

To assist the Forest Service 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 the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

In the final EIS, the Forest Service is required to respond to substantive comments and response 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 a decision regarding the proposal.

The Responsible Official is F. Carl Pence, Forest Supervisor for the Malheur National Forest. The Responsible Official will document the decision and rationale for the decision in the Record of Decision. That decision will be subject to appeal under 36 CFR Part 215.

Dated: February 12, 1999.

F. Carl Pence,

Forest Supervisor, Malheur National Forest.

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DEPARTMENT OF AGRICULTURE

Forest Service

Ashland Watershed Protection Project, Rogue River National Forest, Jackson County, Oregon

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

SUMMARY: The USDA, Forest Service, will prepare an environmental impact statement (EIS) for the Ashland Watershed Protection Project on the Rogue River National Forest. The overall goal for the management of the Ashland Creek Watershed is to continue to provide high quality drinking water for the City of Ashland and to maintain large areas of late-successional habitat by creating a landscape relatively resistant to large-scale stand replacing wildfires. The objectives of this project is to manage vegetation in a manner that reduces the current fire hazard and restores fire dependent ecosystems to conditions where the chance for large-

scale, stand replacing wildfires is reduced. The Forest Service gives notice of the full analysis and decision-making process so that interested and affected peoples are made aware as to how they may participate and contribute to this supplemental analysis and decision.

DATES: Comments concerning the scope of this analysis should be received by March 19, 1999.

ADDRESSES: Submit written comments to Linda Duffy, District Ranger, Ashland Ranger District, Rogue River National Forest, 645 Washington Street, Ashland, Oregon, 97520.

FOR FURTHER INFORMATION CONTACT:

Kristi Mastrofina, Ashland Ranger District, Rogue River National Forest, 645 Washington Street, Ashland, Oregon, 97520, Telephone (541) 482-3333; FAX (541) 858-2402.

SUPPLEMENTARY INFORMATION: The Ashland Creek Watershed supplies the City of Ashland with its domestic water. A Cooperative Agreement between the City of Ashland and the Forest Service for the management of the Ashland Watershed was originally approved in 1929. A Memorandum of Understanding drafted in 1985 and updated in 1996, defines the roles and responsibility of both the City of Ashland and the Forest Service in the management of the watershed. In accordance with these agreements and the Rogue River National Forest Land and Resource Management Plan, the Forest Service is responsible for providing fire protection for the Ashland Watershed through appropriate fire management strategies.

The project area is located within the Mt. Ashland Late-Successional Reserve (LSR), which is located mostly within the Ashland Creek Watershed, and partially within the Hamilton and Tolman Creek sub-watersheds (tributaries of Bear Creek). The legal location description for all actions is T. 39 S., R. 1 E., in sections 17, 19, 20, 21, 27, 28, 29, 32, 33, and 34; T. 40 S., R. 1 E., in sections 4 and 5; W.M., Jackson County, Oregon.

As required by the April 1994 Amended Rogue River Land and Resource Management Plan, an LSR Assessment was completed prior to planning for vegetation manipulation activities. The Mt. Ashland LSR Assessment identified the need for this fire hazard reduction strategy, which has been reviewed by the Regional Ecosystem Office.

The Proposed Action for the Ashland Watershed Protection project would treat vegetation and dead and down fuels on an estimated 1,500 acres using a variety of treatment methods. Treatment methods that will be

considered include prescribed fire, mechanical manipulation of vegetation (cutting with chainsaws and handpiling for burning), and tree (canopy) removal through commercial means. About 1,000 acres would be treated with underburning or non-commercial mechanical methods, and about 500 acres would be treated using commercial tree removal. This Proposed Action would also include the reconstruction of .25 mile of road, and the construction of one new helicopter landing. Preliminary issues include: maintenance of water quality within a domestic supply watershed; protection of LSR characteristics; maintenance of long-term site productivity; economic feasibility associated with the removal of large amounts of small trees and shrubs; protection of terrestrial habitat, aquatic habitat, and rare plant and animal species; aesthetics and social considerations; and the effectiveness of various fire management strategies proposed. Preliminary alternatives of the Proposed Action include options to: reduce fire hazard using only non-commercial mechanical treatment methods; economically efficient non-commercial and commercial removal techniques; and treatment methods that would focus on minimizing the changes in late-successional stand structures.

In March of 1998, following extensive environmental analysis and community involvement that started in July of 1996, a Decision Notice authorizing the implementation of the Ashland Interface Fire Hazard Reduction (HazRed) project was signed. Appeals to that decision were filed with the Regional Forester that resulted in the decision being reversed in July of 1998. Reversal was based on the finding by the Regional Forester that an additional 30-day Notice and Comment period was warranted following an Environmental Assessment (EA) revision process.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by April 1999. 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**. The draft and final EIS will be prepared and circulated in accordance with 40 CFR 1502.9. Comments received on the draft EIS will be considered in the preparation of the final EIS. The final EIS is scheduled to be completed July 1999.

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 the draft 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, (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 comment period so that substantive comments and objections are made available to the Forest Service at the 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 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.

In the final EIS, the Forest Service is required to respond to substantive comments and responses received during the comment period that pertain to the environmental consequences discussed at the draft EIS and applicable laws, regulations, and policies considered in making a decision regarding the Ashland Watershed Protection Project.

The Responsible Official is Linda Duffy, Ashland District Ranger on the Rogue River National Forest. The Responsible Official will document her decision and rationale for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR Part 215).

Dated: February 12, 1999.

Linda L. Duffy,
District Ranger.

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DEPARTMENT OF AGRICULTURE

Forest Service

Five Rivers Landscape Management Project; Siuslaw National Forest, Lincoln and Lane Counties, Oregon

AGENCY: Forest Service, USDA.

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

SUMMARY: The USDA Forest Service will prepare an environmental impact statement (EIS) for a proposed action in the Five Rivers Watershed, designed to:

- Increase late-successional habitat in late-successional and riparian reserves;
- Restore the health of watersheds and associated aquatic ecosystems;
- Maintain the function and diversity of matrix (non-reserved) lands, while providing timber and other products and amenities; and
- Learn from various strategies for achieving late-successional conditions and aquatic conservation because no single strategy is known to work best.

The Five Rivers watershed is about 34 air miles southwest of Corvallis and 40 air miles northwest of Eugene, Oregon. Proposed activities include thinning plantations through commercial sales and service contracts, planting hardwoods and shade-tolerant conifers in suitable sites, decommissioning and closing roads, placing large woods in streams, planting conifers in riparian areas, maintaining and creating early-seral habitat, maintaining diverse dispersed recreational opportunities, and maintaining opportunities to harvest greenery and mushrooms. These proposed activities are linked by their interacting effects—through the networks of streams, roads, and forested stands—on this large project area. Efficiencies in planning are also expected.

The Five Rivers planning area comprises about 37,000 acres; of this total, 4,932 acres (13%) are private land. Of the 32,038 acres of National Forest land, about 15,530 acres (48%) have been previously harvested and regenerated. About 11,781 acres (37%) remain in mature condition, and about 5,000 acres (15%) are in hardwood or mixed conifer and hardwood. The project area has an average road density of 3.1 miles per square mile, and an average stream density of 7.9 miles per square mile. The project area does not include any inventoried roadless or designated wilderness areas.

The Forest Service proposal complies with the 1990 Siuslaw National Forest Land and Resource Management Plan,

as amended by the 1994 Northwest Forest Plan, which provides guidance for managing this area. The Lobster/Five Rivers watershed analysis (1997) identified many opportunities to restore terrestrial and aquatic ecosystems in the Five Rivers watershed, which the proposed action is designed to address. Some proposed project activities are expected to begin in fiscal year (FY) 2000, but when activities actually begin in a function of many factors—such as availability of funding, market conditions, contract size, and award date. For example, a timber sale planned for 2004 could take 4 or 5 years to complete, for a variety of reasons—for example, because of poor market conditions. Planned post-sale activities to be funded by timber receipts could thus be delayed as well. We expect the work to begin in FY2000 and continue through FY2015.

The Siuslaw National Forest invites written comments on this proposal. Site-specific comments are encouraged because they are the most useful for improving project design. The proposed actions are described in detail below to provide our current thinking in a way to help people understand the proposal. Considerable flexibility exists for developing strategies, depending on the issues raised.

DATES: Comments about the scope of the proposal should be received in writing by March 19, 1999.

ADDRESSES: Send written comments to Doris Tai, District Ranger, Waldport Ranger District, Siuslaw National Forest, P.O. Box 400, Waldport, Oregon 97394.

FOR FURTHER INFORMATION CONTACT: Paul Thomas, EIS Team Leader, Waldport Ranger District, Siuslaw National Forest, Phone 541-563-3211. Maps, referenced below, showing proposed actions for the Five Rivers Watershed Restoration Project, can be viewed at the Waldport District Office or on the Siuslaw National Forest Web site at www.fs.fed.us/r6/siuslaw/projects.htm.

SUPPLEMENTARY INFORMATION: The land managed by the Siuslaw National Forest is public land. In the project area, the Record of Decision for the Northwest Forest Plan (NWFP 1994) designates three land allocations that must be managed under specific guidelines intended to: move tree plantations in the late-successional reserves toward old-growth conditions; improve habitat for riparian-dependent species, including anadromous fish, in late-successional and riparian reserves; and harvest wood products from the remaining area (matrix) to benefit local economies. The Plan also provides a