

- Interim reclaiming of mud pits, seeding and mulching outcrops and cut-slopes.
- Plugging drill holes and performing final reclamation on roads and pads when drill holes are no longer performing their intended purpose (estimated life of each MDW is 3 years; construction and reclamation would span 12 years).

#### Possible Alternatives

No Action.  
Proposed Action-Conventional Shaft Construction.  
Alternative 1—Raisebore/Blindbore Shaft Construction.

#### Cooperating Agencies

Department of Interior, Bureau of Land Management, Uncompahgre Field Office.

#### Responsible Official

Charles S. Richmond, Forest Supervisor, Grand Mesa, Uncompahgre and Gunnison National Forests, 2250 HWY 50, Delta, Colorado 81416.

#### Nature of Decision To Be Made

*The Forest Supervisor must decide:*

- Whether or not to permit the surface occupancy for the shaft, access roads and methane drainage wells in part or in entirety.
- Select the proposed action or an alternative method for the shaft and escapeway construction.
- Prescribe terms and/or conditions with respect to the use and protection of non-mineral interests.

#### Scoping Process

- Publish in *Delta County Independent*, *Grand Junction Daily Sentinel* and **Federal Register**.
- Send scoping letters to required agencies, Tribes and interested party list.
- Conduct public field trips (if warranted by scoping responses).
- Respond to comments in DEIS.

#### Preliminary Issues

- Socioeconomic benefits of mining.
- Wildlife.
- Topographic surface, land stability, soils and geologic hazards.
- Vegetation.
- Cultural resources.
- Existing land uses, including recreation, roadless character.
- Existing roads/facilities.
- Visual resources.
- Livestock management.
- Air quality.
- Cumulative impacts.

#### Permits or Licenses Required

A special use permit will be issued by the Forest Service to the proponent if an

action alternative is approved for surface use.

All mine works are approved by Colorado Division of Reclamation, Mining and Safety.

#### Comment Requested

This notice of intent initiates the scoping process which guides the development of the EIS. Comments are being sought with regard to the design or implementation of this project. Comments which pertain to the use of or leasing of vented methane are outside the scope and authority of this document and will be treated as such.

#### *Early Notice of Importance of Public Participation in Subsequent*

*Environmental Review:* A draft EIS will be prepared for comment. The comment period on the draft EIS 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 EIS documents 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 EIS stage but that are not raised until after completion of the final EIS 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS 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.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: September 11, 2006.

**Charles S. Richmond,**

*Forest Supervisor.*

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**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Notice of Meeting; Southwest Oregon Provincial Advisory Committee

**SUMMARY:** The Southwest Oregon Provincial Advisory Committee will meet on Tuesday, October 10, 2006, and Wednesday, October 11, 2006, to discuss topics including biomass utilization in Southwest Oregon, incentives for encouraging biomass utilization, and local examples of biomass utilization. The meeting will be held at the Umpqua National Forest Supervisor's office, at 2900 NW. Stewart Parkway in Roseburg, Oregon. The meeting will begin at 10:30 a.m. on October 10th with a fieldtrip and end at approximately 5 p.m. On Wednesday, the meeting will begin at 8 a.m. and end at 3:30 p.m. Written comments may be submitted prior to the meeting and delivered to the Designated Federal Official Jay Carlson at the Roseburg Bureau of Land Management, 777 Garden Valley Boulevard, Roseburg, OR 97470.

#### FOR FURTHER INFORMATION CONTACT:

Umpqua National Forest Public Affairs Officer Cheryl Walters at (541) 957-3270, e-mail: [crwalters@fs.fed.us](mailto:crwalters@fs.fed.us), or write Umpqua National Forest, 2900 NW. Stewart Parkway, Roseburg, OR 97470.

Dated: September 12, 2006.

**Clifford J. Dils,**

*Forest Supervisor, Umpqua National Forest.*

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