

grizzly bear security. Approximately 22 miles of open yearlong/seasonally open road would be restricted yearlong within the Werner Creek and Lower Big Creek grizzly bear subunits. Also, approximately 57 miles of road would be decommissioned in both grizzly bear subunits.

The purpose and need for the actions are to: decrease potential mortality cause by bark beetles to remaining live Douglas-fir and spruce trees within and outside the Moose fire are; recover merchantable wood fiber affected by the Moose Fire in timely manner to support local communities and contribute to the long-term yield of forest products; and to reduce future fire risk and hazard by reducing future fuel accumulations caused by the Moose Fire adjacent to private property or administrative sites.

This EIS will tier to the Flathead National Forest Land and Resource Management Plan and EIS of January 1986, and its subsequent amendments, which provide overall guidance for land management activities on the Flatheads National Forest.

Preliminary issues and concerns include effects of treatments on inventoried roadless lands, effects of treatments on riparian areas, effects of treatments on recreational motorized access, and effects of treatments on threatened/endangered species such as bull trout and grizzly bears.

The comment period on 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 it is important to give reviewers notice at this early stage 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. *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 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 of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

The Responsible Official is the Forest Supervisor of the Flathead National Forest, 1935 3rd Avenue East, Kalispell, Montana 59901. The Forest Supervisor will make a decision regarding this proposal considering the comments and response, environmental consequences discussed in the final EIS, and applicable laws, regulations, and policies. The decision and rationale for the decision will be documented in a Record of Decision. That decision will be subject to appeal under applicable Forest Service regulations.

Dated: January 4, 2002.

Cathy Barbouletos,

Forest Supervisor—Flathead National Forest.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 010302C]

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Notice of Availability of Observer Coverage Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of Observer Coverage Plan for the Pacific Coast Groundfish Fishery.

SUMMARY: NMFS announces availability of the Observer Coverage Plan for the Pacific Coast Groundfish Fishery pursuant to Amendment 13 (bycatch provisions) to the Pacific Coast

Groundfish Fishery Management Plan (FMP).

FOR FURTHER INFORMATION CONTACT:

Yvonne deReynier or Becky Renko (Northwest Region, NMFS), phone: 206-526-6140; fax: 206-526-6736 and e-mail: yvonne.dereynier@noaa.gov, becky.renko@noaa.gov. Copies of the Observer Coverage Plan may also be obtained from these contacts.

Electronic Access

This **Federal Register** document is also accessible via the internet at the website of the Office of the Federal Register: <http://www.access.gpo.gov/su-docs/aces/aces140.html>. The Observer Coverage Plan is accessible at <http://www.nwfsc.noaa.gov/fram/Observer>.

SUPPLEMENTARY INFORMATION: NMFS approved Amendment 13 to the Pacific Coast Groundfish FMP on December 21, 2000. Amendment 13 implements the bycatch requirements of the Sustainable Fisheries Act Amendments of 1996. Among other things, Amendment 13 authorizes an at-sea observer program in fulfillment of the requirement that a standardized reporting methodology for bycatch be established. Federal funding was obtained, and the observer program was initiated in August 2001.

Amendment 13 states that details of how observer coverage will be distributed across the West Coast groundfish fleet will be described in an observer coverage plan and that NMFS will publish an announcement of the authorization of the observer program and description of the observer coverage plan in the **Federal Register**. To comply with this requirement, the Northwest Fisheries Science Center developed an initial Observer Coverage Plan (Sampling Plan and Logistics for the West Coast Groundfish Observer Program (WCGOP), Fall 2001), which may be obtained from the individuals listed under **FOR FURTHER INFORMATION CONTACT** section. The plan outlines the initial goals and methodology of the WCGOP, and describes the initial observer deployments. The program is expected to evolve as it progresses, and new information becomes available.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 7, 2002.

Jon Kurland,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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