

DEPARTMENT OF AGRICULTURE

Forest Service

**Environmental Statements;
Availability, etc.: Eldorado National
Forest, CA**

AGENCY: Forest Service, USDA.

ACTION: Revision of notice of intent to prepare an environmental impact statement.

SUMMARY: On November 7, 1989, the Forest Service filed a notice of intent in the **Federal Register** to prepare an environmental impact statement (EIS) to analyze management of off-highway vehicle use in the Rock Creek area, Eldorado National Forest, Georgetown Ranger District, El Dorado County, California. An update was filed in the **Federal Register** on March 5, 1996 to update the expected date for release of the draft EIS (DEIS), provide a list of issues and alternatives considered, and to note that the scope was expanded to include non-motorized uses (hiking, equestrians, and mountain bikes) in response to public comments. Notice of availability of the Rock Creek Recreational Trails DEIS was filed in the **Federal Register** on April 26, 1996. Another update was filed in the **Federal Register** on August 4, 1997, to notify the public that changes were made to the alternatives in response to comments on the DEIS, and that a Revised Draft EIS (RDEIS) was being prepared. Since then, it was determined that five of the six alternatives under consideration would require nonsignificant amendments to the Eldorado National Forest Land and Resources Management Plan (LMRP). For this reason, the responsible official has been changed from the Georgetown District Ranger to the Eldorado National Forest Supervisor. This notice is filed to notify interested parties of the nonsignificant amendments under consideration, the change in responsible official, and the new expected release date.

DATES: The RDEIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in November 1997. At that time EPA will publish a notice of availability in the **Federal Register**. The public comment period on the RDEIS would normally be 45 days from the date of EPA's notice of availability in the **Federal Register**; however, the comment period will be extended to 60 days.

ADDRESSES: John Phipps, Forest Supervisor, Eldorado National Forest, 100 Forni Road, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Direct questions or requests for copies of

the EIS to Linda Earley, Interdisciplinary Team Leader, Georgetown Ranger District, 7600 Wentworth Springs Road, Georgetown, California, 95634; phone (916) 333-4312.

SUPPLEMENTARY INFORMATION: Work on the EIS began in 1989 with a study of impacts to the Pacific Deer Herd. Since that time the deer study has been completed, issues identified, alternative management plans developed, and extensive data collection and analysis conducted. The draft Rock Creek Recreational Trails EIS was released for public comment in April 1996.

The draft EIS analyzed alternative management plans for all types of recreation uses on the trails: hiking, equestrians, mountain bikes, and OHVs. The need to look at all uses of the trails arose from concerns that other types of recreation use may have some of the same impacts as OHVs; as well as concerns about compatibility of uses. Another concern identified in the analysis is open road densities which exceed limits established in the *Eldorado National Forest Land and Resource Management Plan* (LRMP). Because the EIS analyzes road and trail densities, and because the EIS proposes designation of both open and closed roads for OHV use, it was decided that proposals for road closures to meet the LRMP management direction would also be analyzed in this EIS.

The following issues identified during scoping for this EIS were used to develop and compare alternative management plans.

1. *Erosion:* The bare soils on road and trail surfaces create a potential for erosion. The amount of erosion may be affected by total miles of roads and trails, soil type, trail location, design, maintenance, grade, vegetative cover, type and intensity of use, and use in excessively dry conditions. Use in excessively wet conditions may cause rutting which will accelerate erosion by channeling water.

2. *Water Quality:* Erosion of soils can impact water quality by adding sedimentation to streams. Sedimentation may be affected by erosion from trails, design of stream approaches and crossings, and proximity of trails to streams. Another potential impact to water quality from use of trails is the risk of oil or fuel spills at stream crossings.

3. *Wildlife Species:* Use of the trails has the potential to impact wildlife species primarily through disturbance by human presence or noise. Road and trail densities influence the potential disturbance by providing increased or decreased access into the area.

4. *Air Quality:* Air quality may be affected by emissions from motorized vehicles as well as dust from use of roads and trails.

5. *Noise:* The sound of OHVs is unacceptable to many people, and therefore may have a negative impact on adjacent landowners and the experience of other Forest users. The sound of OHVs may also contribute to disturbance of wildlife.

6. *Opportunity and Quality of the Recreation Experience:* The quality of the recreation experience may be affected by: the condition, variety, and level of challenge of the trails; the availability of staging areas and the level of development there; other uses allowed on the trails; and the aesthetics of the trail experience. Opportunity for recreation is determined by the trail mileage available and uses allowed on each; the number and size of recreation events allowed; and the frequency and duration of trail closures.

7. *Health and Safety:* Safety may be affected by a variety of factors. Width of trails may affect speeds traveled, and therefore risk of accidents. Intersections of roads and trails may pose increased risks of accidents. Combination of equestrian and mountain bike use on trails may pose a risk since bikes come up quietly and may startle horses. Two-way traffic poses a risk for OHVs since they cannot hear each other coming, which could result in a head-on collision. Chipsealing of road surfaces poses a risk to equestrians due to the slippery contact between the chipseal and the horseshoes. Trail structures such as gabions and cinderblocks may also pose a risk to horses. Health may be affected by availability of drinking water and sanitation facilities for recreationists.

8. *Risk of Fire:* Risk of fire is increased by human activity such as campfires and smoking that may be associated with use of trails. Internal combustion engines, such as OHVs also increase the risk, particularly if proper spark arresters are not in place.

9. *Funding:* Levels of funding available affects the ability to maintain trails properly, the number of trails that can be maintained, ability to construct trails, ability to effectively rehabilitate closed trails, the amount of monitoring that can be conducted, and the level of law enforcement that can be maintained. These, in turn, affect the ability to implement the chosen alternative and, therefore, to protect the environment and the quality of the recreation experience.

The following alternatives are analyzed in the revised draft EIS:

Alternative 1—No Action

This alternative would continue the current management of the Rock Creek Trails. Most trails in the area are multiple use, open to all four use types: hiking, equestrians, mountain bikes, and OHVs. There are approximately 136 miles of multiple use routes (roads and trails) and 5 miles of routes restricted to non-motorized uses. The current management plan includes closure of the critical deer winter range to OHVs and mountain bikes from generally November 1 to May 1 each year. Trails are also closed to OHVs during wet weather conditions. This alternative would require a nonsignificant LRMP amendment to increase the open road density limit in the Rock Creek area to 3.25 miles per square mile.

Alternative 2—No OHV Use

OHV use would be eliminated in this alternative. There would be approximately 46 miles of non-motorized routes available. Approximately 33 miles of roads would be closed. Trails would be closed to equestrians and mountain bikes during wet weather conditions, and staging areas in the critical deer winter range would be closed from February 1 to May 1. Up to two large recreation events, with up to 300 participants, would be allowed each year for each non-motorized use type.

Alternative 3—Increased Multiple Use Recreation

This alternative reduces trail closures and allows the maximum trail density. Approximately 130 miles of multiple use routes would be available, and 15 miles of non-motorized routes. Approximately 30 miles of roads would be closed. There would be no closure of the critical deer winter range. Wet weather closures would apply to OHVs, equestrians, and mountain bikes. Up to two large recreation events per year, with up to 500 participants each, would be allowed for each use type. This Alternative would require a nonsignificant LRMP amendment to designate the staging areas as developed recreation sites, and to establish a vegetation buffer along the trails. These amendments would apply to the Rock Creek area only.

Alternative 4—Separated Multiple Use Recreation

This alternative addresses concerns about shared use of trails by different types of uses. The system would include approximately 86 miles of multiple use routes, 17 miles of non-motorized routes, 5 miles of hiking only routes, and 11 miles of hiking and equestrian

routes. Approximately 28 miles of roads would be closed. Staging areas in the critical deer winter range would be closed from February 1 to May 1. Trails would be closed to OHVs, equestrians, and mountain bikes during wet weather conditions. One large recreation event would be allowed per year for each use type, with up to 300 participants in each. This Alternative would require a nonsignificant LRMP amendment to designate the staging areas as developed recreation sites, to close staging areas in the critical deer winter range from February 1 to May 1, and to prohibit OHV use on trails when the Sale Activity Level is 4 or 5. These amendments would apply to the Rock Creek area only.

Alternative 5—Reduced Multiple Use Recreation

This alternative includes approximately 71 miles of multiple use routes and 28 miles of non-motorized routes. Approximately 34 miles of roads would be closed. Routes in the critical deer winter range would be closed to all uses from November 10 to May 1 of each year. Roads and trails would be closed to OHVs, equestrians, and mountain bikes during the Forest seasonal road closures (generally November through March). Trails would be closed to OHVs during Forest fire restrictions (generally August and September). Large recreation events with over 75 people involved would be prohibited. This Alternative would require a nonsignificant LRMP amendment to designate the staging areas as developed recreation sites, to close staging areas in the critical deer winter range from November 10 to May 1, to close trails to OHVs during Forestwide fire restrictions, to close trails in the critical deer winter range to all uses from November 10 to May 1, to prohibit large recreation events, and to limit OHV sound levels to 94 dB using 20-inch SAE J1287 test methods. These amendments would apply to the Rock Creek area only.

Alternative 6—"Carrying Capacity" Alternative

This alternative was developed based on a review of effects of other alternatives. The goal of the alternative is to maximize recreation opportunity while providing protection of the natural resources. The system would include approximately 111 miles of multiple use routes, and 14 miles of non-motorized routes. Approximately 34 miles of roads would be closed. Routes would be closed to OHVs, equestrians, and mountain bikes during wet weather conditions. Vegetation

treatments, including mastication of brush and understory burning, would be implemented on the critical deer winter range to improve the quantity and quality of forage for the wintering deer. The critical deer winter range would be divided into two zones: north and south. Routes in the south would be closed to OHVs and mountain bikes from November 10 to May 1 each year. Deer use would be monitored and the seasonal deer closure reevaluated in five years. Up to two recreation events, with up to 300 participants, would be allowed each year for each type of use. This Alternative would require a nonsignificant LRMP amendment to designate the staging areas as developed recreation sites, and to close the Crossier Loop Staging Area from November 10 to May 1. These amendments would apply to the Rock Creek area only.

John Phipps, Forest Supervisor, Eldorado National Forest, Eldorado National Forest, is the responsible official.

The revised draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review in November 1997. At that time the EPA will publish a notice of availability of the revised draft EIS in the **Federal Register**.

The comment period on the draft EIS would normally be 45 days from the date EPA's notice of availability appears in the **Federal Register**; however, the comment period will be extended to 60 days. It is very important that reviewers participate at that time. To be the most helpful, comments on the revised draft EIS should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (see The Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). In addition, Federal court decisions have established that reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' position and contentions, *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978), and that environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final EIS. *City of Angoon v. Hodel*, 803F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). The reason for this is to ensure 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. Comments received, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decision under 36 CFR parts 215 or 217. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, the confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the Agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within five days.

After the comment period ends on the revised draft EIS, the comments will be analyzed and considered by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed in March 1998. The Forest Service is required to respond in the final EIS to the comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, disclosure of environmental consequences, and applicable laws, regulations, and policies in making a decision regarding this proposal. The responsible official will document the decision and rationale in the Record of Decision. That decision will be subject to appeal.

Dated: November 3, 1997.

Raymond E. Laboa,

Acting Forest Supervisor, Eldorado National Forest.

[FR Doc. 97-29791 Filed 11-12-97; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Announcement of a Meeting To Discuss an Opportunity To Join a Cooperative Research and Development Consortium on Brachytherapy Manufacturing Technology

AGENCY: National Institute of Standards and Technology.

ACTION: Notice of public meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) invites interested parties to attend a meeting on December 9, 1997 to discuss the possibility of setting up a cooperative research consortium on Brachytherapy Manufacturing Technology. The goal of the consortium is to identify critical industrial needs for NIST to be involved in source dosimetry modeling, developing necessary standards and standard reference materials, and developing and disseminating systems for performing automated high accuracy dosimetry measurements and calculations.

DATES: The meeting will take place on December 9, 1997 at 10:00 a.m. Interested parties should contact NIST to confirm their interest at the address, telephone number or FAX number shown below.

ADDRESSES: The meeting will take place and inquiries should be sent to Room C301, Building 245, National Institute of Standards and Technology, Gaithersburg, MD 20899-0001.

FOR FURTHER INFORMATION: Christopher Soares, 301-975-5589; FAX 301-869-7682

SUPPLEMENTARY INFORMATION: Any program undertaken will be within the scope and confines of The Federal Technology Transfer Act of 1986 (Public Law 99-502, 15 U.S.C. 3710a), which provides federal laboratories including NIST, with the authority to enter into cooperative research agreements with qualified parties. Under this law, NIST may provide "personnel, service, facilities, equipment, or other resources with or without reimbursement (but not funds to non-federal parties)"—to the cooperative research program.

Members will be expected to make a contribution to the consortium's efforts in the form of personnel, data, and/or funds. This is not a grant program.

The R&D staff of each industrial partner in the Consortium will be able to interact with NIST researchers on generic measurement needs in the industry for specific brachytherapy

source designs. The industrial partners will also be able to schedule at NIST collaborative projects in which they could participate. All partners will receive a copy of all non-proprietary data on all materials measured. All partners will have a certain amount of NIST measurements made on materials they request. All partners have some influence as to the type and accuracy of the measurements and calculations pursued by the consortium. Development of standard reference materials suitable for use for the range of activities and radioisotopes and photon energies appropriate for use in brachytherapy in accordance with U.S. regulatory protocols and accepted standard protocols is an integral part of the mission of the NIST Brachytherapy Manufacturing Technology Consortium.

Dated: November 6, 1997.

Elaine Buntin-Mines,

Director, Program Office.

[FR Doc. 97-29883 Filed 11-12-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 970828208-7262-02; I.D. 072997C]

Scup and Black Sea Bass; Interstate Fishery Management Plans; Cancellation of Moratorium

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

ACTION: Notice of determination of compliance; cancellation of moratorium.

SUMMARY: In accordance with the Atlantic Coastal Fisheries Cooperative Management Act of 1993 (Act), the Federal moratorium on fishing for scup and black sea bass in the coastal waters of the State of Maryland and the Commonwealth of Massachusetts that would have been effective on November 15, 1997, is cancelled. The Secretary was notified by the Atlantic States Marine Fisheries Commission (Commission) that because Maryland and Massachusetts are now in compliance with the provisions of the Commission's Interstate Fishery Management Plans (FMPs) for scup and black sea bass, that it was withdrawing its findings and determinations of noncompliance. The Secretary concurs. Accordingly, the moratorium is cancelled.

DATES: Effective November 14, 1997.