

Intensive scoping for this proposed Forest Plan amendment was done in March and April of 1995. At that time it was thought that this amendment would be analyzed in documented as an environmental assessment. Given the scope of the proposal, and a desire to provide additional procedural opportunities for comment, the Forest Supervisor has decided to document this analysis in an environmental impact statement. By this notice, further scoping comments are invited from any who might not have commented before. Those who have, need not do so again. All input from the public will be considered in preparation of the draft environmental impact statement (DEIS).

The draft EIS (DEIS) is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by November 1995. At that time EPA will publish a notice of availability of the DEIS in the Federal Register.

The comment period on the DEIS will be 45 days from the date that EPA's Notice of Availability appears in the Federal Register. It is very important that those interested in the management of the Sequoia National Forest participate at that time. To be the most helpful, comments on the DEIS should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (see The Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). Comments should refer to specific pages or chapters of the DEIS.

Federal court decisions have established that reviewers of DEIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' 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 DEIS 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 comment period on the DEIS 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.

After the comment period for the draft EIS ends, the comments received will be analyzed and considered by the Forest Service in the preparation of the Final EIS.

Dated: October 6, 1995.

Juliet B. Allen,

Acting Forest Supervisor.

[FR Doc. 95-25486 Filed 10-13-95; 8:45 am]

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Notice of Intent To Prepare a Supplemental Environmental Impact Statement To Disclose the Environmental Impacts of Proposed Changes to the Kensington Gold Mine Project; Tongass National Forest, Chatham Area, Juneau Ranger District, Juneau, AK

AGENCY: Forest Service, USDA.

ACTION: Notice, intent to prepare a supplemental environmental impact statement.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the USDA Forest Service, Chatham Area, under the direction of the Juneau Ranger District, will prepare a supplemental environmental impact statement (SEIS) to analyze and display the effects of proposed changes to the Kensington Gold Project, located on public and private lands in southeastern Alaska. The proposed mine is operated by Coeur Alaska and is located approximately 45 miles north of downtown Juneau. The Record of Decision for the original Final Environmental Impact Statement was signed on January 29, 1992.

DATES: Comments will be accepted throughout the EIS process but, to be most useful during the analysis they should be received in writing by October 30, 1995.

ADDRESSES: Written comments and suggestions concerning the analysis should be sent to Roger Birk, Minerals Management Specialist, Juneau Ranger District, 8465 Old Dairy Road, Juneau, Alaska, 99801.

FOR FURTHER INFORMATION CONTACT: Roger Birk, Minerals Management Specialist, Juneau Ranger District, 8465 Old Dairy Road, Juneau, Alaska 99801; phone (907) 586-8800; fax (907) 586-8808.

SUPPLEMENTARY INFORMATION: The proposed operations are subject to approval of a Plan of Operations under 36 CFR, Part 228, which is intended to ensure that adverse environmental effects on National Forest System lands and resources are minimized. The

proposed changes to the project's Plan of Operations include the following:

1. Advanced water treatment of the flotation tailings and dewatered CIL effluent with underground tailings disposal.
2. Avalanche control and management.
3. Discharge of treated tailings pond effluent to Sherman Creek with flow augmentation to meet end-of-pipe discharge standards.
4. New laydown area/helicopter pad relocation.
5. Use of diesel fuel for power generation rather than LPG (liquified petroleum gas).
6. Temporary construction camp.

The purpose and need for the proposed amendments to the Plan of Operations is to reduce potential impacts to commercial fisheries from a mixing zone in saltwater, reduce risks from avalanches, and increase the economic efficiency of the mine.

In addition to the Forest Service, the Environmental Protection Agency and U.S. Army Corps of Engineers have jurisdiction and will participate as cooperating agencies in the preparation of the SEIS. The Forest Service has agreed to be the lead agency. EPA will be responsible for assuring that the analysis provides sufficient information for issuance of a National Pollutant Discharge Elimination System permit under authority of the Clean Water Act. The Corps will be responsible for ensuring that the analysis provides sufficient information for issuance of a Section 404 of the Clean Water Act permit, Section 10 of the Rivers and Harbors Act of 1899 permit, and for compliance with Executive Order 11990 and 11900 for wetlands and floodplains. Memorandums of Understanding will be initiated with both of the cooperating agencies.

The decision to be made is whether or not to approve the Plan of Operations as amended or require the operator to revise its proposal. The original FEIS analyzed the effects of developing the Kensington Gold Project. The SEIS will analyze only the effects of the proposed changes to the Plan of Operations.

Key resources to be analyzed include water quality from the discharge to Sherman Creek; impacts to wetlands; impacts to fisheries from the discharge; visual and water quality effects and stability of disturbed areas such as the laydown area, new fuel tank sites, and avalanche control areas; air quality effects from diesel power generation; spill potential and effects of hauling and handling additional diesel fuel.

Gary A. Morrison, Forest Supervisor, Tongass National Forest, Chatham Area, is the responsible official.

The Forest Service is seeking information and comments from

Federal, State, and local agencies as well as individuals and organizations who may be interested in, or affected by the proposed action. Public scoping meetings are planned for Juneau at Centennial Hall from 2 p.m. until 7 p.m. on Wednesday, October 11 and in Haines at the Council Chambers in City Hall from 2 p.m. until 7 p.m. on Thursday, October 12. If weather precludes travel to Haines on the 12th, the meeting will be held October 19 instead.

The draft supplemental environmental impact statement should be available for public review by December 15, 1995. The comment period on the draft supplemental 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, 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 the 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 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 final supplemental environmental impact statement is scheduled to be completed by February 15, 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 SEIS, and applicable laws, regulations, and policies. The decision and supporting reasons will be documented in a Record of Decision.

Dated: September 29, 1995.

Gary A. Morrison,

Forest Supervisor.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 60-95]

Foreign-Trade Zone 50, Long Beach, CA; Application for Expansion

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Board of Harbor Commissioners of the City of Long Beach, California, grantee of FTZ 50, requesting authority to expand its zone at a site in San Bernardino, California, within the Los Angeles-Long Beach Customs port of entry area. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 5, 1995.

FTZ 50 was approved on September 14, 1979 (Board Order 147, 44 F.R. 55919, 9/28/79) and expanded three times (Board Orders 298, 341 and 494). The zone project currently includes 3 general-purpose sites in the Los Angeles/Long Beach Customs port of entry area: *Site 1* (12 acres)—Parcel 1-A, 1500 West Dominguez St., Long Beach and Parcel 1-B, 727 Capital Drive, San Pedro; *Site 2* (1,855 acres)—California Commerce Center, Ontario; *Site 3* (92 acres)—including parcels within the Inter-City Commuter Station Redevelopment area in Santa Ana and, a warehouse facility at 3000 and 3100 Segerstrom Avenue and 2900 and 2930 South Fairview Street, within the South Harbor Redevelopment area, Santa Ana.

The applicant is now requesting authority to expand the zone to include

an additional site (proposed *Site 4*—175 acres) within the 2,300-acre San Bernardino International Airport and Trade Center complex (formerly Norton Air Force Base) in San Bernardino, California. A 2.5 million square foot WorldPointe Center for International Trade is planned for the proposed zone site (located at the northwest corner of Mill Street and Tippecanoe Avenue). The developer of this project is the Inland Valley Development Agency. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations (as revised, 56 FR 50790-50808, 10-8-91), a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 15, 1995. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to January 2, 1996.

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce, District Office, 11000 Wilshire Boulevard, Room 9200, Los Angeles, California 90024

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th and Pennsylvania Avenue, NW., Washington, DC 20230

Dated: October 6, 1995.

Dennis Puccinelli,

Acting Executive Secretary.

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[Docket 59-95]

Foreign-Trade Zone 8, Toledo, OH; Proposed Foreign-Trade Subzone BP Exploration & Oil Inc. (Oil Refineries); Lucas, Allen and Wood Counties, OH

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Toledo-Lucas County Port Authority, grantee of FTZ 8, requesting special-purpose subzone status for the oil refinery system of BP Exploration & Oil Inc., located at sites in Lucas/Allen/Wood Counties (Toledo and Lima areas), Ohio. The application was