

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Zulu Smoot EIS; Kootenai National Forest; Lincoln County, Montana; Cancellation of Environmental Impact Statement

AGENCY: Forest Service, USDA.

ACTION: Environmental impact statement cancellation notice.

Notice is hereby given that the Three Rivers Ranger District, Kootenai National Forest is withdrawing its plan to prepare an Environmental Impact Statement for the Zulu Smoot project. A portion of the project proposal within this area will be incorporated into the South Fork Yaak Environmental Impact Statement for fire and insect mortality recovery.

The Notice of Intent, published in the **Federal Register** of January 14, 1994 (59 FR 2353) is hereby rescinded (FR document is FR 94-915 Filed 1-13-94).

FOR FURTHER INFORMATION CONTACT: Jack Zearfoss, South Fork Yaak EIS Team Leader, Three Rivers Ranger District (406) 295-4693.

Robert L. Schrenk,

Forest Supervisor, Kootenai National Forest.
[FR Doc. 95-9864 Filed 4-20-95; 8:45 am]

BILLING CODE 3410-11-M

Eight Fathom Timber Sale(s), Tongass National Forest, Chatham Area, Sitka, AK

AGENCY: Forest Service, USDA.

ACTION: Revised notice of intent.

SUMMARY: The Department of Agriculture, Forest Service will prepare an Environmental Impact Statement (EIS) to disclose the environmental impacts of proposed actions within the Eight Fathom project area. This notice is an amendment to the original notice of intent for this project, published in the

Federal Register on April 22, 1993 (Vol. 58, No. 76, pages 21559 and 21560). Planning activities for the proposed project have been delayed by the collection of inventory data and the termination of the Alaska Pulp Corporation Long-term Timber Sale Contract. A revision of the Notice of Intent is necessary because over six months have passed since notification of this proposal and the purpose of the project has changed, in part.

The proposed action provides for: (1) construction of about 37 miles of road; (2) harvest of about 3,382 acres of timber, and regeneration of new stands of trees; and (3) reuse of existing Log Transfer Facility sites at Eight Fathom Bight and Salt Lake Bay. This level of development would result in the harvest of about 117 million board feet (MMBF) of sawlog and utility timber volume.

DATES: The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) during July 1995 and the Final EIS and Record of Decision during January 1996.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action should be directed to: Michael J. Weber, Team Leader, Chatham Area, 204 Signaka Way, Sitka, Alaska 99835, (907) 747-6671.

SUPPLEMENTARY INFORMATION:

Background

The Eight Fathom project area is located about 60 air miles north of Sitka, Alaska, and 8 miles west of Hoonah, Alaska, on the northern part of Chichagof Island within Value Comparison Units (VCUs) 193, 194, 195, 196, 197, 198, 200, 201, 202, 222, and 223 as designated in the Tongass Land Management Plan (TLMP). These VCUs are located within Management Areas C27, C28, and C29 as described in the TLMP on pages 57, 58, and 59. All three Management Areas are part of the former Alaska Pulp Corporation contract area.

This EIS will tier to the 1979 Tongass Land Management Plan (TLMP) Final EIS and the 1985-86 and 1991 amendments. The TLMP provides the overall guidance (Goals, Objectives, Standards, and Management Area direction) to achieve the desired future condition for the area in which the project is proposed.

A Notice of Intent to prepare an Environmental Impact Statement for the

Eight Fathom Timber Sales(s) was published in the **Federal Register** on April 22, 1993 (Vol. 58, No. 76, pages 21559 and 21560). Public comments were received during the scoping period that concluded on June 7, 1993. Inventory information was collected from the project area from May to August 1993 and again from May to August 1994.

The April 1993 Notice of Intent stated that the purpose and need for the proposed action was to make timber available to meet requirements of the Alaska Pulp Corporation 50-year Timber Sale Contract (APC Contract). On April 14, 1994, Regional Forester Michael Barton made the decision to terminate the APC Contract. Termination ended APC Contract volume obligations. An independent sale program market assessment was completed in May 1994 to help define market demand for timber in Southeast Alaska in the absence of the APC Contract.

Proposed Action

The proposed action is to build about 37 miles of road; harvest about 3,382 acres of timber and regenerate new stands of trees; and utilize existing Log Transfer Facility sites located at Eight Fathom Bight and Salt Lake Bay within the Eight Fathom project area on Chichagof Island. This level of development would result in the harvest of approximately 117 MMBF of sawlog and utility volume to support local mills. The proposed action is one alternative to achieve the purpose and need for the project.

Purpose of the Proposed Action

The purpose and need for the proposed action is to make 60 to 170 million board feet of timber available from the project area to implement the Tongass Land Management Plan; to provide a sustained level of wood products to meet local, national, and international demand; and to improve the timber productivity of the project area. A comparison of the desired future condition for the project area (as identified in the TLMP) with the existing condition shows the need to convert suitable stands of old-growth timber to managed productive stands capable of long-term timber production. This EIS may result in two or more timber sales under the independent sale program or in offerings to the Ketchikan

Pulp Company under the conditions of its long-term timber sale contract.

Gary A. Morrison, Forest Supervisor, Chatham Area, will decide whether or not to authorize timber harvest within the Eight Fathom project area and, if so, the design of any timber sale offerings consistent with meeting resource protection standards and guidelines in the TLMP. He will decide: (a) how much volume to make available; (b) the location and design of the arterial and collector road system needed to develop the Eight Fathom area; (c) the location of timber harvest units; (d) mitigation and monitoring measures for sound resource management, and (e) whether there may be a significant restriction on subsistence uses, and if so, other determinations required by section 810 of the Alaska National Interest Lands Conservation Act.

Analysis of Public Scoping

A number of public comments were received in response to the April 1993 timber sale proposal. Based on comments from the public and other agencies during the scoping effort, the following significant issues have been identified:

1. Project effects on recreation and tourism
2. Subsistence Impacts
3. Potential Economic Impacts
4. Protection of Fish and Wildlife Resources
5. Cultural and Historical Resource Protection
6. Protection of Caves and Karst Features
7. Concerns about Impacts and Alternatives to Clearcutting.

These issues are being used to design alternatives to the proposed action and to identify the potential environmental effects of the proposed action and alternatives.

Continued Public Participation Encouraged

Public participation is an important part of the environmental analysis process. The Forest Service will be seeking comments from Federal, State, and local agencies as well as individuals and organizations who may be interested in, or affected by, the proposed timber sale(s) when the Draft EIS is released. The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) during July 1995. 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**. Agencies and other interested persons

or groups are invited to visit with Forest Service officials at any time during the process.

The Forest Service believes, at this early stage, it is important to alert reviewers about 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 important that those interested in this proposed action participate by the close of the Draft EIS 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 EIS 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.

The Final EIS is expected to be released in January 1996. The Forest Supervisor for the Chatham Area of the Tongass National Forest will, as the responsible official for the EIS, make a decision regarding this proposal considering the comments, responses, and environmental consequences discussed in the Final EIS, and applicable laws, regulations, and policies. The decision and supporting reasons will be documented in a Record of Decision.

Dated: April 7, 1995.

John C. Sherrod,

Planning Staff Officer.

[FR Doc. 95-9798 Filed 4-20-95; 8:45 am]

BILLING CODE 3410-11-M

Grain Inspection, Packers and Stockyards Administration

Opportunity for Designation in the Cairo (IL) Area

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: The United States Grain Standards Act, as amended (Act), provides that official agency designations shall end not later than triennially and may be renewed. The designation of Cairo Grain Inspection Agency, Inc. (Cairo), will end October 31, 1995, according to the Act, and GIPSA is asking persons interested in providing official services in the specified geographic area to submit an application for designation.

DATES: Applications must be postmarked or sent by telecopier (FAX) on or before May 30, 1995.

ADDRESSES: Applications must be submitted to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, Room 1647 South Building, P.O. Box 96454, Washington, DC 20090-6454. Telecopier (FAX) users may send applications to the automatic telecopier machine at 202-720-1015, attention: Janet M. Hart. If an application is submitted by telecopier, GIPSA reserves the right to request an original application. All applications will be made available for public inspection at this address located at 1400 Independence Avenue, S.W., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart, telephone 202-720-8525.

SUPPLEMENTARY INFORMATION:

This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

Section 7(f)(1) of the Act authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

GIPSA designated Cairo, main office located in Cairo, Illinois, to provide inspection and Class X and Class Y