

# 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

### Department of the Interior

### Bureau of Land Management

### Survey and Manage Strategy for National Forests and Bureau of Land Management Districts Within the Range of the Northern Spotted Owl

**AGENCIES:** Forest Service, USDA; Bureau of Land Management, USDI.

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

**SUMMARY:** The Forest Service and the Bureau of Land Management (BLM) will prepare an environmental impact statement (EIS) to be used in considering a proposal to make changes in two of the mitigation measures first adopted in the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan), and then incorporated into subsequent planning documents of the Forest Service and BLM. These changes affect the Survey and Manage and Protection Buffer species provisions of the Standards and Guidelines and are based on new information that has been collected in the past four years of implementation. The purpose of these proposed changes is to update the conservation strategies in the Northwest Forest Plan and to continue to meet all of the objectives articulated in the Northwest Forest Plan. The selected alternative may result in amendment to agency land and resource management plans for National Forests and BLM Districts within the range of the northern spotted owl.

**DATES:** Comments concerning the scope of the analysis should be received in writing by December 24, 1998.

**ADDRESSES:** Send written comments concerning this proposal to Bill Torgersen, Project Manager, P.O. Box 3623, Portland, Oregon 97203.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Henschell, EIS Team Leader, P.O. Box 3623, Portland, Oregon 97203, phone (503) 808-2490.

**SUPPLEMENTARY INFORMATION:** This EIS will evaluate the Survey and Manage and Protection Buffer species Standards and Guidelines as they are applied to National Forest System Lands (NFS) and public lands administered by the BLM within the range of the northern spotted owl. The selected alternative may result in an amendment to Land Management Plans (LMPs) for the Gifford Pinchot, Mount Baker-Snoqualmie, Mount Hood, Olympic, Rogue River, Siuslaw, Siskiyou, Six Rivers, Umpqua, and Willamette National Forests and portions of the Deschutes, Okanogan, Wenatchee, Winema, Klamath, Lassen, Mendocino, Modoc, and Shasta-Trinity National Forests implementing the Northwest Forest Plan.

The Record of Decision for this EIS would amend the BLM Resource Management Plans (RMPs) for the Salem, Eugene, Coos Bay, Roseburg, and Medford Districts, and the Klamath Falls Field Office of the Lakeview District in Oregon. In addition, the Record of Decision for this EIS would amend the plans for the Redding Field Office, Arcata Field Office, King Range National Conservation Area, and Ukiah Field Office within the grouping of independent Northern California Field Offices known as NORCAL.

New information, such as the range and abundance of species listed in Table C-3 of the Survey and Manage and Protection Buffer species Standards and Guidelines of the Northwest Forest Plan, continues to be compiled from surveys and analyzed following four years of implementation of these provisions. This new information indicates that adhering to some of the present Standards and Guidelines for Survey and Manage and Protection Buffer species may not fully meet both the need to protect old growth-related species and the need for forest products, which are the dual goals of the Northwest Forest Plan. The present Standards and Guidelines for Survey and Manage and Protection Buffer species require substantial reductions in the availability of resources from

Federal lands; including recreation, timber, prescribed fire, mining, grazing and restoration activities, while providing little corresponding benefit to the species the provisions were designed to protect. Moreover, there is a need to clarify the Survey and Manage and Protection Buffer species (Standards and Guidelines to design an orderly and credible adaptive management process to change or revise the status of species and management of Survey and Manage and Protection Buffer species as we gain new insights to their needs.

The proposed action would alter certain procedures under the Survey and Manage provisions so that the agencies can more rapidly respond to new information concerning the population status and habitat requirements of species associated with late-successional and old-growth forest habitat of the Pacific Northwest. The proposed action would merge Protection Buffer species into the protective measures provided under the Survey and Manage provisions established under the Northwest Forest Plan. The proposed action may include the initial changes to species' categorization which would be made under the new adaptive management procedures to be adopted for the Survey and Manage mitigation measure, such as moving a species from one Component to another. These changes would be based on the information which has been developed since adoption of the Northwest Forest Plan.

Alternatives other than the proposal and the "no action" alternative have not been developed. The public is invited to propose alternatives for consideration during the scoping process.

The scoping process as defined in the Council of Environmental Quality's National Environmental Policy Act (NEPA) implementing regulations will be used to identify issues for developing a range of alternatives that consider the underlying need for this action. A scoping notice will be prepared and circulated to mailing lists of individuals and organizations previously expressing an interest in National Forest LMPs and BLM RMPs within the range of the northern spotted owl. The scoping notice along with background information will also be posted on the Internet: <http://or.blm.gov/information.htm>. A scoping meeting will not be held. For comments to be

most useful in this analysis, they should be submitted in writing before December 24, 1998.

The Forest Service and BLM will be joint lead agencies for this analysis. The two agencies will consult with the U.S. Fish and Wildlife Service and National Marine Fisheries Service pursuant to the Endangered Species Act. Other Federal agencies, such as the Pacific Northwest and Pacific Southwest Research Station, Bureau of Indian Affairs, National Park Service, Environmental Protection Agency (EPA), U.S. Army Corps of Engineers, Natural Resources Conservation Service, the U.S. Geological Survey Biological Resources Division, EPA Research Laboratory, and Tribal, local, and state governments will also be involved.

The responsible officials for NFS lands will be the Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208 and the Regional Forester, Pacific Southwest Region, 630 Sansome Street, San Francisco, CA 94111. The responsible official for public lands administered by the BLM will be the State Director for Oregon and Washington, P.O. Box 2965, Portland, Oregon 97208 and the State Director for California, 2135 Butano Drive, Sacramento, CA 95825.

The draft EIS is expected to be filed with the EPA approximately February 1999 and will be available for public review at that time. The comment period on the draft EIS will be 90 days from the date the EPA publishes the notice of availability in the **Federal Register**.

The Forest Service and BLM believe 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, 533 (1978). Also, environmental objections that could be raised at the draft EIS stage 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 important that those interested in this proposed action participate by the close of the 90-day comment period on the draft EIS so that substantive comments and objections are made available to the Forest Service and BLM at a time when the agencies can meaningfully consider substantive

comments and objectives and respond to them in the final EIS.

To assist the Forest Service and BLM 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 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 NEPA at 40 CFR 1503.3 in addressing these points.

It is expected that the final EIS will be filed with the EPA approximately October 1999. There will be two Records of Decisions issued; one for NFS lands and one for BLM public lands in Oregon, Washington and California. The decision for National Forest System Lands will be subject to Forest Service appeal regulations (36 CFR 217). The decision in regard to lands managed by the BLM would be subject to the protest procedures in BLM's planning regulations (43 CFR 1610.5-2).

Dated: November 16, 1998.

**Robert W. Williams**,  
*Regional Forester, R-6, Forest Service.*

Dated: November 16, 1998.

**William L. Bradley**,  
*Deputy State Director, Resource Planning, Use & Protection, Bureau of Land Management.*  
[FR Doc. 98-31199 Filed 11-24-98; 8:45 am]  
BILLING CODE 3410-11-M

## BROADCASTING BOARD OF GOVERNORS

### Sunshine Act Meeting

**DATE AND TIME:** November 30-December 1, 1998; 3:00 p.m. and 9:00 a.m.

**PLACE:** The Cohen Building, Room 3321, 330 Independence Ave., S.W., Washington, D.C. 20547.

**Closed Meeting:** The members of the Broadcasting Board of Governors (BBG) will meet in closed session to review and discuss a number of issues relating to U.S. Government-funded non-military international broadcasting. They will address internal procedural, budgetary, and personnel issues, as well as sensitive foreign policy issues relating to potential options in the U.S. international broadcasting field. This meeting is closed because if open it likely would either disclose matters that would be properly classified to be kept secret in the interest of foreign policy

under the appropriate executive order (5 U.S.C. 552b. (c)(1)) or would disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. (5 U.S.C. 552b. (c)(9)(B)) In addition, part of the discussion will relate solely to the internal personnel and organizational issues of the BBG or the International Broadcasting Bureau. (5 U.S.C. 552b.(c)(2) and (6)).

**CONTACT PERSON FOR MORE INFORMATION:** Persons interested in obtaining more information should contact Brenda Massey or John Lindburg at (202) 401-3736.

Dated: November 23, 1998.

**Marc B. Nathanson**,  
*Chairman.*

[FR Doc. 98-31669 Filed 11-23-98; 3:38 pm]

BILLING CODE 8230-01-M

## COMMISSION ON CIVIL RIGHTS

### Agenda and Notice of Public Meeting of the New York State Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the New York State Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 4:30 p.m. on December 11, 1998, in the Mayor's Conference Room, City Hall, Albany, New York 12207. The purpose of the meeting is to receive information on the status of civil rights in the State, to plan future activity, and to review the final draft of a report on section 8 housing.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson M.D. (Lita) Taracido, 212-645-8999, or Ki-Taek Chun, Director of the Eastern Regional Office, 202-376-7533 (TDD 202-376-8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, November 16, 1998.

**Carol-Lee Hurley**,  
*Chief, Regional Programs Coordination Unit.*  
[FR Doc. 98-31537 Filed 11-24-98; 8:45 am]

BILLING CODE 6335-01-P