

# 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

#### Robinson/Scott Landscape Management Project, Willamette National Forest, Lane and Linn Counties, OR

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Forest Service will prepare an environmental impact statement (EIS) on a proposal to thin and/or regenerate forest stands, construct roads, and use prescribed fire in the Upper McKenzie Watershed. The landscape management project is needed to: (1) Provide landscape-level health and vegetation diversity within the project area to meet issues identified during watershed analysis and public scoping; and (2) provide timber products as directed by the Willamette Forest Plan, as amended. Project is proposed for fiscal years 1997–2002. The Willamette National Forest invites written comments on the scope of the analysis. The agency will give full notice of the full environmental analysis and decision making process for the proposal so interested and affected people may participate and contribute to the final decision.

**DATES:** Comments concerning the scope of the analysis should be received in writing by March 1, 1996.

**ADDRESSES:** Send written comments to Eugene Skrine, District Silviculturist, McKenzie Ranger District, McKenzie Bridge, Oregon 97413.

**FOR FURTHER INFORMATION CONTACT:** Eugene Skrine, District Silviculturist, McKenzie Ranger District, McKenzie Bridge, Oregon 97413, Phone (541) 822–3381.

**SUPPLEMENTARY INFORMATION:** The USDA, Forest Service proposal includes: treatment of approximately 900–1500 acres with various

regeneration harvest methods approximating the pattern and scale of relatively frequent stand-replacement fires; treatment of approximately 500–2000 acres with commercial thinning treatments that approximate the pattern of frequent low to moderate intensity fires; provide long term sustainable habitat for big game and other wildlife species; develop a long term vegetation management plan for high quality riparian habitat to benefit bull trout; maintain major components of the landscape-level ecosystem within the range of historic variability; reset some meadows to historic conditions with use of fire; produce “no net increase” in permanent roads.

Preliminary issues have been identified and include: historical disturbance patterns; biological diversity at the stand and landscape levels; recreation experience and scenic byway; threatened, endangered, and sensitive plant and animal species; High Emphasis Elk Area management. A range of alternatives will be developed including a no action alternative.

This draft EIS will tier to the 1990 Final EIS for the Willamette National Forest Land and Resource Management Plan as amended by the Northwest Forest Plan (ROD) (1994). The Forest Service is the lead agency.

Initial scoping will begin in November 1995. A public participation plan is being developed with public meeting and public tour dates to be announced. The public is invited to offer suggestions and comments in writing.

The draft EIS is expected to be completed in September 1996. 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 a draft EIS 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, 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, 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 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 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.)

The final EIS is scheduled to be completed in December 1996. In the final EIS, the Forest Service is required to respond to comments and responses 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 the decision regarding the Santiam Forest Health Project. Darrel L. Kenops, Forest Supervisor, is the Responsible Official. As the Responsible Official, he will decide whether to implement the project. The Responsible Official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to the Forest Service Appeal Regulations (36 CFR Part 215).

Dated: November 21, 1995.

Darrel L. Kenops,

Forest Supervisor.

[FR Doc. 95–29441 Filed 12–1–95; 8:45 am]

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