

Game, Fish and Parks personnel (Griebel, Bums, Deisch, 2007), and is now an amendment to the BHNH LRMP. The following species are included on this list, and were used to guide habitat management objectives for the Norbeck project: mountain goat, bighorn sheep, elk, white-tailed deer, Merriam's turkey, mountain bluebird, golden-crowned kinglet, brown creeper, ruffed grouse, song sparrow, northern goshawk and black-backed woodpecker.

Proposed Action

The Norbeck project proposed action includes the following management actions:

Managing vegetation on approximately 6,000 acres mechanically and by prescribed burning to improve habitat for game animals and birds within the Norbeck Wildlife Preserve.

Information on Issues and Additional Alternatives

Issues associated with the Norbeck project, as identified through scoping, include: wilderness values, wildlife and wildlife habitat, large trees, mountain pine beetle effects on wildlife habitat and potential for escaped fire. The two additional action alternatives include vegetation treatments to improve wildlife habitat, and also include prescribed burning within the Black Elk Wilderness.

Responsible Official

Mr. Lynn D. Kolund, Hell Canyon District Ranger, Black Hills National Forest, 330 Mount Rushmore Road, Custer, SD 57730.

Nature of Decision To Be Made

After reviewing the environmental analysis and considering public comment, the District Ranger will reach a decision that is in accord with the purpose and need for the project. The decision will include, but not be limited to:

(1) Whether or not to undertake vegetation treatments to improve habitat conditions within Norbeck Wildlife Preserve for game animals and birds, and

(2) What actions are appropriate, and under what conditions would actions take place.

Early Notice about Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement is expected to be available for public review in September 2009. 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 that 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). 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. 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 comments and objections are made available to the Forest Service at a time when they 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, comments on the draft environmental impact statement should be as specific as possible. Please 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: July 6, 2009.

David Thom,
Acting Deputy Forest Supervisor Black Hills National Forest.

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DEPARTMENT OF AGRICULTURE

Forest Service

Naches Ranger District, Okanogan-Wenatchee National Forest; Minor Pacific Crest National Scenic Trail Relocation

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: A minor relocation (approximately 2,000 feet) will occur on the Pacific Crest National Scenic Trail (PCNST) in 2009. The trail will be re-routed from its current location within the White Pass Ski Area south to the Wilderness boundary on the edge of the expansion area with the purpose of maintaining a quality, uninterrupted backcountry experience for PCNST users and to minimize their views of ski area structures and facilities. All activities were analyzed in the White Pass Expansion Master Development Plan Proposal Final Environmental Impact Statement and documented in the June 2007 Record of Decision. Relocation will begin in July 2009 and is expected to be completed by fall 2009. Trail relocation will be done in conjunction with the Pacific Crest Trail Association.

FOR FURTHER INFORMATION CONTACT:

Direct questions regarding this trail relocation to Randall Shepard, Naches District Ranger, USDA, Okanogan-Wenatchee National Forest, 10237 US Highway 12, Naches, WA 98937, 509-653-1415.

Dated: July 8, 2009.

Randall D. Shepard,

Naches District Ranger, Okanogan-Wenatchee National Forest.

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DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Advance Monthly Retail Trade Survey.

Form Number(s): SM-44(06)A, SM-44(06)AE, SM-44(06)AS, SM-72(06)A, SM-44(06)FA, SM-44(06)FAE, SM-44(06)FAS, SM-72(06)FA.

OMB Control Number: 0607-0104.