

Comments received in response to this notice, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available to 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 part 215 and 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 should be aware that, under FOIA, confidentiality may be granted in only 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 a specified number of days.

Public meetings are anticipated to occur following issuance of the draft EIS. Public meetings will be announced in the Malheur National Forest's newspaper of record, the *Blue Mountain Eagle*.

The Forest Service is seeking information and comments from other Federal, State, and Local agencies; Tribes; organizations; and individuals who may be interested in or affected by the proposed action. This input will be used in the preparation of the draft EIS.

Comments will be appreciated throughout the analysis process. The draft EIS will be filed with the Environmental Protection Agency (EPA) and is anticipated to be available for public review by June 2000. The comment period on the draft EIS will be 45 days from the date of EPA's Notice of Availability in the **Federal Register**. It is important that those interested in the management of the Malheur National Forest participate at that time.

The Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EISs 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 EIS stage, but that are not raised until 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 important that those interested in this proposed action participate by the close of the 45-day comment period so 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 draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS 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).

After the 45 day comment period ends on the 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 by March 30, 2001. In the final EIS, the Forest Service is required to respond to substantive comments received during the public comment period. The responsible official, Acting Forest Supervisor, Bonnie Wood, will consider in the comments, responses, environmental consequences discussed in the EIS and applicable laws, regulations, and policies in making a decision regarding this project. The responsible official will document the Galena Watershed EIS decision and rationale for the decision in the Record of Decision (ROD). That decision will be subject to review under Forest Service Appeal Regulations 36 CFR part 215.

Dated: July 8, 1999.

Bonnie Wood,

Acting Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Forest Service

Proposed Mann Creek Timber Sale and Other Activities Within the Mann Creek Subwatersheds, Payette National Forest, Washington County, ID

AGENCY: Forest Service, USDA.

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

SUMMARY: The USDA Forest Service is proposing the following for the Mann Creek Subwatersheds: harvest and regeneration of timber; road decommissioning or obliteration to protect watershed conditions; and prescribed fire to reduce fuels and enhance plant growth and mountain quail habitat.

The agency gives notice of the environmental analysis and decision-making process so that interested and affected people know how they may participate and contribute to the final decision. The agency invites written comments and suggestions on the scope of the analysis and the issues it should address.

DATES: Comments on the scope of the analysis must be received by August 13, 1999.

ADDRESSES: Send written comments to: David Alexander, Forest Supervisor, Payette National Forest, P.O. Box 1026, McCall, Idaho 83638.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action should be directed to Dautis Pearson, NEPA Coordinator, phone (208) 253-0134; or John Baglien, District Ranger, phone (208) 549-4201.

SUPPLEMENTARY INFORMATION: The USDA Forest Service is proposing projects within the 26,438 acre Mann Creek Subwatersheds. Approximately 6-8 MMBF of timber from about 2,000 acres will be harvested by thinning and regeneration methods, using tractor, skyline, and helicopter logging systems. Approximately 800 acres will be regenerated.

This proposal follows direction in the Payette National Forest Land and Resource Management Plan. About 2-4 miles of road construction or reconstruction are planned. About 10-30 miles of road decommissioning or obliteration are planned.

Prescribed fire activities would occur on a total of about 4,000 acres of open ponderosa pine stands, dry Douglas-fir stands, aspen communities, and grass/shrublands to enhance plant growth and diversity.

Preliminary issues identified are forest health in stringer habitat, and the economic and resource effects of longer return intervals into the subwatershed.

Initial scoping began in June, 1999. Preliminary analysis is currently being conducted. The Forest Service will be seeking additional information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations who may

be interested or affected by the proposed projects. Additional input will be used to help identify key issues and develop alternatives. This input will be used in preparation of the draft EIS.

The Forest Service expects to file the draft EIS with the Environmental Protection Agency and have it available for public review by August 20, 1999. The comment period on the draft EIS will be 45 days from the date the Environmental Protection Agency's notice of availability appears 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 DEISs must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewers' positions and contentions. *Vermont Yankee Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, courts may waive or dismiss environmental objections that could be raised at the DEIS stage, but that are not raised until after completion of the final environmental impact statement (FEIS). *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritagees, 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 FEIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments should be as specific as possible. 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.

The Responsible Official is David F. Alexander, Forest Supervisor, Payette National Forest, McCall, ID 83638.

Dated: July 2, 1999.

David F. Alexander,

Forest Supervisor.

[FR Doc. 99-18013 Filed 7-14-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Otter Lake Timber Sale(s), Tongass National Forest; Hoonah Ranger District, Alaska

AGENCY: Forest Service, USDA.

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

SUMMARY: The Department of Agriculture, Forest Service will prepare an environmental impact statement (EIS) to disclose the environmental effects of proposed actions within the Otter Lake Project Area. The proposed action provides for: (1) Harvest of seven units covering 588 acres, from a unit pool of 14 units totalling 849 acres and containing 19.4 million board feet, and regeneration of new stands of trees; (2) construction of 3.2 miles of specified road and 0.5 miles of temporary road, as well as reconstruction of 2.5 miles of specified road; and (3) the use of the existing log transfer facility at Eight Fathom Bight (terminus of Forest Development Road 8580). This level of development would result in the harvest of an estimated 12.4 million board feet of sawlog and utility timber volume over a three year period following the approval of this document and award of contract(s). The proposed action is one alternative to achieve the purpose and need for this project. A map of the unit and road pool, and the proposed action, is available from the address provided.

DATES: Comments concerning the scope of the analysis should be received in writing by August 23, 1999.

LEAD AGENCY: USDA Forest Service, Tongass National Forest.

ADDRESSES: Send written comments to Otter Lake Planning Team, USDA Forest Service, 204 Siginaka Way, Sitka, Alaska 99835.

COOPERATING AGENCIES: U.S. Army Corps of Engineers, U.S. Environmental Protection Agency will be invited to participate as Cooperating Agencies.

FOR FURTHER INFORMATION CONTACT: Michael E. Fox, USDA Forest Service, 204 Siginaka Way, Sitka, Alaska 99835, (907) 747-4328, e-mail at mfox/r10_chatham@fs.fed.us or FAX at (907) 747-4281.

SUPPLEMENTARY INFORMATION:

Background

This environmental impact statement (EIS) will tier to the Tongass Land and Resource Management Plan Environmental Impact Statement and Modified 1997 Tongass Land and Resource Management Plan (April 1999

Record of Decision). The Tongass Land and Resource Management Plan (TLRMP) provides the overall guidance (Goals, Objectives, Standards, Guidelines, and Management Area direction) to achieve the desired condition for the area in which the project is proposed.

The EIS will be prepared by a contractor working under the supervision of the Forest Service. Work to be done by the contractor includes the field investigations, development of resource reports, preparation of a draft EIS, and the preparation of the final EIS. The Forest Service will prepare the Record of Decision. The Forest Service will provide oversight and review at all steps of the process.

The Otter Lake Project Area is located about 60 air miles north of Sitka, Alaska and 12 air miles west of Hoonah, Alaska. The project area (7,580 acres) is located on north Chichagof Island, just north of Neka Bay, and north and west of Port Frederick. The project area encompasses part or all of R 59 E, T 43 S, Sec. 31, 32, 33, 34, 35, & 36; R 59 E, T 44 S, Sec. 1 through 18, 20, & 21, and R 60 E, T 45 S, Sec. 6 (Eight Fathom Bight Log Transfer Facility (LTF) site). The LTF is approximately 6.5 road miles south of the project area. The Otter Lake Project Area lies within Value Comparison Unit (VCU) 2010. The project area is administered by the Hoonah Ranger District, Tongass National Forest.

Purpose and Need for the Proposed Action

The purpose and need for the project is to implement the direction, goals, and objectives in the modified 1997 Tongass Land and Resource Management Plan (TLMPR), dated May 23, 1997 and the Record of Decision, dated April 13, 1999. The project is planned to move timber stands to a managed condition resulting in a healthier, faster growing stand, to increase growth and yield from the managed stands, to reduce volume loss associated with disease and decay and to recover timber volume that might otherwise be lost for human use.

The project is planned to contribute an estimated 12 million board feet of sawlog and utility timber in support of the Tongass National Forest timber program, in order to meet the direction, in the Tongass Timber Reform Act, section 101, to "seek to provide a supply of timber from the Tongass National Forest which (1) meets the annual market demand for timber from such forest and (2) meet market demand from such forest for each planning cycle" to the extent consistent with multiple use and sustained yield from