

# 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

### Forest Service

#### Revised Land and Resource Management Plan for the Croatan National Forest

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement.

**SUMMARY:** Pursuant to 36 CFR 219.10(g), the Regional Forester for the Southern Region gives notice of the Agency's intent to prepare an Environmental Impact Statement (EIS) for the revision of the Forest Land and Resource Management Plan (Forest Plan) for the Croatan National Forest. According to 36 CFR 219.10(g), Forest Plans are ordinarily revised on a 10–15 year cycle. Several amendments have been made to the Forest Plan since it was approved in 1986.

The Agency invites written comments within the scope of the analysis described below. In addition, the Agency gives notice that an open and full environmental analysis and decision-making process will occur on the proposals so that interested and affected people may participate and contribute to the final decision.

**DATES:** Comments concerning the scope of the analysis should be received by January 17, 1997. The Agency expects to file the Draft Environmental Impact Statement (DEIS) with the Environmental Protection Agency and make them available for public comment in March of 1997. The Agency expects to file the Final Environmental Impact Statement (FEIS) in November of 1997.

**ADDRESS:** Submit written comments to the Forest Supervisor at the following address: National Forests in North Carolina; P.O. Box 2750; Asheville, NC 28802.

#### FOR FURTHER INFORMATION CONTACT:

National Forests in North Carolina; Planning Staff Officer—George H. Cook—phone: (704) 257–4237.

**RESPONSIBLE OFFICIAL:** The Regional Forester for the Southern Region located at 1720 Peachtree Road, NW, Atlanta, Georgia 30367, is the Responsible Official.

#### Affected Counties

This Notice of Intent affects the following North Carolina Counties:

*Croatan National Forest:* Carteret, Craven, and Jones.

#### SUPPLEMENTARY INFORMATION:

##### 1. The Purpose and Need for Action

Natural resource management decisions are made in two stages. First stage decisions allocate land and resources to various uses or conditions by establishing management prescriptions and where they apply in the plan area. These first stage decisions become the Forest Plan, which sets a framework for the next stage of decisions. Second stage decisions approve site-specific projects that implement the Forest Plan.

Forest Plans establish goals and objectives to achieve the desired resource conditions for National Forests. These Forest Plans also establish limits on actions (standards) that can be taken to meet desired conditions. Planners often use management areas to delineate where management prescriptions and their associated goals, objectives, and standards apply in the plan area.

Forest Plans guide site-specific actions. Projects are designed to change conditions from current to desired according to the management prescriptions in the Forest Plan. These site-specific actions must be consistent with Forest Plans.

Integrating multiple-resource conditions and uses is one important outcome of Forest Plans. The decisions made in Forest Plans are outlined in the planning regulations summarized below.

1. Establish forest-wide multiple-use goals and objectives (36 CFR 219.11(b)).
2. Establish forest-wide management requirements (36 CFR 219.13 to 219.27).
3. Establish multiple-use prescriptions and associated standards and guidelines for each management area (36 CFR 219.11(c)).

4. Determine land suitable for the production of timber (16 U.S.C. 1604(k) and 36 CFR 219.14).

5. Establish the allowable sale quantity for timber within a time frame specified in the Forest Plan (36 CFR 219.16).

6. Establish monitoring and evaluation requirements (36 CFR 219.11(d)).

7. Recommend roadless areas, which, if any, are proposed for potential wilderness designation (36 CFR 219.17).

The Croatan National Forest is completing its first planning cycle, which occurs at 10 to 15 year intervals. The current Forest Plan includes management direction for the Croatan and the Uwharrie National Forests. We propose to establish 2 separate Forest Plans, one for each National Forest. This notice focuses on revising management direction for the Croatan National Forest. The notice for revising the Uwharrie National Forest Plan will be issued separately.

##### 2. Preliminary Issues

The revised Forest Plan will focus on key issues that have surfaced from reviews of the current Forest Plan. The 5-year review, as specified in the planning regulations, was conducted in 1992. A review of the "analysis of the management situation" was conducted in 1996. Results of these reviews identifies conditions that have changed over time. These changes have created new issues on the Croatan National Forest.

Managers of the Croatan National Forest are faced with issues both National and local in scope. The preliminary issues are framed as the following topics and needs.

**A. Biological Diversity.** Biological diversity refers to the variety of life, its forms, and the levels of organization. To manage for biodiversity, means to maintain the stability and resilience of ecosystems to respond and recover from natural and human induced disturbances.

1. On the Croatan National Forest, recovery of the red-cockaded woodpecker (RCW) depends on restoring the longleaf pine community through natural fire regimes. Longleaf pine communities are less susceptible to a variety of pests and pathogens and catastrophic wildfire. We need to designate the RCW Habitat Management Areas, set population objectives, and

locate and set management direction for RCW clusters and habitat linkages.

2. Species diversity is enhanced by restoring natural community composition, structure, and function, including wetlands. We need to identify which natural communities should be targeted for restoration and to what level should the restoration efforts be.

3. Black bear and its habitat are important components of the ecosystem. We need to estimate the quantity and distribution of habitat needed to maintain a stable population. Bear require hard mast foods, habitat linkages and freedom from motorized disturbance.

4. Neotropical migratory birds require a minimum block or patch size. At issue is which species are present, what patches currently exist, and how many should there be distributed across the forest.

**B. Recreation Opportunities.** People are seeking nature-based recreation opportunities, but demands for settings and activities range from primitive to highly developed. Also, the desires of traditional local users often differ from new recreationists drawn from a growing local tourist industry and newcomers to the local community. The amount and patterns of use for different activities are changing. The current mix of recreation opportunities no longer responds to changing public demands and expectations. The effects of recreation use on ecological and cultural resources is also a concern.

We need to determine what mix of resource-compatible recreation settings, activities, and facilities should be provided on the Croatan National Forest, and what level of use is sustainable.

**C. Special Land Allocations.** Wilderness, Wild and Scenic Rivers, and Research Natural Areas are allocations of lands to specific uses; some require Congressional designation. These specially allocated lands may not allow or may have reduced levels of timber and wildlife management, and may have limited recreational access. The concern is while many people may want to see more of these areas, others may oppose allocating land to these uses and may even desire a reduction in the quantities currently established. The following special land allocations will be addressed in the Forest Plan revision.

1. We will assess the wilderness resource and determine whether or not to recommend additional areas for Congressional designation. In addition, natural fire and prescribed fire will be evaluated as a way to restore natural processes to the wilderness.

2. White Oak River and Brices Creek will be assessed to determine their suitability as Wild and Scenic Rivers. The issue is whether or not to recommend these rivers for Wild and Scenic designation by Congress.

**D. Vegetation and Timber Management.** Concerns about ecosystem health, biological diversity, and rare species and communities drive a change in existing forest types and extent. The re-establishment of longleaf pine for RCW recovery may require different regeneration methods compared to current practices. Sustaining healthy timber stands provided RCW habitat and raw materials for local economies.

1. We will determine what lands on the Croatan will be suitable for timber production based on criteria in 36 CFR 219.14.

2. Current vegetation cover types would change as a result the RCW recovery. Longleaf pine would be emphasized on appropriate land types, resulting in increased acres of longleaf on the Croatan National Forest. The issue is how extensive should the longleaf restoration be, what is the rate of restoration efforts, and what regeneration methods should be used.

**E. Fire Management.** Fire is the primary disturbance factor on the Croatan National Forest; it has a vital role in the management of the ecosystem. Prescribed fire limits hazardous fuel buildup and maintains communities that depend on fire. Prescribed fire can be scheduled to meet land management objectives, including the reduction of wildfire risk to urban interface areas.

1. We need to determine the areas of wildland urban interface concerns and what role prescribed fire on National Forest lands has in reducing wildfire risks to these areas of concern.

2. In the restoration of natural communities on the Croatan, fire has the most far-reaching effect. We need to determine the amount and timing of prescribed fire needed to accomplish vegetation management goals.

3. Determinations need to be made as to whether or not natural (lightning) fire should be allowed to burn, particularly in wilderness, and, if so, under what conditions.

**F. Access.** Public access to enter, use, or pass through the Croatan National Forest has become increasingly controversial due to a growing local population, changes in adjacent land use, and concerns about the impacts to forest resources. These concerns include illegal trash dumping, illegal and legal shooting from roads, protection for wildlife that require freedom from motorized disturbance, protection of

fragile natural communities, opportunities for non-motorized recreation use, and resource damage from legal and illegal off-highway vehicle use. The issue here is to what extent should motorized access be available on the National Forest.

**G. Local Communities.** As local communities grow, the pressure increases to accommodate a variety of special uses on the Forest. These special uses should blend with the multiple uses of the National Forest. We need to determine what kinds and extents of special uses to allow for supporting local municipal growth within the context of multiple uses of the National Forest.

### 3. Proposed Actions and Preliminary Alternatives

In this section, we disclose some preliminary proposals to address the issues. These proposals were developed from an analysis of the current conditions.

**A. Biological Diversity.** Restoration of RCW populations and their habitat will be emphasized. Ecologically unique aquatic ecosystems such as large pocosin lakes which support acid tolerant fish and other aquatic species, and swamp drainage streams and estuaries which are important habitats for anadromous and catadromous fish species will be protected.

1. Regional direction for recovery of the RCW is documented in the Environmental Impact Statement for the Recovery of the Red Cockaded Woodpecker (1995). Specific standards are disclosed for cluster, recruitment, and replacement stands, as well as foraging habitat. A tentative population objective is given in the EIS, but final population objectives must be established through the Forest Plan. Currently there are 60 active and 24 inactive clusters. We estimate the maximum population could be 190 clusters. This would require the designation of a habitat management area of 63,700 acres. Reasonable alternatives for population objectives could range from about 130 to 190 clusters. Consultation with the U.S. Fish and Wildlife Service will begin immediately to help set RCW population objectives.

2. Linked with RCW populations is the restoration of longleaf pine communities. These communities occupy less than 4 percent of its original presettlement range. Currently, the Forest contains about 12,000 acres of longleaf pine forests with the potential to restore up to 33,000 acres. This would require converting about 11,000 acres of loblolly and 10,000 acres of

pond pine to the longleaf community type.

Other rare communities include canebrakes, marshes, and wetlands. Preliminary estimates for restoration are 660 acres of marsh and 34,000 acres for canebrakes. The Natural Heritage Program, through the State of North Carolina, provides information about rare communities. They have proposed adding 18 additional special interest areas for the protection of rare communities. Criteria will be developed to evaluate these areas. The ecological classification system is used to evaluate restoration efforts. The landscape is mapped by ecological unit which identifies the potential vegetative community type that could be sustained at given sites. By comparing the current community type with its potential, the amount of restoration is identified.

3. Black bear habitat will be derived mapping patches of suitable habitat across the landscape. Open road density and available hard mast are among the criteria to evaluate these patches. The North Carolina Wildlife Commission will assist with the development of any additional criteria. The Commission has also provided information about habitats they may be suitable for bear, wild turkey, small game, waterfowl and sensitive habitats.

4. Similar to black bear, suitable habitat for neotropical migratory birds will be mapped as patches across the landscape. Criteria are being developed to conduct this mapping effort. A literature search is underway to determine the extent of past and current populations of these birds on the Croatan National Forest.

5. A classification of aquatic ecosystem types across the Croatan National Forest is currently underway, and will be completed in 1997. The delineation of different aquatic ecological types, together with data on the distribution and relative abundance of different species of fish and other biota, will form the basis for identification of regionally unique aquatic biological assemblages and their habitat requirements. Maintenance of those aquatic biological communities will be emphasized.

**B. Recreation Opportunities.** The Forest Service Recreation Opportunity Spectrum (ROS) is the analytic approach to evaluating recreation opportunities. It groups and describes compatible recreational, environmental and social settings, activities and experiences, and is the basis for identifying the capability of the Forest to provide these opportunities in concert with other resource needs and objectives. Currently, a high proportion

of the Croatan is a roaded-natural setting that supplies motorized recreation opportunities. About 20 percent of the landbase meets semi-primitive non-motorized conditions. The Forest now provides a full range of nature-based recreation activities. Most activities take place on or near water bodies. Sites and facilities that feature water are often full or near capacity at peak times, suggesting the need for more of these opportunities. Primary land-based activities now occurring include hunting and off-highway vehicle riding. Demand for opportunities for horse and mountain bike riding and nature viewing is growing. Alternative setting distributions will be evaluated using Recreation Opportunity Spectrum (ROS). The appropriate mix of recreation activities, facilities, and level of use will be determined by these setting alternatives.

Although high quality stream fishing opportunities are available on the Croatan National Forest, access is often limited and could be improved by the construction of canoe and small boat access areas. Additional bank fishing opportunities for local anglers could be provided by planning trails that would access portions of exceptional stream fisheries and by the construction of small lakes and ponds in areas where water quality would facilitate intensive management for high yields of sport fish.

**C. Special Land Allocations.** Amendment #2 of the current Forest Plan determined White Oak River to be eligible for designation as a National Wild and Scenic River with potential for recreation and scenic classifications. Further study will determine if the river is suitable for designation. Brices Creek will also be studied to determine its eligibility for inclusion in the National Wild and Scenic River system. If eligible, further analysis will determine its suitability for designation. Whether or not either of these rivers are recommended for Wild and Scenic River designation will depend on the suitability analysis. The rivers will be evaluated in a manner consistent with the USDI and USDA jointly issued *Final Revised Guidelines for Eligibility, Classification, and Management of River Areas* Federal Register 34457, September 7, 1982).

The first step in the evaluation of potential wilderness is to inventory all roadless areas of the forest that satisfy the definition of wilderness found in Section 2(c) of the 1964 Wilderness Act (FSH 1909.12, chapter 7, item 7.1). Roadless areas are places that have regained or are regaining a natural, untrammelled appearance, where any

signs of prior human activity are disappearing or being muted by natural forces. Criteria provides for roadless areas to include no more than one-half mile of improved road for each 1,000 acres.

The Croatan National Forest contains 20,800 acres in 7 roadless areas. Six of these areas adjoin the 4 existing congressionally designated wildernesses on the forest. Whether or not to recommend wilderness on the forest. Whether or not to recommend wilderness designation for each of the roadless areas will depend on a suitability analysis. Each wilderness area could be expanded as follows: Catfish Lake South Wilderness—405 acres; Sheep Ridge Wilderness—5,806 acres; Pond Pine Wilderness—3,010 acres; Pocosin Wilderness—286 acres. The remaining 11,293 acres are in a single roadless area. Criteria for the suitability analysis is from FSH 1909.12, Chapter 7.

**D. Vegetation and Timber Management.** If high population levels are set for the recovery of RCW, the restoration of longleaf pine communities would likely be accelerated which could increase timber harvesting and outputs. About 1 million board feet are currently harvested from the Croatan National Forest.

1. Approximately 90,000 acres are not suited for timber production using criteria for Stage 1 in 36 CFR 219.14. That leaves about 50,000 acres as tentatively suited for timber production. The current Forest Plan has about 27,000 acres suitable for timber production. In alternatives, the range of land suitable for timber production could vary from below the current 27,000 up to about 50,000 acres.

2. If the RCW habitat management area includes most lands tentatively suited for timber production, then standards for regeneration methods are set by the RCW-EIS. Most regeneration will occur using unevenaged or 2-aged methods. Even-aged, specifically clearcutting, would only be used to convert loblolly or pond pine to longleaf stands. Regeneration methods outside the RCW habitat management area would key on the desired conditions for the management area.

**E. Fire Management.** Almost all of the 160,000 acre Croatan National Forest is suitable for fuel reduction burning. The only lands not suitable for fuel reduction are drainages and bottomland hardwoods, which are often used as fuel breaks.

1. Many developed areas around the Croatan are vulnerable to damage by wildfire. Actions are necessary to reduce these fuel loads and thus lessen

the risk of catastrophic losses from wildfire. Fuel loadings have increased due in part to the exclusion of both wildfire and prescribed fire as values at risk have increased with land development. Fuel loadings and arrangements on the Croatan have also been and will continue to be, significantly influenced by hurricane activity along the coast. The effects from these storms tend to be cumulative, and it is highly probable that the prescribed fire program will have to increase to address these additional fuels.

2. Three year burning rotations are preferred to maintain open, park-like forest conditions, particularly in longleaf pine/RCW habitat. This equates to approximately 50,000 acres per year. The current prescribed fire program has a target of about 20,000 acres per year.

3. Prescribed natural fire, (i.e., fire resulting from a natural ignition such as lightning that is subsequently designated and managed as a prescribed fire under specific weather and fuel parameters), may be considered to achieve well-defined management objectives. In order to consider the use of prescribed natural fire on the Croatan National Forest, the items listed in Forest Service Manual 5142.21 will need to be addressed in the Forest Plan. Wildfire may be allowed to burn if conditions are suitable. Criteria for these conditions will be developed. We will also consider prescribed natural (lightning) fires in wilderness areas in order to restore the natural processes in these areas.

F. Access. To address this issue, our approach will be to map open roads on the Croatan National Forest and identify areas where illegal dumping, shooting, or other resource damage or user conflicts occur resulting from motorized use. There are about 200 miles of Forest Service roads and many miles of state roads; nearly all are open for motorized access. In addition, many off-highway vehicle routes have been created which have not yet been inventoried. Alternatives will range from maintaining high levels of access to reduced levels of motorized access.

G. Local Communities. The human population is expected to grow by 12 percent in Craven, Carteret, and Jones counties. Municipalities are demanding space to use for facilitating development. One strategy is to identify lands for exchange with local governments. Other criteria will be developed based on the desired conditions of management areas in planning alternatives.

#### 4. The Role of Scoping in Revising the Croatan National Forest Land and Resource Management Plans

Scoping for public comments about preliminary issues and proposed actions begins with the publication of this NOI. Public comments will be used to refine the issues, the proposed actions, and to develop a range of alternatives.

The Forest Service is seeking information, comments, and assistance from Federal, State, and local agencies, and other individuals or organizations who may be interested in or affected by the proposed action. This input will be utilized in the preparation of the DEIS. Public participation will be solicited by notifying in person and/or by mail, known interested and affected publics. News releases will be used to give the public general notice.

Public participation will be sought throughout the Forest Plan revision process and will be especially important at several points along the way. The first opportunity to comment will be during this scoping process (40 CFR 1501.7). Scoping includes: (1) identifying additional potential issues (other than those previously described), (2) from these, identifying significant issues or those which have been covered by prior environmental review, (3) exploring additional alternatives, and (4) identifying potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects).

As part of the first step in scoping, a series of public meetings are scheduled to explain the public role in the planning process and provide an opportunity for public input. Formats, times, and places will vary. Specific information about these meetings will be released at a later date.

#### 5. Release and Review of the EIS

The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public comment by March 1997. At that time, the EPA will publish a notice of availability of the DEIS in the Federal Register. The comment period on each DEIS will be 3 months from the date the EPA publishes the notice of availability in the Federal Register.

The Forest Services 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 that are not raised until after completion of the FEIS 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 3 month 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 FEIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed actions, comments on the DEIS should be as specific as possible. It is also helpful when 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 statements. 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.

After the comment period on the DEIS ends, comments will be analyzed, considered, and responded to by the Forest Service in preparing the FEIS. The FEIS is scheduled to be completed in November 1997. The Responsible Official will consider the comments, responses, environmental consequences discussed in each FEIS, and applicable laws, regulations, and policies in making a decision regarding these revisions. The Responsible Official will document the decision and reasons for the decision in a Record of Decision for the Forest Plan. The decision will be subject to appeal in accordance with 36 CFR 217.

The Responsible Official for the Forest Plan is the Regional Forester, Southern Region, 1720 Peachtree Road, NW, Atlanta, Georgia 30367.

Dated: October 10, 1996.

Robert D. Bowers,

Acting Regional Forester.

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