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DEPARTMENT OF AGRICULTURE

Forest Service

Intent To Prepare an Environmental Impact Statement, Canal Hoya Timber Sale, Tongass National Forest, Stikine Area, Wrangell, Alaska

AGENCY: Forest Service, USDA.

ACTION: Notice of intent; revision.

SUMMARY: The Department of Agriculture, Forest Service will prepare a Draft Environmental Impact Statement for the Canal Hoya Timber Sale located on the Stikine Area of the Tongass National Forest. This Notice of Intent revises the Notice of Intent published December 23, 1996 (page 67530) by describing changes to the purpose and need and the schedule for decision. A Draft Environmental Impact Statement is being prepared to respond to the new management direction and standards and guidelines of the Tongass National Forest Land and Resource Management Plan (Forest Plan) released in May 1997.

ADDRESSES: Written comments, suggestions or questions concerning the analysis and Environmental Impact Statement should be sent to Scott Posner, Canal Hoya Team Leader, Wrangell Ranger District, Stikine Area, Tongass National Forest, P.O. Box 51, Wrangell, Alaska, 99929, phone (907) 874-2323.

SUPPLEMENTARY INFORMATION: The Canal Hoya Study Area includes Value Comparison Unit 520 and 521 on the

mainland in Southeast Alaska, approximately 30 miles southeast of Wrangell, Alaska.

The Tongass National Forest Land and Resource Management Plan of May 1997 provides the overall guidance (land use designations, goals, objectives, management prescriptions, standards and guidelines) to achieve the desired future condition for the area in which this project is proposed. This revised Forest Plan allocates portions of the study area to two management prescriptions; Timber Production and Modified Landscape. The new standards and guidelines in the revised Forest Plan provide increased protection for riparian areas, beach fringe, brown bear foraging areas and wetland soils, which affect the assumptions on which the purpose and need in the original Notice of Intent were based.

The purpose and need for the project is to respond to the goals and objectives identified by the Forest Plan for the timber resource and to move the Canal Hoya Study Area towards the desired future condition. The Forest Plan identified the following goals and objectives: (1) manage the timber resource for production of saw timber and other wood products from suitable timber lands made available for timber harvest, on an even-flow, long-term sustained yield basis and in an economically efficient manner (Revised Forest Plan page 2-4); (2) seek to provide a timber supply sufficient to meet the annual market demand for Tongass National Forest timber, and the demand for the planning cycle (page 2-4); and 3) maintain and promote industrial wood production from suitable timber lands, providing a continuous supply of wood to meet society's needs (page 3-144). The Canal Hoya Timber Sale will be designed to produce desired resource values, products, and conditions in ways that also sustain the diversity and productivity of ecosystems (page 2-1).

The Canal Hoya Timber Sale is now expected to provide a range of volume to the timber industry from 10 to 17 million board feet. The range of alternatives to be considered in the Environmental Impact Statement will be determined during analysis and reflect issues raised during scoping.

The Proposed Action provides for: (1) construction of approximately 10 miles of specified road and additional temporary road; (2) harvest of approximately 750 acres of timber; and, (3) construction of a log transfer facility east of the Canal Creek estuary and another log transfer facility east of the Hoya Creek estuary. The log transfer facilities could use a floating, removable structure. This level of development

would result in the harvest of approximately 14 million board feet of sawlog and utility timber volume.

A number of public comments have been received on this project. Based on comments from the public and other agencies during the scoping effort, the following significant issues have been identified. How will the design of the sale affect:

- (1) Harvest economics?
- (2) Scenic and tourism values?
- (3) Bears that also use the Anan Wildlife Viewing Area?
- (4) Wildlife habitat and species conservation?
- (5) Freshwater and marine resources?
- (6) Forest soils?

These issues were used to design alternatives to the proposed action and to identify the potential environmental effects of the proposed action and alternatives. The draft Environmental Impact Statement is scheduled for publication in January 1998 and the Final Environmental Impact Statement and Record of Decision is scheduled for publication in May 1998.

The Forest Service believes, at this 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 Environmental Impact Statement 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.

No other revisions are made to the original Notice of Intent published December 23, 1996.

Patricia A. Grantham,

Acting Forest Supervisor, Stikine Area.

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