

Should dead and imminently dead trees within fire areas be harvested and if so how and where,

What amount, type, and distribution of watershed restoration projects, including road restoration, would be implemented,

What burned areas need to be replanted,

What road access restrictions would be implemented to provide security for grizzly bears, and

If Forest Plan exception or amendments are necessary to proceed with the Proposal Action within the decisions area.

Public Involvement and Scoping

Some public participation efforts have already been initiated. On October 1, 1994 a public field trip to the North Fork Decision Area was held to provide interested people with an opportunity to view the fire areas and ask questions of fire managers and resource specialists. On January 10, 1995, an open house and slide presentation was held with 25 individuals attending. Comments were requested during both of these public involvement efforts. An open house will be held from 10:00 a.m. to 7:00 p.m. on February 21, 1995 at the Rexford Ranger District office, 1299 Hwy 93 N, Eureka, MT 59917, to provide an opportunity for the public to review of the proposed action. Consultation with appropriate State and Federal agencies has been initiated. Preliminary effects analysis indicated that the wildfires may significantly affect the quality of the human environment, and fire recovery activities have the potential to both intensify and reduce effects. These potential effects prompted the decision to prepare an EIS for the North Fork Fire Salvage.

This environmental analysis and decision making process will enable additional interested and affected people to participate and contribute to the final decision. Public participation will be requested at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from Federal, State, local agencies, and other individuals or organizations who may be interested in or affected by the proposed projects. This input will be used in preparation of the draft and final EIS. The scoping process will include:

- Identifying potential issues.
- Identifying major issues to be analyzed in depth.
- Exploring addition alternatives which will be derived from issues recognized during scoping activities.
- Identifying potential environmental effects of this project and alternatives

(i.e. direct, indirect, and cumulative effects and connected actions).

The analysis will consider a range of alternatives, including the proposed action, no action, and other reasonable action alternatives.

Estimated Dates for Filing

The draft North Fork Fire Recovery EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by April, 1995. At that time EPA will publish a Notice of Availability of the draft EIS in the **Federal Register**. 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 final EIS is scheduled to be completed by August, 1995. 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 a decision regarding the proposal.

Reviewer's Obligations

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 an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also environment objections that could be raised at the draft environmental impact statement 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 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 and respond to them in the final EIS.

To be most helpful, comments on the draft EIS should be as specific as possible and may address the adequacy of the statement or the merit of the alternatives discussed. 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.

Responsible Official

Robert L. Schrenk, Forest Supervisor, Kootenai National Forest, 506 US Highway 2 West, Libby, MT 59923 is the responsible Official. I have delegated the responsibility to prepare the North Fork Fire Salvage Environmental Impact Statement to Robert J. Thompson, District Ranger, Rexford Ranger District. As the Responsible Office I will decide which, if any, of the proposed projects will be implemented. I will document the decision and reasons for the decisions in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations.

Dated: January 30, 1995.

Robert L. Schrenk,

Forest Supervisor.

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Zaca Mine Project; Toiyabe National Forest, Alpine County, CA

AGENCY: Forest Service, USDA.

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

SUMMARY: The Department of Agriculture, Forest Service and Alpine County Planning Department will be jointly preparing an Environmental Impact Statement/Report (EIS/EIR) for the proposed development of an open pit/heap leach gold and silver mining project in Alpine County, California. Preparation of the EIS will be assisted by a third party contractor, funded by the proponent, Western States Minerals Corporation (WSM).

DATES: Comments concerning the scope of the analysis should be received in writing no later than March 27, 1995.

ADDRESSES: Send written comments to: R.M. "Jim" Nelson, Forest Supervisor, Toiyabe National Forest, 1200 Franklin Way, Sparks, Nevada 89431.

FOR FURTHER INFORMATION CONTACT: Direct questions about the proposed project and preparation of the EIS to Maureen Joplin, Project Team Leader, Toiyabe National Forest. Telephone: 702-355-5394.

SUPPLEMENTARY INFORMATION: Western States Minerals Corporation (WSM) has filed a proposed Plan of Operations (POO) for an open pit/cyanide heap leach gold/silver mine in Alpine County, California. The project is located approximately four miles southeast of Markleeville in sections 29,30,31 and 32, T10N R21E, M.D.M. Total area of proposed disturbance is