used in all cases. A public meeting was held on May 2, 1996 to present the Draft Plan-Environmental Assessment to the Public and to receive comments and questions.

Specific consultation was conducted with the State Historic Preservation Officer concerning cultural resources in the watershed, and with the U.S. Fish and Wildlife Service regarding threatened/endangered species. The U.S. Geological Survey, through a cooperative agreement, conducted water sampling and testing to establish baseline water quality values.

The plan-environmental assessment was transmitted to all participating and interested agencies, groups, and individuals for review and comment on March 29, 1996.

Agency consultation and public participation to date have shown no unresolved conflicts with the implementation of the selected plan.

Conclusion

The Environmental Assessment summarized above indicates that this Federal action will not cause significant local, regional, or national impacts on the environment. Therefore, based on the above findings, I have determined that an environmental impact statement for the Potomac Headwaters Land Treatment Watershed Project is not required.

Dated: August 19, 1996.

Richard W. Sims,

Acting State Conservationist.

[FR Doc. 96-21627 Filed 8-25-96; 8:45 am]

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ASSASSINATION RECORDS REVIEW BOARD

Notice of Formal Determinations, Releases, and Designations

AGENCY: Assassination Records Review Board.

ACTION: Notice.

SUMMARY: The Assassination Records Review Board (Review Board) met in a closed meeting on August 5-6, 1996, and made formal determinations on the release of records under the President John F. Kennedy Assassination Records Collection Act of 1992 (Supp. V 1994) (JFK Act). By issuing this notice, the Review Board complies with the section of the JFK Act that requires the Review Board to publish the results of its decisions on a document-by-document basis in the Federal Register within 14 days of the date of the decision.

FOR FURTHER INFORMATION CONTACT: T. Jeremy Gunn, General Counsel and Associate Director for Research and Analysis, Assassination Records Review Board, Second Floor, Washington, D.C. 20530, (202) 724-0088, fax (202) 724-0457.

SUPPLEMENTARY INFORMATION: This notice complies with the requirements of the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. 2107.9(c)(4)(A) (1992). On August 5-6, 1996, the Review Board made formal determinations on records it reviewed under the JFK Act. These determinations are listed below. The assassination records are identified by the record identification number assigned in the President John F. Kennedy Assassination Records