

potatoes, corn syrup, vegetable oil, dry bagged beans, raisins, the following canned foods: apple juice, applesauce, peaches, pears, vegetarian beans, refried beans, green beans, potatoes, tomatoes, spaghetti sauce, tomato juice, corn, orange juice, grapefruit juice, pineapple juice, pork, tuna, beef, and chicken, as well as the following frozen foods: ground beef, ground turkey, and turkey roasts. The amounts of each item purchased will depend on the prices USDA must pay, as well as the quantity of each item requested by the States. Changes in agricultural market conditions may result in the availability of additional types of commodities or the non-availability of one or more types listed above. State officials will be responsible for determining how to allocate the commodities each State receives among eligible organizations. States have full discretion in determining the amount of commodities that will be made available to organizations for distribution to needy households for use in home-prepared meals or for providing prepared meals to the needy at congregate feeding sites.

Dated: January 12, 1999.

Samuel Chambers, Jr.,
Administrator.

[FR Doc. 99-1504 Filed 1-22-99; 8:45 am]
BILLING CODE 3410-30-U

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service [Docket No. 98-066N]

In-Distribution Inspection Pilot Test Project; Report

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of availability and request for comments.

SUMMARY: The Food Safety and Inspection Service (FSIS) is making available for comment a draft paper describing a project that will test the feasibility of using FSIS inspectors in food safety activities outside of federally inspected plants. This In-Distribution Inspection Pilot Test Project is part of the FSIS HACCP-Based Inspection Models Project.

DATES: To receive full consideration, comments should be received by February 24, 1999.

ADDRESSES: The document Report on the In-Distribution Inspection Pilot Test Project may be viewed at the FSIS Docket Room, Room 102 Cotton Annex Building, 300 12th Street, SW., Washington, DC 20250-3700. An

electronic version of the document is available on-line at FSIS's homepage at <http://www.fsis.usda.gov>. Written comments on the document may be sent in triplicate to FSIS Docket Clerk, DOCKET #98-066N, Room 102 Cotton Annex Building, 300 12th Street, S.W., Washington, DC 20250-3700.

FOR FURTHER INFORMATION CONTACT: Patricia F. Stolfa, Assistant Deputy Administrator, Office of Policy, Program Development and Evaluation, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700; (202) 205-0699.

SUPPLEMENTARY INFORMATION:

Background

The In-Distribution (ID) Inspection Pilot Test Project discussed in the report being made available is part of the HACCP-based Inspection Models Project. In a June 1997 **Federal Register** Notice, FSIS requested public comments on the design and development of new inspection models for livestock and poultry slaughter and processing in a HACCP environment (62 FR 31553). The notice summarized recommendations by the National Academy of Sciences and the General Accounting Office that FSIS reduce its reliance on organoleptic (sensory) inspection, shift to inspection systems based on risk, and redeploy its resources in a manner that better protects the public from food-borne illnesses. To accomplish these objectives, inspection models must be developed that incorporate inspection procedures consistent with the pathogen reduction and HACCP systems rule. The HACCP-Based Inspection Models Project is designed to develop new approaches to inspection in plants slaughtering young, healthy, and uniform animals.

The In-Distribution part of the Inspection Models Project explores the possibility of redeploying some inspection resources from these plants in ways that will enhance food safety protection all along the farm-to-table continuum. Under provisions of the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA), FSIS has authority to regulate the production, sale, transportation, and storage of meat and poultry food products. Traditionally, the Agency has assigned the great majority of its resources to inspection activities within livestock and poultry slaughter and processing plants. Consistent with its modernization and farm-to-table initiatives, FSIS intends to redistribute resources to more efficiently and effectively verify that the industry meets its responsibility to produce, store, and

distribute safe and wholesome products. The In-Distribution Pilot Test will help the Agency determine the feasibility of significantly increasing the frequency of certain tasks that are now performed outside of federally inspected plants. The in-distribution pilots also will explore how new activities can address food safety hazards and other consumer protection issues, such as economic adulteration or improper labeling, in regard to the distribution of meat and poultry products out of plants into distribution channels, storage, retail food stores, restaurants, commercial kitchens, hotels, and other institutions.

The paper Report on the In-Distribution Inspection Pilot Test Project is intended to inform project participants and the public of the Agency's views on this subject. The paper is available for review at the location indicated above in **ADDRESSES**.

Done at Washington, DC, on: January 14, 1999.

Thomas J. Billy,
Administrator.

[FR Doc. 99-1614 Filed 1-22-99; 8:45 am]
BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Forest Service

Cave Rock Management Direction, Lake Tahoe Basin Management Unit (LTBMU), Douglas County, NV

AGENCY: Forest Service, USDA.

ACTION: Notice, intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) to establish new management direction for the Cave Rock landform and its environs, a nonsignificant amendment to the Lake Tahoe Basin Management Unit's (LTBMU's) Land and Resource Management Plan (Forest Plan). Cave Rock is an important archaeological and ethnographic site that was first determined eligible to the National Register of Historic Places in August, 1996, as a "traditional cultural property" (TCP) stemming from the long association of the Washoe people with the site. In October, 1998, the Keeper of the National Register formally determined that Cave Rock was not only eligible as a TCP, but also as a historic transportation district and an archaeological site. Some modern uses of the rock may be adversely affecting the setting, feel, and association of the historic districts. The Cave Rock management direction will establish

appropriate uses of the national forest in the Cave Rock vicinity.

DATES: Agencies and the public are invited to participate at any stage of the process; however, the Forest Supervisor requests that individuals concerned with the scope of the analysis comment by March 1, 1999.

ADDRESSES: Written comments concerning the Draft EIS should be sent to the responsible official, Forest Supervisor, attention: Cave Rock, LTBMU, 870 Emerald Bay Road, Suite 1, South Lake Tahoe, California, 96150. Illustration of the Cave Rock area is available online at http://www.FS.FED.US/R5/TAHOE/GRAPHICS/PRES_ACTIONS/COMMITMENTS/CAVE_ROCK

FOR FURTHER INFORMATION CONTACT:

Direct questions concerning the proposed action to Lisa O'Daly, Community Planner, at (530) 573-2669 or at the above address.

Decision To Be Made: The decision to be made for this EIS is whether to amend the Lake Tahoe Basin Land and Resource Management Plan to restrict human activity on the National Forest at Cave Rock in order to protect the national Register-eligible heritage resources. If so, to what degree should the property be protected and to what level should use be restricted?

Purpose and Need: The proposal's purpose is protect the Cave rock heritage resource and regulate uses there in a manner that, consistent with mandates and restrictions of law and regulation, preserves the physical and spiritual characteristics that make the property eligible to the National Register of Historic Places. As a property eligible to the National Register, the Forest Service has a responsibility to assess the appropriateness of activities occurring at Cave Rock. Action is needed at this time because some ongoing activities in the area may be adversely affecting the integrity of the National Register-eligible properties. In addition, any long-term continuation of existing use restrictions require a National Environmental Policy Act decision to implement. This EIS will document the Forest Supervisor's planning process for taking into account the effects of ongoing activities on the historic properties/sacred site.

Proposed Action: The proposed action includes the following elements: Amend the management direction found in the Lake Tahoe Basin Management Unit Land and Resource Management Plans' (LTBMU Forest Plan's) Roundhill Management Area. This amendment would be considered "nonsignificant" pursuant to the National Forest Management Act implementing

regulations. Add as management area-specific standard and guidelines the following text and clarify the management area map—

Public Access, including rock climbing, is allowed on the National Forest at Cave Rock and will be managed to minimize conflicts and impacts to the TCP and other cultural and natural resources in the vicinity as follows:

- Manage National Forest lands at Cove Rock using the "Maintenance" management prescription (Prescription #9). This prescription applies only minimal management practices to lands that provide the scenic backdrop to Lake Tahoe. There will be almost no management practices designed to induce additional outputs or services.
- Recreation activities, outside the highway easement, will be nonmotorized.
- Allow installation of improvements, such as parking, sanitation, or access facilities, only for resource protection purposes, not for user comfort and convenience. (No such facilities are needed or proposed for development on the National Forest in the Cave Rock area as this time.)

Manage rock climbing in a manner that reduces the level of its effect to the Cave Rock TCP from that identified when the TCP was initially determined eligible to the National Register (1996). Some of the activities proposed below are required to achieve a baseline that will enable the new management direction to be effective.

—All modern graffiti, historic graffiti that does not contribute to historic districts, and rock work within the cave will be removed at the direction of the Forest Service archaeologist, in cooperation with designated representatives of the Washoe Tribe, where doing so does not physically damage Cave Rock.

- Prohibit installation of new climbing routes requiring placement of additional fixed anchors left in the rock. Prohibit climbing using artificial light.
- Eliminate existing routes when they are no longer used and where they may cause a rock to fall on the road. Accept the assistance offered by local climbers at the 1998 collaboration meetings in removing certain routes.

(a) The initial program of route removal includes: (1) all routes to the left (north) of "Bone Crusher," including the route which traverses over the top of southbound Highway 50's tunnel and "Acapulco," (2) "Trash Dog," (3) "Ton of Bricks," and (4) any other bolts to the right of "Asylum" in the friable rock above Highway 50. The rappel anchors at the top of the first pitch of Trash Dog should be retained, as they are used to complete the route "Pipeline." Rappel anchors needed to remove the above-described fixed anchors will also be retained.

(b) Work with the climbing community to camouflage existing brightly-colored slings and shiny carabiners to blend with the natural colors of the rock. Encourage climbers to replace this equipment as routes are used and during voluntary efforts towards this purpose. If brightly colored slings remain after six months following the official

adoption of this new management direction, it will be an indicator that the routes are not being used and the routes will be removed.

- Bolts and other fixed anchors may only be removed and replaced as part of route maintenance activities. In the interest of climber safety, the Forest Service will work with the climbing community and Washoe Tribe representatives regarding development of route maintenance guidelines. When climbers notice that a bolt or other fixed anchor has become unsafe, they must submit a written plan to the Forest Service requesting permission to replace the fixed anchor. The request must include a plan for replacement, detailing: the route and location of equipment to be replaced, the type of equipment to be replaced and proposed replacement equipment (e.g., replace existing shiny bolt with a powder-coated bolt), and an explanation of the method of replacement. The Forest Service then assesses whether the proposal uses the appropriate technology to camouflage equipment, and will either accept the proposal as described or make recommendations to the requestor before granting permission to replace it. The agency will not second guess technology related to climber safety.
- Commercial activities will not be authorized within the Cave Rock TCP.

SUPPLEMENTARY INFORMATION: This EIS is being prepared to establish management direction to address effects from recreational and other activities on a traditional cultural property (TCP) known as Cave Rock. Cave Rock was determined eligible to the National Register of Historic Places for its association with the history, beliefs, practices, and traditions of the Washoe Tribe of California and Nevada. The Forest Service came to this determination in 1996, and the Nevada State Historic Preservation Officer (SHPO) and Advisory Council on Historic preservation concurred on the determination. It was formally determined eligible in October 1998 by the Keeper of the National Register, who at that time also determined Cave Rock eligible as a historic transportation district and archaeological site.

A series of short-term closure orders prohibiting damage and defacement of Cave Rock, specifically including in the definition the installation of any new fixed climbing hardware, have been issued since May of 1997 by the Forest Supervisor of the LTBMU to address potential adverse effects to the historic property.

Cave Rock is not only a property eligible to the National Register, but it is also a sacred site to the Washoe Tribe of California and Nevada. Many members of the Washoe Tribe object to human presence at Cave Rock and believe that only special people, Washoe spiritual elders, should be there. It is an area traditionally avoided

by other tribal members. In addition, Cave Rock has become recognized as a unique rock climbing resource, as its southwest exposure, ready access, and magnificent views are valued highly within the climbing community. It offers the only high level sport climbing site in the Lake Tahoe region and its environs, accessible year-round, and it is internationally renown for its overhanging routes of the greatest difficulty.

The LTBMU needs to develop new management direction for that part of the National Forest within the Cave Rock area to protect the TCP and other historic districts and regulate uses there in a manner that, consistent with law and regulation, preserves the physical and spiritual characteristics that make the property eligible to the National Register of Historic Places. The plan would also provide for public access consistent with Federal responsibilities to the Washoe Tribe. As a property eligible to the National Register of Historic Places, the Forest Service has a responsibility to assess the appropriateness of activities occurring at Cave Rock. Section 106 of the National Historic Preservation Act (NHPA) requires agencies to "take into account" the effects of their actions on historic properties, and to allow the Advisory Council on Historic Preservation to comment on those actions.

The "no action" alternative would allow continuation of current management direction following the expiration of the current closure order in December 1998. The types of activities conducted on Cave Rock in recent years would continue without Forest Service interference or regulation. Expiration of the current closure order would enable climbers to install new bolts to create new routes.

Any additional alternatives to be considered, either in detail or eliminated from detailed study, would be created in response to significant issues raised during the public scoping process. The Forest Service conducted six months of collaboration meetings with stakeholders between January and May, 1998. Through these meetings, the following concerns were identified:

Cave Rock is a Washoe sacred site—a church—that should be designated a National Monument and not allowed to be defaced and devalued by rock climbing. Climbers at Cave Rock are an objectionable example of the Washoe Tribe being excluded from the Tahoe Basin and their heritage. Climbers should climb elsewhere. Graffiti and concrete in the cave should be removed.

Even further, that all use of Cave Rock should be prohibited in honor of the Washoe tradition of avoidance of the area except by those special Washoe spiritual leaders who are "born to Cave Rock." Any closure should affect all user groups and not single out just one; that all activities desecrate Cave Rock; climbing is equal with these other activities. And finally, that Cave Rock should be returned to the Washoe Tribe to enable their reconnection to the lands that they lost.

Conversely, additional concerns were raised that Cave Rock is public land that should be available to all, to enjoy and learn about other cultures, in a way that accommodates the needs of different groups; a place where users respect the values of others. If a site is designated on the National Register, the Forest Service should ensure that the public can visit. Further, some people expressed that the highway/highway tunnel have impacted Cave Rock so dramatically that it is incorrect to assume that the historic property retains integrity.

Scoping letters have been sent to all those who expressed an interest in the Cave Rock planning process since 1996. The mailing list includes over 140 individuals and agencies. The scoping letter will also be posed in the LTBMU Web Page. Government-to-government consultation is continuing with the Washoe Tribe. A drop-in public workshop, to be announced in the Tahoe Daily Tribune and in the scoping letter, will be held on February 25, 1999, at the Kahle Community Center (236 Kingsbury Grade in Stateline, Nevada) between the hours of 3:00 pm and 7:30 pm. Written comments and suggestions postmarked by March 1, 1999, as well as any oral comments received, will be addressed in the draft EIS.

Implementation of the management proposal would not require any permits or licenses from any other agency. Consultation with the Nevada State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP) in accordance with the National Historic Preservation Act of 1966 (16 U.S.C. 470 *et seq.*) is required. Preliminary consultation has already occurred with the U.S. Fish and Wildlife Service.

The decision will be made by Lake Tahoe Basin Management Unit Forest Supervisor, as the Forest Service is the lead agency under NEPA. There is no other joint lead agency nor cooperating agencies under NEPA.

The draft EIS is anticipated to be filed with the Environmental Protection

Agency and made available to the public for comment in June, 1999. The final EIS and its Record of Decision is expected in October, 1999. The decision will be appealable under Forest Service regulations found at 36 CFR 217.

The comment period for the draft EIS will be at least 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's 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 Circuit, 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 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 at 40 CFR 1503.3 in addressing these points.

Dated: January 13, 1999.

Juan Palma,

Forest Supervisor.

[FR Doc. 99-1583 Filed 1-22-99; 8:45 am]

BILLING CODE 3410-11-M