

preparation of the EIS is required for approval of the POO under Forest Service regulations governing locatable mineral activities on National Forest System Lands (36 CFR part 228A) and CEQ regulations implementing the National Environmental Policy Act (40 CFR parts 1501–1508).

#### Preliminary Issues

Preliminary issues identified by the Forest Service interdisciplinary team include use of mechanized equipment in wilderness, protection of wilderness character, effects to threatened and endangered species, and effects to aquatic species and water quality.

#### Public Participation

Public participation will be important at several points during the analysis, particularly during scoping of issues and review of the draft environmental impact statement (DEIS). This notice of intent initiates the scoping process, which guides the development of the EIS. The scoping process will identify potential issues and issues to be analyzed in detail, and will lead to the development of alternatives to the proposal.

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

The second major opportunity for public input is with the DEIS. The DEIS will analyze a range of alternatives to the proposed action, including the no-action alternative. The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review in January 2003. EPA will then publish a notice of availability of the DEIS in the **Federal Register**. Public comments will be invited. The comment period on the DEIS will be 45 days from the date the EPA 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, 553 (1978). In addition, 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. 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 environmental impact statement.

To assist the Forest Service in identifying and considering issues raised by the proposed action, comments on the DEIS should be as specified 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 40 CFR 1503.3 in addressing these points.

In the Final EIS (FEIS) the Forest Service will respond to comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, and environmental consequences addressed in the FEIS, which is expected to be completed in May 2003, along with applicable laws, regulations, and policies in making the final decision regarding this proposal. The responsible official will document the decision and reasons for it in the Record of Decision. That decision will be subject to appeal under 36 CFR 215.

Dated: April 11, 2002.

**Robert S. Giles,**

*Acting Forest Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Olympic Provincial Advisory Committee (OPAC); Meeting

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Olympic Province Advisory Committee (OPAC) will meet on May 10, 2002. The meeting will be held at the Forest Service/WA Department of Natural Resources's

Conference Room at 437 Tillicum Lane in Forks, Washington. The meeting will begin at 9:30 a.m. and end at approximately 3:00 p.m. Agenda topics are: (1) Current status of key Forest issues; (2) Status update on the Resource Advisory Committees for Rural Schools and Community Self-Determination Act of 2000; (3) NW Forest Plan Implementation Monitoring; (4) Road Management; (5) Open forum; and (6) Public comments.

All Olympic Province Advisory Committee Meetings are open to the public. Interested citizens are encouraged to attend.

#### FOR FURTHER INFORMATION CONTACT:

Direct questions regarding this meeting to Ken Eldredge, Province Liaison, USDA, Olympic National Forest Headquarters, 1835 Black Lake Blvd., Olympia, WA 98512–5623, (360) 956–2323 or Dale Hom, Forest Supervisor, at (360) 956–2301.

Dated: April 12, 2002.

**Dale Hom,**

*Forest Supervisor, Olympic National Forest.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Fresno County Resource Advisory Committee; Meeting

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of resource advisory meeting.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committee Act of 1972 (Pub. L. 92–463) and under the secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106–393) the Sierra and Sequoia National Forests' Resource Advisory Committee (RAC) for Fresno County will meet on May 14, 2002, 6:30–9:15 p.m. The Fresno County Resource Advisory Committee will meet at the Forest Supervisor's office Clovis, CA. The purpose of the meeting is for the Resource Advisory Committee to receive project proposals for recommendations to the Forest Supervisor for expenditure of Fresno County Title II funds.

**DATES:** The Fresno RAC meeting will be held on May 14, 2002. The meeting will be held from 6:30 p.m. to 9:15 p.m.

**ADDRESSES:** The Fresno County RAC meeting will be held at the Sierra National Forest Supervisor's office, 1600 Tollhouse Road, Clovis, CA.

**FOR FURTHER INFORMATION CONTACT:** Sue Exline, USDA, Sierra National Forest,