

comments will be analyzed and considered by the Forest Service in preparing the final environmental impact statement. The Final EIS is scheduled for release in May 2003.

The Forest Service believes it is important to give reviewers notice at this early stage of several court ruling 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, environmental objection that could be raised at the draft environmental impact statement state but that are not raised until after completion of the final 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 the 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 are made available to the Forest Service at a time when they can be meaningfully considered and responded to in the final environmental impact statement. To assist the Forest Service in identifying and consider 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, sections, 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 Council on Environmental Quality *Regulations for implementing the procedural provisions of the National Environmental Policy Act* at CFR 1503.3 in addressing these points.

This decision will be subject to appeal under 36 CFR 215. The responsible official is Leon F. Blashock, Marienville Ranger District, Ridgway Office, RD 1 Box 28A, Montmorenci Road, Ridgway, PA 15853 @ (814) 776-6172.

Dated: April 9, 2002.

**Kevin B. Elliott,**

*Forest Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Payette National Forest, Idaho, Middle Little Salmon Vegetation Management Project**

**AGENCY:** Forest Service, USDA.

**ACTION:** Revised notice of intent to prepare an environmental impact statement.

**SUMMARY:** The USDA Forest Service published a Notice of Intent to prepare an environmental impact statement (EIS) for the Middle Little Salmon Vegetation Management Project in the **Federal Register** on February 12, 1999 (Vol. 64, No. 29, pages 7164-7165). A revised Notice of Intent is being issued due to two major changes (Forest Service Handbook 1909.15 part 21.2):

1. It has been more than six months since filing the original Notice of Intent; and

2. There has been a change in the proposed action.

The USDA Forest Service will prepare the Middle Little Salmon Vegetation Management Project EIS. The proposed action in the EIS is to manage timber stands to improve their productivity and provide defensible space from wildfires on National Forest System Lands adjacent to a private land subdivision. Additionally, the proposed action is to obliterate roads to reduce sediment, and close other roads to reduce wildlife vulnerability. The Payette National Forest invites written comments and suggestions on the scope of the analysis and the issues to address. The agency gives notice of the full National Environmental Policy Act (NEPA) analysis and decision-making process so that interested and affected people know how they may participate and contribute to the final decision.

**DATES:** Comments need to be received by May 28, 2002.

**ADDRESSES:** Send written comments to Kimberly A. Brandel, District Ranger, New Meadows Ranger District, Payette National Forest, P.O. Box J, New Meadows, Idaho 83654.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action should be directed to Sue Dixon, Project Team Leader, at the above address, phone (208) 347-0300.

**SUPPLEMENTARY INFORMATION:** The Middle Little Salmon planning area is located in the Round Valley Creek and Upper Mud Creek subwatersheds on the New Meadows Ranger District. It is four miles north and west of New Meadows and is approximately 11,823 acres in size. The purpose and need for this

activity is to (1) improve the existing condition of forest vegetation within the planning area to move toward the goals, objectives, and desired future condition for forest vegetation stated in the Payette National Forest Land and Resource Plan; and (2) lower the risk of crown fires and reduce fire severity on National Forest lands surrounding the Circle C subdivision.

The proposed action includes a variety of activities to meet the purpose and need. (1) Harvest approximately 6.4 million board feet on 686 acres, of which 361 acres are to reduce the fuels around the Circle C Subdivision. Harvest prescriptions would consist of shelterwood, commercial thinning, and patch clearcuts. Yarding systems would be primarily tractor, and 79 acres of skyline. (2) Reduce crown fire hazard and lower fire severity on 605 acres by commercial harvest (361 acres stated previously), hand pile and burn 211 acres in riparian conservation areas, and prescribe burn an additional 33 acres. (3) Provide for conifer seedling planting and natural regeneration on 427 acres. (4) Road management would consist of reconstructing seven miles of road, and decommissioning or closing 73 miles of road. There would be no new road construction. Seven miles of road would be reconstructed for hauling logs, and stream crossings would include graveling to reduce sediment. (5) Treat harvest generated fuels on approximately 685 acres. A total of 929 acres would be treated with this proposed action. This proposed action would require four one-time, site-specific, non-significant amendments to the Payette National Forest Plan.

Preliminary issues for this project include effects on fisheries, wildlife, water quality, and effects of hazardous fuels reduction.

A range of reasonable alternatives will be considered. The no-action alternative will serve as a baseline for comparison of alternatives. The proposed action will be considered along with additional alternatives developed that meet the purpose and need and address significant issues identified during scoping. Alternatives may have different amounts, locations, and types of project activities.

Comments received in response to this notice, including names and addresses of those who comment, will be part of the project record and available for public review.

The Forest Service is seeking information and comments from other Federal, State, and local agencies; Tribal governments, organizations; and individuals who may be interested in or affected by the proposed action. This

input will be used in preparation of the EIS.

Comments will be appreciated throughout the analysis process. The draft EIS will be filed with the Environmental Protection Agency (EPA) and is anticipated to be available for public review by summer 2002. The comment period on the draft EIS will be 45 days. It is important that those interested in the management of the Payette National Forest participate at that time.

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, 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 016, 1002 (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 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 raised by 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 Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

After the 45-day comment period ends on the draft EIS, the Forest Service will analyze comments received and address them in the final EIS. The final EIS is scheduled to be completed in 2002. The Responsible Official is the

Payette National Forest Supervisor. The decision will be documented, including the rationale for the decision, in a Record of Decision (ROD). The decision will be subject to review under the Forest Service Appeal Regulations at 36 CFR 215.

Dated: April 11, 2002.

**Robert S. Giles,**

*Acting Forest Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Payette National Forest, Idaho, Golden Hand #3 and #4 Lode Mining Claims, Plan of Operations**

**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) for the proposed Plan of Operations (POO) for the Golden Hand #3 and #4 lode mining claims in the Frank Church—River of No Return (FC—RONR) Wilderness on the Krassel Ranger District, Payette National Forest. The purpose of the POO is to allow for mineral development of the claims. The EIS will disclose the environmental effects of the POO submitted by American Independence Mines and Minerals, Inc. The Forest now invites comments on the scope of the analysis and the issues to address.

**DATES:** Comments must be received by May 27, 2002.

**ADDRESSES:** Send written comments to Ana Egnew, Land Management Specialist, Krassel Ranger District, Payette National Forest, PO Box 1026, McCall, Idaho 83638.

**FOR FURTHER INFORMATION CONTACT:** Ana Egnew at the above address, or e-mail: [aegnew@fs.fed.us](mailto:aegnew@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** American Independence Mines and Minerals, Inc. has proposed a Plan of Operation (POO) to allow for mineral development of the Golden Hand #3 and #4 mining claims. The mining claims are located in the FC—RONR Wilderness, approximately 50 miles northeast of McCall, Idaho in section 26, T22N, R9E, Boise Meridian. The claims encompass 20 acres each adjacent to Coin Creek, a tributary of Beaver Creek, which flows into Big Creek, a tributary of the Salmon River.

#### **Proposed Action**

Access to the claims would be on Forest Service (FS) roads to the FC—

RONR Wilderness boundary at Pueblo Summit, north of the town of Edwardsburg. Proposed access would then require vehicle passage for approximately 2.7 miles past the wilderness boundary on FS trail #13. Within the boundary is a roadbed that existed before creation of the wilderness. The roadbed was converted to use as a trail upon establishment of the wilderness. Vehicle access would require clearing slough, downed trees, and other obstacles to maintain a safe width for equipment transport.

The proposed operation would construct approximately 2000 feet of new road on Golden Hand lode mining claim #3 and reconstruct approximately 1700 feet of preexisting roadbed on Golden Hand lode mining claim #4. These roads would access 31 drill locations and 5 trench locations. Approximately 750 feet of trench (5 feet wide and 5 feet deep) would be excavated. Production development work would also be conducted underground from existing mine openings (adits).

Equipment proposed for use in the mining operation would include pickup trucks, a tandem axle flatbed truck, a 14 cubic yard tandem axle ore truck, small truck or track mounted drill rigs, a backhoe/loader, a bulldozer, a road grader, an air compressor, chainsaws, small underground mining machinery, a generator, and hand tools.

Extracted ore would be hauled approximately 12 miles to an existing mill site near the town of Edwardsburg for bulk testing. Waste rock would be placed on existing dumps at the mine site. Fuel would be transported in sealed containers and stored in a leak proof containment. Explosives would be transported in certified, licensed, and insured vehicles, and would be stored in existing or portable magazines.

#### **Responsible Official**

The responsible official is the Forest Supervisor of the Payette National Forest.

#### **Nature of Decision To Be Made**

The nature of the Forest Service decision to be made in response to the POO submitted by American Independence Mines and Minerals, Inc. is: (1) Approve the project as proposed, or (2) Notify the operator of changes or additions to the POO necessary to minimize or eliminate adverse environmental impacts from mineral activities on National Forest System (NFS) lands, as required by Forest Service regulations (36 CFR Part 228A).

The Payette National Forest Supervisor has determined that