

Notices

Federal Register

Vol. 63, No. 148

Monday, August 3, 1998

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

Double Sec Timber Sale and Vegetation Management, Philipsburg Ranger District, Beaverhead-Deerlodge National Forest, Granite and Deer Lodge Counties, MT

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) to document the analysis and disclose the environmental impact of proposed actions to manage the vegetation through timber harvest and prescribed burning in the Flint Creek, North Flint Creek, and upper Warm Springs drainages. The timber harvest proposal includes road construction and regenerating new stands of trees. The project area is located approximately 10 miles south of Philipsburg, Montana.

The Forest Service intends to harvest 11.5 million board feet of timber using a variety of harvest methods on approximately 1,250 acres of Forest land. The proposal includes construction of 4.5 miles of permanent roads and 4.5 miles of temporary roads.

Additionally, the proposal includes mechanical and prescribed fire treatments to control conifer encroachment on 843 acres.

Travel management, both motorized and non-motorized, will be analyzed to determine the effects to wildlife and may result in changes in public access.

DATES: Initial comments concerning the scope of the analysis should be received in writing no later than September 14, 1998.

ADDRESSES: Send written comments to Deborah L.R. Austin, Forest Supervisor, c/o Bob Gilman, District Ranger, Philipsburg Ranger District, PO Box H, Philipsburg, Montana 59858.

FOR FURTHER INFORMATION CONTACT:

Ed Casey, Interdisciplinary Team Leader, Philipsburg Ranger District, PO Box H, Philipsburg, MT, 59858; or phone: (406) 859-3211.

SUPPLEMENTARY INFORMATION: The environmental analysis was initiated for this area in the spring of 1997. At that time it was thought that an environmental assessment would be adequate to make an informed decision. New information concerning potential significant effects to lynx, which is proposed for listing under the ESA as a threatened species, due to overharvest and habitat modification has led to the decision to prepare an environmental impact statement.

The proposed action would harvest approximately 11.5 million board feet from 1,250 acres. Harvest would occur in the Dry Creek, Blodgett Gulch, Travelers Home Creek, Sawmill Creek, and North Fork Flint Creek subwatersheds. Silvicultural methods include precommercial thinning, commercial thinning, shelterwood, seed tree, salvage, clearcut, clearcut with reserve, and partial overstory removal. Approximately 4.5 miles of permanent roads would be constructed to access harvest units and to provide future access for protection and management of the area. In addition, 4.5 miles of temporary roads would provide short term access to harvest units.

Public participation is important to the analysis. Part of the goal of public involvement is to identify additional issues and to refine the general, tentative issues. To date, over 900 letters were sent to interested people, adjacent landowners, organizations, business, as well as Federal, State, County, and Tribal organizations. A field trip was held during the summer of 1997. Preliminary issues identified in scoping include effects to wildlife habitats, visual quality, recreation, and adjacent private land. Potential alternatives may harvest less timber, or emphasize harvest in other areas. Implementation of the proposed action or alternatives may require forest plan amendments for elk management, visual quality standards, or timber size class standards.

People may visit with Forest Service officials at any time during the analysis and prior to the decision. Two periods are specifically designated for comments on the analysis: (1) during

the scoping process and (2) during the draft EIS comment period.

During the scoping process, the Forest Service is seeking additional information and comments from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. The United States Fish and Wildlife Service will be consulted concerning effects to threatened and endangered species. The agency invites written comments and suggestions on this action, particularly in terms of identification of issues and alternative development.

The draft EIS should be available for review in February, 1999. The final EIS is scheduled for completion in May, 1999.

The comment period on the draft EIS will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so 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 environmental impact statement stage but are not raised until after completion of the final environmental impact statement 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*, 400 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important 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 environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement 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 environmental impact statement 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 Beaverhead-Deerlodge Forest Supervisor is the responsible official who will make the decision. She will decide on this proposal after considering comments and responses, environmental consequences discussed in the Final EIS, and applicable laws, regulations, and policies. The decision and reasons for the decision will be documented in a Record of Decision.

Dated: July 22, 1998.

Thomas W. Heintz,

Acting Forest Supervisor, Beaverhead-Deerlodge National Forest.

[FR Doc. 98-20567 Filed 7-31-98; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Opportunity for Designation in the Alton (IL), Columbus (OH), and Farwell (TX) Areas, and Request for Comments on the Alton, Columbus, and Farwell Agencies

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: The United States Grain Standards Act, as amended (Act), provides that official agency designations will end not later than triennially and may be renewed. The designations of Alton Grain Inspection Department (Alton), Columbus Grain Inspection, Inc. (Columbus), and Farwell Grain Inspection, Inc. (Farwell), will end January 31, 1999, according to the Act. GIPSA is asking persons interested in providing official services in the Alton, Columbus, and Farwell areas to submit an application for designation. GIPSA is also asking for comments on the services provided by Alton, Columbus, and Farwell.

DATES: Applications must be postmarked or sent by telecopier (FAX) on or before September 1, 1998. Comments are due by October 31, 1998.

ADDRESSES: Applications and comments must be submitted to USDA, GIPSA,

Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW, Washington, DC 20250-3604.

Applications and comments may be submitted by FAX on 202-690-2755. If an application is submitted by FAX, GIPSA reserves the right to request an original application. All applications and comments will be made available for public inspection at this address located at 1400 Independence Avenue, SW, during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Janet M. Hart, at 202-720-8525.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the Act authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services. GIPSA designated Alton, main office located in St. Paul, Missouri, Columbus, main office located in Circleville, Ohio, and Farwell, main office located in Farwell, Texas, to provide official inspection services under the Act on February 1, 1996.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in Section 7(f) of the Act. The designations of Alton, Columbus, and Farwell end on January 31, 1999, according to the Act.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the State of Illinois, is assigned to Alton.

Calhoun, Jersey, and Madison (West of State Route 4 and North of Interstate 70 and 270) Counties.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Michigan and Ohio, is assigned to Columbus.

In Ohio: Bounded on the North by the northern Lucas County line east to Lake Erie; the Lake Erie shoreline east to the Ohio-Pennsylvania State line;

Bounded on the East by the Ohio-Pennsylvania State line south to the Ohio River;

Bounded on the South by the Ohio River south-southwest to the western Scioto County line; and

Bounded on the West by the western Scioto County line north to State Route 73; State Route 73 northwest to U.S. Route 22; U.S. Route 22 west to U.S.

Route 68; U.S. Route 68 north to Clark County; the northern Clark County line west to State Route 560; State Route 560 north to State Route 296; State Route 296 west to Interstate 75; Interstate 75 north to State Route 47; State Route 47 northeast to U.S. Route 68 (including all of Sidney, Ohio); U.S. Route 68 north to U.S. Route 30; U.S. Route 30 east to State Route 19; State Route 19 north to Seneca County; the southern Seneca County line west to State Route 53; State Route 53 north to Sandusky County; the southern Sandusky County line west to State Route 590; State Route 590 north to Ottawa County; the southern and western Ottawa and Lucas County lines.

In Michigan: those sections of Jackson, Lenawee, and Monroe Counties which are east of State Route 127 and south of State Route 50.

Columbus' assigned geographic area does not include the export port locations inside Columbus' area which are serviced by GIPSA.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Arizona, New Mexico and Texas, is assigned to Farwell.

Maricopa, Pinal, and Yuma Counties, Arizona.

Bernalillo, Chaves, Curry, DeBaca, Eddy, Guadalupe, Lea, Quay, Roosevelt, San Miguel, Santa Fe, Tarrant, and Union Counties, New Mexico.

Bailey, Cochran, Deaf Smith (west of State Route 214), Hockley, Lamb (south of a line bounded by U.S. Route 70, FM 303, U.S. Route 84, and FM 37), and Parmer Counties, Texas.

Interested persons, including Alton, Columbus, and Farwell are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of Section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder.

Designation in the Alton, Columbus, and Farwell areas is for the period beginning February 1, 1999, and ending January 31, 2002. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

GIPSA is also publishing this notice to provide interested persons the opportunity to present comments on the Alton, Columbus, and Farwell official agencies. Commentors are encouraged to submit pertinent data concerning the Alton, Columbus, and Farwell official agencies including information on the timeliness, cost, quality, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered