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After the comment period ends on the draft EIS, comments will be analyzed and considered by the Forest Service in preparing the final EIS. In the final EIS, the Forest Service will respond to comments received. The final EIS is scheduled to be completed by October 1999. The Secretary of Agriculture will consider the comments, response, and consequences discussed in the EIS, applicable laws, regulations, and policies in making recommendation to the President regarding suitability of these river segments for inclusion into the National Wild and Scenic Rivers System. The final decision on inclusion of a river in the National Wild and Scenic Rivers System rests with the Congress of the United States.

Dated: December 8, 1998.

Hugh C. Thompson,

Forest Supervisor, Dixie National Forest.

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DEPARTMENT OF AGRICULTURE

Forest Service

EIS for The Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project

AGENCY: Forest Service, USDA.

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

SUMMARY: On October 21, 1998, the President of the United States signed the Department of the Interior and Related Agencies Appropriations Act, including Section 401, The Herger-Feinstein Quincy Library Group Forest Recovery Act (Act).

The Act states that the Secretary of Agriculture, acting through the Forest Service and after completion of an environmental impact statement, shall conduct a pilot project on described Federal lands to demonstrate the

effectiveness of specific resource management activities including fuelbreaks, group selection and individual tree selection, and avoidance or protection of specified areas. A Record of Decision (ROD) is to be adopted by August 17, 1999.

Additionally, the Forest Service is to develop a program for riparian restoration. The Pilot Project is defined in the Act as Quincy Library Group Proposal, as described in the "Quincy Library Group-Community Stability Proposal", to be implemented on Federal lands identified on the map (MAP) entitled "Quincy Library Group Community Stability Proposal", dated October 12, 1993, and prepared by Vestra Resources of Redding, California.

DATES: The public is asked to submit any issues (points of concern, debate, dispute or disagreement) regarding potential effects of the proposed action or alternatives by January 19, 1999.

ADDRESSES: Send comments to David Peters, Project Manager, USDA Forest Service, Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project, PO Box 11500, Quincy, CA 95971.

FOR FURTHER INFORMATION CONTACT: Contact David Peters, Project Manager, USDA Forest Service, Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project, PO Box 11500, Quincy, CA 95971. Copies of the Quincy Library Group Community Stability Proposal, the ACT, the MAP and associated documents are available upon request from the Project Manager.

SUPPLEMENTARY INFORMATION:

Background and Early Public Involvement

The pilot project is based on an agreement by a coalition of representatives of fisheries, timber, environmental, county government, citizen groups, and local communities that formed in northern California to develop a resource management program that promotes ecologic and economic health for certain Federal lands and communities in the Sierra Nevada area. The agreement is the "Quincy Library Group-Community Stability Proposal," which has received broad public review over a period of years. The proposal was developed by an active cross-section from the local communities. The proposal was included for analysis in the "Draft Environmental Impact Statement, Managing California Spotted Owl Habitat in the Sierra Nevada National Forests of California, an Eco-system Approach", 1996. Additionally, there were congressional hearings and debate

associated with the proposed Bill as it was introduced in the House of Representatives.

Proposed Action

The Act directs the Forest Service to develop a Pilot Project, described as follows

- **Pilot Project Area and Exclusions.** The pilot project is limited to certain Federal lands (National Forest System Lands of the Plumas, Lassen, and Tahoe National Forests) and local communities of the Sierra Nevada area, that are identified on the MAP as "Available for Group Selection". All spotted owl habitat areas and protected activity centers located in the pilot project area will be deferred from resource management activities.

- **Riparian Protection and Limitation.** The Scientific Analysis Team (SAT) guidelines for riparian protection are described in the document entitled "Viability Assessments and Management considerations for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest", a Forest Service research document dated March 1993 and coauthored by the Scientific Analysis Team, including Dr. Jack Ward Thomas. The ACT does not require the application of SAT guidelines to any livestock grazing in the pilot project area during the term of the pilot project, unless the livestock grazing is being conducted in the specific location at which the SAT guidelines are being applied to a required "Resource Management Activity".

- **Compliance.** All required "Resource Management Activities" shall be implemented to the extent consistent with applicable Federal Law and the standards and guidelines for the conservation of the California spotted owl as set forth in the California Spotted Owl Sierran Province Interim Guidelines or subsequently issued guidelines.

- **Roadless Area Protection.** Required "Resource Management Activities", road building, riparian management activity that utilize road construction, and timber harvesting activities, shall not be conducted on National Forest System Lands that are designated as either "Off Base" or "Deferred" on the MAP.

- **Required "Resource Management Activities".** The following "Resource Management Activities" shall be implemented in compliance with Section 401 (1) on an acreage basis during the term of the pilot project:

- (1) **Fuelbreak Construction.**— Construction of a strategic system of defensible fuel profile zones, including

shaded fuelbreaks, utilizing thinning, individual tree selection, and other methods of vegetation management consistent with the Quincy Library Group—Community Stability Proposal, on not less than 40,000, but not more than 60,000, acres per year.

(2) *Group Selection and Individual Tree Selection.*—Utilization of group selection and individual tree selection uneven-aged forest management prescriptions described in the Quincy Library Group—Community Stability Proposal to achieve a desired future condition of all-age, multistory, fire resilient forests as follows:

(A) *Group Selection.*—Group selection on an average acreage of 0.57 percent of the pilot project land each year of the pilot project.

(B) *Individual Tree Selection.*—Individual tree selection may also be utilized within the pilot project area.

(3) *Total Acreage.*—The total acreage on which resource management activities be implemented under this subsection shall not exceed 70,000 acres each year.

(4) *Riparian Management.*—A program of riparian management, including wide protection zones and riparian restoration projects, consistent with SAT guidelines.

• *Term of Pilot Project.*—The pilot project shall continue for five years unless the amendment or revision of the land and resource management plans for the Plumas, Lassen and Tahoe National Forests as directed are completed earlier.

Alternatives to the Proposed Action

To comply with NEPA, the Forest Service will evaluate alternatives to the proposed action within the EIS, including No Action and other alternatives responding to public comments. Each alternative would be rigorously explored and evaluated, or rationale would be given for eliminating an alternative from detailed study. The range of alternatives to be considered would include, but not be limited to:

Identification of strategic systems of defensible fuel profile zones (DFPZ), that would include shaded fuelbreaks and would be achieved through thinning, individual tree selection, and other vegetative management activities. The strategic systems would include complete descriptions of the physical arrangement of living and dead vegetation remaining in the DFPZ when completed, and identification of topographic, elevation, vegetation type, and other physical and biological criteria within which each “typical” DFPZ would also be appropriate.

Identification of a strategy to evaluate the effectiveness of uneven-age management that would be achieved by application of thinning and group selection prescriptions. The strategy would include identification of topography, elevation, vegetation type, and other physical and biological criteria that would be used to determine where and how group selection and individual tree selection prescriptions would be applied.

Strategies developed would include standards and guidelines for monitoring the effectiveness of each strategic system of DFPZs, and each uneven-aged management strategy.

Relationships With Sierra Nevada Framework for Conservation and Collaboration (SNFCC)

Selection 401 of the 1999 Department of the Interior and Related Agencies Appropriations Act (the Herger-Feinstein Quincy Library Group Forest Recovery Act), 112 Stat. 2681, directs the Secretary to implement a pilot project on certain federal lands within the Plumas, Lassen, and Tahoe National Forests. We will coordinate the Sierra Nevada Forest Plan Amendment Project Environment Impact Statement with the HFQLG environmental impact statement to implement section 401. We would like comments from the public and interested groups concerning the relationship between the two environmental impact statements.

Public Scoping Process

This Notice of Intent to Prepare an Environment Impact Statement is the initiation of a public scoping process related to implementation of the Herger-Feinstein Quincy Library Group Forest Recovery Act's Pilot Project. The public is invited to comment by submitting any issues (points of concern, debate, disagreement, or dispute) they may have regarding potential effects of the proposed action.

Public information meetings will be hosted by the Lassen, Plumas, and Tahoe National Forests at Loyalton, Blairsden, Quincy, Oroville, Chico, Burney, and Chester, CA, between January 4th and January 16th, 1999. Additionally, two scoping workshops will be held, one at Susanville and one at Quincy, on Saturday, January 16th. Location and times for the meetings will be published in the official newspapers of record for each forest. Throughout the scoping process, coordination will occur with Federal and State agencies, Tribal governments, local governments, and historically under-represented communities.

Commenting

A draft environmental statement is expected to be available for public review and comment in June, 1999 and a final environmental impact statement in August, 1999. The comment period on the draft environmental impact statement will be 45 days from the date of availability published in the **Federal Register** by the Environmental Protection Agency.

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. 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 (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, 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.

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 environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the 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 that are not raised until after completion of the final environmental state may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 3 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334 (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 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 Environment Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: December 15, 1998.

Mark J. Madrid,

Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Forest Service

Rio Sabana Day Use Picnic Area, Caribbean National Forest, Naguabo, Puerto Rico; Revised Notice of Intent To Prepare an Environmental Impact Statement

AGENCY: Forest Service, USDA.

ACTION: Revised Notice; extension of time for submitting scoping comments.

SUMMARY: Due to the passing of Hurricane Georges over the island of Puerto Rico, on September 21st, 1998, the Forest Service is extending the time for submitting scoping comments concerning the environmental analysis for the Rio Sabana Day Use Picnic Area, on the Caribbean National Forest. Additionally, this notice corrects the location of the proposed project site, as published in the **Federal Register** on Friday, September 18th, 1998, Vol. 63, No. 181. The location of project site should read as follows: from entrance gate at Highway #191, Km. 21.3 to project site, Km. 20.0, in the Cubuy sector of the Municipality of Naguabo. **DATES:** (a) Comments to be incorporated into the draft environmental impact statement should be received by January 8th 1999 to ensure timely consideration. (b) Comments to be incorporated into the final environmental impact statement should be received 45 days following the publication of Notice of Availability of the draft environmental impact statement, approximately the first week of March 31, 1999.

ADDRESSES: Send written comments to Abigail Rivera, Team Leader; Caribbean National Forest, P.O. Box 490, Palmer, Puerto Rico 00721.

FOR FURTHER INFORMATION CONTACT:

Abigail Rivera, Rio Sabana Picnic Area EIS Team Leader, 787 888-5643.

SUPPLEMENTARY INFORMATION: The Caribbean National Forest is proposing: (a) to develop a day use picnic area located in the vicinity of the Rio Sabana Bridge, on the southern end of Highway #191, at Km. 20.0, in the Cubuy Sector of the Municipality of Naguabo; (b) the rehabilitation of 2.5 miles of the Rio Sabana Trail #6 and trailhead; (c) repair and reconstruction of 0.8 miles of entrance road, located on Hwy. #191, Km. 21.3, to project site. Km. 20.0; Currently, the area has not been developed for recreation but receives heavy use. This use, coupled with a sensitive ecosystem in which it is located, gives rise to a potential conflict between the need to protect and conserve natural resources and the need to provide a well managed natural setting where our customers can enjoy a satisfying recreational experience.

On April 13, 1992, U.S. District Judge Guierbolini permanently enjoined and restrained the U.S. Forest Service and the Federal Highway Administration from proceeding with construction activities on the closed portion of Highway P.R. #191, from Km. 13.5 to Km. 20, until completion of an environmental impact statement. The proposed project is located on a segment of Hwy. #191 that is outside of the area under court order.

The proposed action would meet the objectives of: (a) correcting the current managerial situation and social settings in relation to the physical setting and actual use; (b) protect the natural resources in the vicinity; (c) increase Forest Service presence on the southern end of the Forest, which currently is minimal.

The EIS will be prepared in accordance with the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA) and the Endangered Species Act (ESA). The U.S. Forest Service will be the lead agency and the Puerto Rico Department of Public Transportation (DTOP) will be a cooperating agency.

Public participation will be especially important at several points during analysis. The first point is when scoping officially begins (40 dCFR 1501.7). The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, and other individuals or organizations who may be interested in or affected by

the proposed action. Comments must be received by *January 8th, 1999*. This input will be used in preparation of the draft environmental impact statement (DEIS). The scoping process will include: (1) Identifying potential issues; (2) Identifying issues to be analyzed in depth; (3) Eliminating insignificant issues or those which have been covered by a relevant previous environmental process; (4) Exploring additional alternatives; (5) Identifying potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects and connected actions). Public participation will include notifying interested and affected publics of the proposed action in person and/or by mail. News releases will be used to provide general notice to the public.

The following preliminary issues have been identified through internal scoping: (1) Possible effects of development of picnic area and reconstruction of Rd. #191 on the threatened and endangered species identified in the project area; (2) Possible effects on natural resources due to an increase in visitors to picnic area and trail; (3) Reconstruction of the historic CCC Rio Sabana Trail, which connects with the Tradewinds/El Toro Trail, may generate greater use than is allowed in the proposed Wilderness Management Area; (4) Security issues in the area in relation to 24-hour presence of Forest Service hosts of volunteers; (5) Potential hazards to Forest users caused by a nearby water impoundment and transmission facility, located on private land.

A draft environmental impact statement is expected to be available for public review, for 45 days, in *February 1999*.

It is very important that those interested in this proposed action participate at that time. Upon release of the draft environmental impact statement, project for *February 1999* reviewers should 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, (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that 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*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). It is also helpful if comments refer to specific