Notices

Federal Register
Vol. 64, No. 238
Monday, December 13, 1999

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

Starbucky Restoration Project; Nez Perce National Forest, Idaho County, Idaho

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare an environmental impact statement.

SUMMARY: The project area is located in the Buckhorn, Santiam, Rabbit, and Center Star watersheds, along with South Fork Clearwater River face drainages, T28N, R6E, Sections 1 and 12; T28N, R7E, Sections 3–10; T29N, R6E, Section 36; T29N, R7E, Sections 23 and 25–35, Boise Meridian.

The Forest Service will prepare an environmental impact statement (EIS) to analyze and disclose the environmental effects of the project.

The primary purpose of this project is to maintain the project area's forest ecosystems ecological structure and function within a natural and sustainable condition. The projected ecological succession within these watersheds will not maintain desired conditions, because of the limited role natural fire has been allowed to perform, and could pose a risk to watershed condition, fish, wildlife, and sensitive plant habitat.

DATES: Written comments and suggestions should be received on or before January 12, 2000 to receive timely consideration in the preparation of the draft EIS.

ADDRESSES: Send written comments and suggestions on the proposed action or requests for a map of the proposed action or to be placed on the project mailing list to Kevin Martin, District Ranger, Red River District, P.O. Box 416, Elk City, Idaho 83525.

FOR FURTHER INFORMATION CONTACT: Kara Chadwick, District Silviculturist, Red River Ranger District, P.O. Box 416, Elk City, Idaho 83525, phone (208) 842–2245.

SUPPLEMENTARY INFORMATION: The proposed action includes the following possible actions: (1) Maintaining the desired vegetation condition through timber harvest and/or prescribed burning; priority will be given to treat those vegetative ecosystems most at risk of moving outside the natural range of variability; this includes western larch, lodgepole pine, and ponderosa pine forest types, and candystick habitat; these actions may or may not provide timber products; (2) reducing the risk of adverse effects from wildfire to the aquatic resources and firefighter safety, again through timber harvest and/or prescribed burning; (3) improving fish habitat and stream morphology and function by reducing sediment production through road obliteration and other watershed improvement activities; (4) rehabilitating abandoned mine sites that pose a threat to the public or the environment; and (5) providing dispersed and roaded recreation opportunities compatible with other resources.

The scope of this analysis is limited to activities related to the purpose and need and measures necessary to mitigate the effects these activities may have on the environment. The decision will include if, when, how, and where to schedule: timber harvest, watershed improvement activities, road obliteration, prescribed burning, recreation site improvement and access management, resource protection measures, monitoring, and other K–V activities.

This project was originally scoped beginning in February of 1998 prior to undertaking preparation of an Environmental Assessment (EA). The EA was sent out for a 30-day comment period in May 1998. Due to the issues raised during the comment period, both internally and externally, the decision has been made to prepare an Environmental Impact Statement (EIS). This Notice of Intent serves as notice of the intent to prepare an EIS for the Starbucky Restoration Project. The issues raised and the alternatives developed as a result of the public participation for the EA will be brought forward for the EIS. The general categories of issues already identified, and the alternatives developed from the public participation are as follows:

Issues

- Current vegetative patterns, structures, and species composition, and effects of activities on these components.
- Effects on Threatened, Endangered, and Sensitive (TES) wildlife species and their habitat.
- Effects on TES plant species, especially candystick, due to the presence of a Priority One Conservation Unit for candystick.
- Effects on big game summer and winter range, security areas, and big game summer forage.
- Effects on water yield and peak flows, and effects of sedimentation to streams, all of which affect water quality and fish habitat.
- Concern for road densities.
- Concern over limited number of recreation sites/opportunities, and resulting impacts of these limitations to resources.
- Economics of proposal.
- Effect from cumulative effects.
- Current old growth allocation and effects of project on.
- Effects on not only visuals of area, but also in respect to the South Fork Clearwater River corridor.
- Access to active mining claims.
- Safety of public in regards to old, abandoned mine sites.
- Relationship of this proposal to the Interim Roads Rule.

Alternatives

In addition to the ''No Action'' alternative, five action alternatives have been identified for analysis:

(a) No action.

(b) Vegetative treatment through timber harvest and/or prescribed burning of approximately 1338 acres; verification and allocation of Forest Plan old growth; construction of approximately 5.0 miles of temporary road; obliteration of approximately 4.1 miles of existing road, along with other watershed improvement activities; mine reclamation; recreation site improvement; and access management.

(c) Vegetative treatment through prescribed burning only of approximately 330 acres of winter range; no road construction; verification and allocation of Forest Plan old growth; obliteration of approximately 4.1 miles of existing road, along with other watershed improvement activities; mine reclamation; recreation site improvement; and access management.

(d) Vegetative treatment through timber harvest and/or prescribed burning of approximately 675 acres; verification and allocation of Forest Plan old growth; construction of approximately 0.7 miles of temporary road; obliteration of approximately 4.1 miles of existing road, along with other watershed improvement activities; mine reclamation; recreation site improvement; and access management.

(e) Vegetative treatment through timber harvest and/or prescribed burning of approximately 1338 acres; verification and allocation of Forest Plan old growth; construction of approximately 6.1 miles of temporary road; obliteration of approximately 4.1 miles of existing road, along with other watershed improvement activities; mine reclamation; recreation site improvement; and access management.

(f) Vegetative treatment through timber harvest and/or prescribed burning of approximately 1338 acres; verification and allocation of Forest Plan old growth; construction of approximately 8.6 miles of temporary road; obliteration of approximately 4.1 miles of existing road, along with other watershed improvement activities; mine reclamation; recreation site improvement; and access management.

Note that the acreages, the miles of temporary road construction and miles of road obliteration are approximate only and may change during the analysis.

Public participation will continue to be an important part of the project, commencing with the EIS initial scoping process (40 CFR 1501.7), which starts with publication of this notice and continues for the next 30 days. In addition, the public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, the Nez Perce Tribe, and other individuals or organizations who may be interested in or affected by the proposed action.

Comments from the public and other agencies will be used in preparation of the draft EIS. The scoping process will be used to:

1. Identify additional potential issues;

2. Identify additional major issues to be analyzed in depth;

3. Eliminate minor issues or those which have been covered by a relevant previous environmental analysis, such as the Nez Perce National Forest Plan EIS;

4. Identify additional alternatives to the proposed action;

5. Identify potential environmental effects of the proposed action and alternatives (*i.e.*, direct, indirect, and cumulative effects).

While public participation in this analysis is welcome at any time, comments received within 30 days of the publication of this notice will be especially useful in the preparation of the draft EIS, which is expected to be filed with the Environmental Protection Agency and available for public review in March 2000. A 45-day comment period will follow publication of a Notice of Availability of the draft EIS in the **Federal Register**. The comments received will be analyzed and considered in preparation of a final EIS, which is expected to be filed in July 2000. A Record of Decision will be issued not less than 30 days after publication of a Notice of Availability of the final EIS in the **Federal Register**.

The Forest Service believes it is important at this early stage 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 in such a way 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, 513 (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 in order that substantive comments and objections are 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 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.

Bruce Bernhardt is the responsible official for this environmental impact statement.

Dated: November 29, 1999.

Bruce Bernhardt,

Forest Supervisor, Nez Perce National Forest.

[FR Doc. 99–32214 Filed 12–10–99; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Forest Service

Loon Mountain Ski Resort Development and Expansion Project

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) rather than a Supplement to the Loon Mountain Ski Area South Mountain Expansion Project Final Environmental Impact Statement (FEIS) to disclose the environmental effects of Loon Mountain Recreation Corporation's (LMRC) proposal to develop and expand recreational facilities at Loon Mountain Ski Resort. The Forest Service has decided that the environmental analysis should be documented and disclosed in an EIS rather than a Supplement to the FEIS based on changes to the original purpose and need for the Proposed Action since the FEIS was prepared. The project area is located on the Pemigewasset Ranger District of the White Mountain National Forest, Grafton County, New Hamsphire. The agency invites written comments concerning the Proposed Action as described in proposal letters submitted to the Forest Service on January 26, and May 14, 1998; and reaffirmed and clarified on December 2, 1999.

DATES: Written comments concerning the Proposed Action should be received on or before January 12, 2000. No public scoping meetings are planned at this time. The Draft EIS is scheduled to be completed by June 2000, and the final EIS is scheduled to be completed by November 2000. The Forest Service will seek comments on the Draft EIS for a period of at least 45 days from the date the Environmental Protection agency publishes the Notice of Availability in the **Federal Register**. Public meeting dates and venues during the public comment public for the Draft EIS will be advertised in the media.

Resposible Official: Donna Hepp, Forest Supervisor, White Mountain National Forest, Federal Building, 719 Main Street, Laconia, New Hampshire, 03246 is the Responsible Official for the EIS.