

31, T.9N., R.3W., Montana Principle Meridian.

The proposed treatments are not within a roadless area, but are within the Elkhorns Wildlife management Unit (within Management Area (E-4) of the Helena Forest Plan). This management area features an emphasis on habitat management for moose, elk and mule deer. The management standards include the implementation of wildlife habitat improvement practices, including prescribed fire and timber manipulation to maintain and enhance aspen and willow regeneration and other forested areas for wildlife habitat. (Helena Forest Plan, page III-90). The decisions to be made, based on this environmental analysis, are whether or not to treat the vegetation at this time, and if so, how would the treatments be accomplished.

This EIS will tier to the Helena Forest Plan Final EIS of April 1986, that provides program goals, objectives, and standards and guidelines for conducting management activities in this area. All activities associated with the proposal will be designed to implement the resource goals and standards identified in the Forest Plan.

The Forest Service is seeking information and comments from Federal, State, and local agencies together with organizations or individuals who may be interested in or affected by the proposed action. The Forest Service invites written comments and suggestions on the issues for the proposal and the area being analyzed. Information received will be used in preparation of the Draft EIS.

Preparation of the EIS will include the following steps:

1. Identification of issues to be analyzed in depth.
2. Identification of additional reasonable alternatives.
3. Identification of potential environmental effects of the alternatives.

Commercial timber harvest will be used to restore important habitat that is currently nonexistent in the Wildlife Management Unit by thinning of individual trees while leaving the largest and healthiest trees on site, and by opening the stand such that fire can be reintroduced with minimal risk of killing the overstory trees. Following harvest, forests will be underburned to stimulate the regeneration of grasses, forbs, aspen and willow.

Alternatives to this proposal will include the "no action" alternative, in which none of the proposed treatments would be implemented. Other alternatives will examine variations in

the location, amount and method of vegetative management.

The preliminary issues identified are:

1. What wildlife species are benefited? Are there any wildlife species at risk that would be affected?
2. What is the effect of the project on recreation?
3. What effect will the project have on reducing the risk of catastrophic wildfire in the urban interface?
4. What are the risks to nearby landowners relative to logging and burning operations?

The Forest Service will analyze and disclose in the DEIS and FEIS the environmental effects of the proposed action and a reasonable range of alternatives. The DEIS and FEIS will disclose the direct, indirect and cumulative environmental effects of each alternative and its associated site specific mitigation measures.

Public participation is especially important at several points of the analysis. Interested parties may visit with Forest Service officials at any time during the analysis. However, two periods of time are specifically identified for the receipt of comments. The first comment period is during the scoping process when the public is invited to give written comments to the Forest Service within 45 days of the publication of the Notice of Intent. The second review period is during the 45 day review of the DEIS when the public is invited to comment on the DEIS.

The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in February 2001. At that time, the EPA will publish a notice of availability of the DEIS in the **Federal Register**.

The comment period on the DEIS will be 45 days from the date the notice of availability is published in the **Federal Register**.

At this early stage in the scoping process, the Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviews of DEIS 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). Secondly, environmental objections that could be raised at the draft environmental impact statement stage, but that are not raised until after completion of the FEIS 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. 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 FEIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the DEIS 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 DEIS 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 comment period ends on the DEIS, the comments will be analyzed and considered by the Forest Service in preparing the FEIS. The FEIS is expected to be filed in July 2001.

Dated: November 22, 2000.

Thomas J. Clifford,

Forest Supervisor, Helena National Forest.
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DEPARTMENT OF AGRICULTURE

Forest Service

Maudlow-Toston Post-Fire Salvage, Sale, Townsend Ranger District, Helena National Forest, Broadwater County, Montana

AGENCY: Forest Service, USDA.

ACTION: Notice, intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an Environmental Impact Statement on a proposal to harvest merchantable fire-damaged trees from the Maudlow-Toston wildfire area. The proposed action includes salvage timber harvest in roaded areas and stewardship project timber harvest activities in inventoried roadless areas. No new road construction or reconstruction would be conducted in inventoried roadless areas. In areas outside inventoried roadless areas, existing system roads and a few temporary roads would be used. Only dead or dying trees will be removed. The proposed action will also incorporate interim road management to

provide for big game security, silvicultural practices that can hasten post-fire recovery for wildlife and recreation and reduce future fuel loading, and other management practices to minimize accelerated erosion.

DATES: Comments concerning the proposal and scope of the analysis should be received in writing by January 15th, 2001.

ADDRESSES: All questions and/or comments should be addressed to: USDA Forest Service, Townsend Ranger District, 415 S. Front Street, Box 29, Townsend, MT 59644.

FOR FURTHER INFORMATION CONTACT:

David McMorran, Team Leader or Rachel Feigley, Assistant Team Leader, at the address above or (406) 266-3425. An Open House is scheduled for December 14, 2000, 4pm to 8pm, at the library community room in Townsend, Montana.

Additional Information: The analysis will include a no action alternative which will address the effects of not harvesting in the burned area. Other alternatives will consider a range of options, including varying the locations, timing and methods of timber removal. The analysis will consider the effects of the proposed action and alternatives within the entire affected watersheds (Blacktail and Sulphur Bar drainages), but actions will be limited to the burned areas- no green tree harvest is proposed.

Anticipated issues and concerns include, but are not limited to: Longterm watershed stability and recovery; fuel loading/fuel reduction in the future; inventoried roadless character and values; longterm management goals; opportunities to integrate salvage operations with restoration activities; big game security and retention of remaining hiding cover; snag management for wildlife; scenery and recreation management, the potential for spreading noxious weeds, and opportunities to benefit local economies.

The public will be notified, via mail and news release, of the implementation of this project and of the availability of the Draft and Final Analysis. The Forest Service is seeking information and comments from Federal, State and local agencies as well as individuals and organizations that may be interested in the proposal. The Forest Service invites written comments and suggestions related to the proposal. Information received will be used in preparation of the Draft Environmental Impact Statement. The Draft Environmental Impact Statement and Record of Decision in April 2001. The official

close of the comment period for the Draft Environmental Impact Statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

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, 533 (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 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. 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 environmental impact statement.

To assist the Forest Service in identifying and considering 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 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 on the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

The responsible official is Thomas J. Clifford, Forest Supervisor, Helena National Forest, 2880 Skyway Drive, Helena, MT 59601.

Dated: December 1, 2000

Thomas J. Clifford,
Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Opal Creek Scenic Recreation Area (SRA) Advisory Council

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: An Opal Creek Scenic Recreation Area Advisory Council meeting will convene in Salem, Oregon on Saturday, January 6, 2001. The meeting is scheduled to begin at 9:00 a.m., and will conclude at approximately 2:00 p.m. The meeting will be held at the Salem City Library, Louch Hall, located on 585 Liberty Street SE in Salem, Oregon.

The Opal Creek Wilderness and Opal Creek Scenic Recreation Area Act of 1996 (Opal Creek Act) (Pub. L. 104-208) directed the Secretary of Agriculture to establish the Opal Creek Scenic Recreation Area Advisory Council. The Advisory Council is comprised of thirteen members representing state, county and city governments, and representatives of various organizations, which include mining industry, environmental organizations, inholders in Opal Creek Scenic Recreation Area, economic development, Indian tribes, adjacent landowners and recreation interests. The council provides advice to the Secretary of Agriculture on preparation of a comprehensive Opal Creek Management Plan for the SRA, and consults on a periodic and regular basis on the management of the area. The tentative agenda will include refining issue statements and describing the desired future condition of the SRA.

The public comment period is tentatively scheduled to begin at 1:00 p.m. Time allotted for individual presentations will be limited to 3 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits of the comment period. Written comments may be submitted prior to the January 6 meeting by sending them to Designated Federal Official Stephanie Phillips at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Stephanie Phillips; Willamette National Forest, Detroit Ranger District, HC 73 Box 320, Mill City, OR 97360; (503) 854-3366.

Dated: December 4, 2000.

Darrel Kenops,
Forest Supervisor.

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