

DEPARTMENT OF AGRICULTURE**Forest Service****Newspapers Used for Publication of Legal Notice of Appealable Decisions for the Northern Region; Idaho, Montana, North Dakota, and Portions of South Dakota and Eastern Washington****AGENCY:** Forest Service, USDA.**ACTION:** Notice.

SUMMARY: This notice lists the newspapers that will be used by all Ranger Districts, Forests, and the Regional Office of the Northern Region to publish legal notice of all decisions subject to appeal under 36 CFR 215 and 217 and to publish notices for public comment and notice of decision subject to the provisions of 36 CFR 215. The intended effect of this action is to inform interested members of the public which newspapers will be used to publish legal notices for public comment or decisions; thereby allowing them to receive constructive notice of a decision, to provide clear evidence of timely notice, and to achieve consistency in administering the appeals process.

DATES: Publication of legal notices in the listed newspapers will begin with decisions subject to appeal that are made on or after October 15, 2000. The list of newspapers will remain in effect until another notice is published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Interregional NEPA, Appeals and Litigation Leader; Northern Region; P.O. Box 7669; Missoula, Montana 59807. Phone: (406) 329-3647.

The newspapers to be used are as follows:

Northern Regional Office

Regional Forester decisions in Montana: The Missoulian, Great Falls Tribune, and The Billings Gazette.

Regional Forester decisions in Northern Idaho and Eastern Washington: The Spokesman Review.

Regional Forester decisions in North Dakota: Bismarck Tribune.

Regional Forester decisions in South Dakota: Rapid City Journal.

Beaverhead/Deerlodge—Montana Standard

Bitterroot—Ravalli Republic

Clearwater—Lewiston Morning Tribune

Custer—Billings Gazette (Montana),

Rapid City Journal (South Dakota)

Dakota Prairie National Grasslands—

Bismarck Tribune (North Dakota),

Rapid City Journal (South Dakota)

Flathead—Daily Interlake

Gallatin—Bozeman Chronicle

Helena—Independent Record

Idaho Panhandle—Spokesman Review

Kootenai—Daily Interlake

Lewis & Clark—Great Falls Tribune

Lolo—Missouline

Nez Perce—Lewiston Morning Tribune

Supplemental notices may be placed in any newspaper, but time frames/deadlines will be calculated based upon notices in newspapers of record listed above.

Dated: October 10, 2000.

Kathleen A. McAllister,

Deputy Regional Forester.

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DEPARTMENT OF AGRICULTURE**Forest Service****Application of Notice, Comment, and Appeal Procedures for Certain Projects and Activities****AGENCY:** Forest Service, USDA.**ACTION:** Notice.

SUMMARY: Pending the adoption of an interim final rule, the Forest Service will apply the notice, comment, and appeal procedures in 36 CFR part 215 to certain project and activity decisions. This action is required by the terms of a settlement agreement of litigation between the U.S. Forest Service and Heartwood, Incorporated.

EFFECTIVE DATE: Notice, comment, and appeal procedures apply to those project and activity decisions identified in the settlement agreement and made after October 24, 2000.

ADDRESSES: Written inquiries, as well as requests for the settlement agreement, may be sent to the Director, Ecosystem Management Coordination Staff, USDA Forest Service, P.O. Box 96090, Washington, DC 20090-6090.

FOR FURTHER INFORMATION CONTACT: Steve Segovia, Assistant Director for Appeals and Litigation, telephone (202) 205-1066; FAX (202) 205-1012.

SUPPLEMENTARY INFORMATION: In the matter of *Heartwood, Inc. v. U.S. Forest Service*, Civ. No. 99-4255 (S.D. Ill. Sept. 15, 2000), the agency and plaintiff entered a settlement agreement that the agency would promulgate an interim final rule settling forth the notice, comment, and appeal procedures at 36 CFR part 215 for the following projects and activities:

(1) Projects involving the use of prescribed burning;

(2) Projects involving the creation or maintenance of wildlife openings;

(3) The designation of travel routes for off-highway vehicle (OHV) (use which is not conducted through the travel management planning process as part of the forest planning process);

(4) The construction of new OHV routes and facilities intended to support OHV use;

(5) The upgrading, widening, or modification of OHV routes to increase either the levels or types of use by OHVs (but not projects performed for the maintenance of existing routes);

(6) The issuance or reissuance of special use permits for OHV activities conducted on areas, trails, or roads that are not designated for such activities;

(7) Projects in which the cutting of trees for thinning or wildlife purposes occurs over an area greater than 5 contiguous acres;

(8) Gathering geophysical data using shorthole, vibroseis, or surface charge;

(9) Trenching to obtain evidence of mineralization;

(10) Clearing vegetation for sight paths from areas used for mineral, energy, or geophysical investigation or support facilities for such activities.

At the time of publication of the interim rule, the agency also will invite public comment for consideration in adopting a final rule.

Pending adoption of this interim rule, the agency agreed to give notice in the **Federal Register** that it would apply these notice, comment, and appeal procedures as of the effective date given in the notice.

A copy of the settlement agreement is available by writing the address listed earlier in this notice or by logging onto the "NEPA, NFMA and Appeals" page of the Forest Service homepage of the World Wide Web, the address for which is <http://www.fs.fed.us/forum/nepa>.

Dated: October 11, 2000.

James R. Furnish,

Deputy Chief for National Forest System.

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DEPARTMENT OF AGRICULTURE**Natural Resources Conservation Service****Notice of Proposed Changes to Section IV of the Field Office Technical Guide (FOTG) of the Natural Resources Conservation Service in Indiana****AGENCY:** Natural Resources Conservation Service (NRCS).**ACTION:** Notice of availability of proposed changes in Section IV of the FOTG of the NRCS in Indiana for review and comment.