

# 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

#### Mill Project Timber Sales, Ochoco National Forest, Crook County, OR

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The USDA, Forest Service, will prepare an environmental impact statement (EIS) on a Proposed Action to complete silvicultural treatments, including commercial harvest, precommercial thinning, and prescribed fire, to improve the health and diversity of forest stands in the Mill Creek Watershed. The Mill Creek Watershed is located 12–15 miles northeast of Prineville, Oregon and covers approximately 72 square miles (45,952 acres). Approximately 79% of the watershed is public land. The alternatives will include the proposed action, no action, and any additional alternatives that respond to issues generated during the scoping process. The Proposed Action will require non-significant amendments to the Ochoco National Forest Land and Resource Management Plan (LRMP) to allow activities to occur in allocated old growth and in late and old structure stands.

**DATE:** Send written comments and suggestions on the issues and management of this area by April 3, 1998.

Comments received in response to this solicitation, 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 part 215. 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. Request for 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 re-submitted with or without name and address within 10 days.

**ADDRESSES:** Send written comments to Art Currier, District Ranger, Prineville Ranger District, P.O. Box 490, Prineville, OR 97754.

**FOR FURTHER INFORMATION CONTACT:** Dave Owens, Project Leader, Prineville Ranger District, phone 541–416–6425.

**SUPPLEMENTARY INFORMATION:** The Forest Service Proposed Action will conduct management activities, including commercial timber harvest, precommercial thinning, and prescribed fire, in the Mill Creek Watershed, which includes portions of two inventoried roadless areas. Based on an analysis of existing vegetation conditions in the Mill Creek Watershed, opportunities were identified to conduct silvicultural treatments to improve the health and diversity of forested stands. Silvicultural treatments and timber harvest include 169 acres of improvement cutting; 5,237 acres of individual tree selection cutting; 351 acres of group selection cutting; 3,758 acres of precommercial thinning; and 1,933 acres of prescribed fire. The Proposed Action also includes construction of 5.4 miles of new roads and surfacing or restoration of 9.65 miles of existing roads. No roads are proposed in inventoried roadless areas. The proposed action does not include any activities in the Mill Creek Wilderness Area, which encompasses approximately 13,000 acres of 28% of the watershed. The expected harvest volume is approximately 25 million board feet. Five potential sale areas have been identified, including two helicopter sales. These sales would be sold over the next 3 years.

The Ochoco National Forest LRMP allocates lands within the project area to various management emphasis areas.

These allocations include General Forest, General Forest Winter Range, Old Growth, Steins Pillar recreation Area, Dispersed Recreation, Developed Recreation, Riparian, and Mill Creek Wilderness. The emphasis for each of the management allocations is briefly described below.

**MA–F3 Mill Creek Wilderness—**Protect wilderness ecosystems. Manage use to maintain a natural setting and preserve solitude.

**MA–F6 Old Growth—Habitat** will be provided for wildlife species dependent upon old growth stands.

**MA–F13 Developed Recreation—**Provide safe, healthful, and aesthetic facilities for people to utilize while they are pursuing a variety of recreation experiences within a relatively natural outdoor setting.

**MA–F14 Dispersed Recreation—**provide and maintain a near-natural setting for people to utilize while pursuing outdoor recreation experiences.

**MA–F15 Riparian—**Manage streamside vegetation and habitat to maintain or improve water quality. Meet temperature and turbidity levels as required by State standards under the clean Water Act.

**MA–F17 Stein's Pillar Recreation Area—**maintain a scenic, natural, or natural-appearing setting associated with unique geologic formations, particularly Stein's Pillar. Provide roadless nonmotorized recreation, with various opportunities to enjoy nature.

**MA–F21 General Forest Winter Range—**The area will be managed for timber production with management activities designed and implemented to recognize big game habitat needs.

**MA–F22 General Forest—**The area will produce timber and forage while meeting the Forest-wide standards and guidelines for all resources.

In 1997, a watershed analysis was completed for the Mill Creek Watershed. The watershed analysis identified management activities which may improve the health and diversity of forested stands by encouraging late and old structure conditions, reducing competition, reducing stress, and reducing risk of stand replacement fires.

An initial scoping letter was mailed in February 1998.

To date, issues identified include: inventoried roadless area, water quality, late successional stands, and visual quality.

The EIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on both private and National Forest System lands will be considered.

Public participation is important. Comments from the public will be used to:

- Identify, and/or confirm key issues and other potential issues.
- Eliminate minor issues or those which have been covered by a previous environmental analysis, such as the Ochoco LRMP.
- Identify alternatives to the proposed action.
- Identify, and/or confirm potential environmental effects of the proposed action and other alternatives (i.e. direct, indirect, and cumulative effects).
- Determine potential cooperating agencies and task assignments.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in May 1998. The comment period on the draft EIS will be 45 days from the date the EPA publishes the notice of availability in the **Federal Register**. At the same time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, tribes, and members of the public for their review and comment.

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 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 after completion of the final EIS 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 EIS.

To assist the Forest Service in identifying and considering these 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 statement. 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.

The final EIS is scheduled to be completed in August 1998. In the final EIS, the Forest Service is required to respond to comments received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decisions on this proposal. Thomas Schmidt, Forest Supervisor, is the responsible official. As responsible official he will document the selected alternative for the Mill Project Timber Sales EIS and his rationale in a Record of Decision.

The decision for the Mill Project Timber Sales will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: February 26, 1998.

**Thomas A. Schmidt,**

*Forest Supervisor.*

[FR Doc. 98-6367 Filed 3-11-98; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice of Funding Availability (NOFA) for the Section 515 Rural Rental Housing Program; Correction

**AGENCY:** Rural Housing Service (RHS), USDA.

**ACTION:** Correction.

**SUMMARY:** The Rural Housing Service (RHS) corrects a notice published December 23, 1997 (62 FR 67234). This action is taken to publish the State Office, its address, telephone number, and contact person which were inadvertently omitted. Accordingly, the notice published December 23, 1997 (62 FR 67234), is corrected as follows:

On page 67234 in the third column the area code for the Puerto Rico State Office should read 787.

On page 67235 in the first column the following State should be added:

#### *Rural Development State Offices With 60-Day Deadlines*

Mississippi State Office, Federal Building, Suite 831, 100 W. Capitol Street, Jackson, MS 39269, (601) 965-4325, Mike Ladner.

Since this State was omitted and the delay due to that omission, the deadline for submission of applications for new construction will be 5 p.m. local time, 60 days from publication, of this correction, in the **Federal Register**.

On page 67236, in the first column the deadline should be changed to read March 9, 1998.

Dated: March 5, 1998.

**Jan E. Shadburn,**

*Administrator, Rural Housing Service.*

[FR Doc. 98-6300 Filed 3-11-98; 8:45 am]

BILLING CODE 3410-XV-P

## DEPARTMENT OF COMMERCE

### Evaluation of Coastal Zone Management Program and National Estuarine Research Reserves

**AGENCY:** Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice of intent to evaluate.

**SUMMARY:** The NOAA Office of Ocean and Coastal Resource Management (OCRM) announces its intent to evaluate the performance of the Old Woman Creek National Estuarine Research Reserve in Ohio.

This evaluation will be conducted pursuant to section 315 of the Coastal Zone Management Act of 1972 (CZMA), as amended. The CZMA requires a continuing review of the performance of states with respect to estuarine research reserve program implementation. Evaluation of Estuarine Research Reserve Programs requires findings concerning the extent to which a state has met the national objectives, adhered to its final management plan approved by the Secretary of Commerce, and adhered to the terms of financial assistance awards funded under the CZMA. The evaluations will include a site visit, consideration of public comments, and consultations with interested Federal, State, and local agencies and members of the public. Public meetings are held as part of the site visits.

Notice is hereby given of the date of the site visit for the listed evaluation, and the date, local time, and location of public meeting during the site visit.

Old Woman Creek National Estuarine Research Reserve in Ohio site visit will