

DEPARTMENT OF AGRICULTURE

Forest Service

**Environmental Impact Statement
Preparation for the Brush Creek
Project, Allegheny National Forest,
Forest and Elk Counties, Pennsylvania**

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: In accordance with the National Environmental Policy Act, notice is hereby given that the Forest Service, Allegheny National Forest will prepare an Environmental Impact Statement to disclose the environmental consequences of the proposed Brush Creek Project.

The Allegheny National Forest is divided into Management Areas, which are used to guide the type and intensity of management. The majority of the Brush Creek Project Area falls into Management Area 3.0, with smaller portions falling into Management Areas 1.0 and 6.1. The Allegheny National Forest Land and Resource Management Plan (Forest Plan) gives the direction for forest management activities. The following management direction was excerpted from the Forest Plan for each of the three Management Areas included within the project area.

Management Area 1.0—Emphasize habitat management for ruffed grouse and other wildlife species associated with early successional stages of forest habitat.—Provide for high quality wood fiber production.—Provide a roaded natural setting for all types of dispersed recreation opportunities.

Management Area 3.0—Provide a sustained yield of high quality sawtimber through even-aged management—Provide a variety of age or size class habitat diversity in a variety of timber types.—Emphasize deer and turkey in all timber types and squirrel in the oak type.—Provide a roaded natural setting for all types of developed and dispersed recreation opportunities, with an emphasis on motorized recreation activities.

Management Area 6.1—Maintain or enhance scenic quality.—Emphasize a variety of dispersed recreation activities in a semi-primitive motorized setting.—Emphasize wildlife species which require mature or overmature hardwood forests.

The purpose of this project is to move from the Existing Condition towards the Desired Future Condition (DFC) as detailed in the Forest Plan. In order to move towards the DFC, the early successional age class (0–20 year age)

needs to increase; healthy forested stands capable of producing high quality, high value sawtimber need to be maintained; and understories dominated by fern, grass or undesirable woody vegetation need to develop seedling vegetation. Project proposals include timber harvesting as a means for making desired changes to forest vegetation and satisfying the demonstrated public need for wood products. Our proposed action to meet the purpose and need includes 690 acres of regeneration harvests to bring the onset of a new forest; herbicide, fertilizer, fencing, mechanical site preparation, and planting to ensure seedling establishment and growth in understories; 356 acres of thinning in immature stands to reduce the competition for light and nutrients, thereby improving the health and vigor of residual trees; and 52 acres of hardwood release cutting designed to reduce competition for selected trees on recent clearcuts. Activities relating to roads in support of these silvicultural operations include approximately 7 miles of new road construction, 2 miles of betterment, 13 miles of road restoration, 3 miles of road obliteration, and 1 mile of road realignment. Additionally, 1 new stone pit would be developed. This new stone pit, along with 8 existing pits, would be utilized as sources of surfacing stone for the transportation system. Wildlife habitat improvement measures consisting of plantings, prescribed burning, fruit tree pruning and maintenance, and bird nesting box placement serve to supplement the existing conditions.

After completion of the Brush Creek Environmental Impact Statement, the responsible official will review the several alternatives analyzed, and select the one that maximizes net public benefits for the Brush Creek Project Area.

DATES: The public is asked to provide comments, suggestions, and recommendations for achieving the purpose and need for the Brush Creek Project. The public comment period will be for 30 days from the date the Environmental Protection Agency publishes this notice of availability in the **Federal Register**. Comments and suggestions should be submitted in writing and postmarked by April 12, 1999 to ensure timely consideration. To assist in commenting, a scoping letter providing more detailed information on the project proposal has been prepared and is available to interested parties.

FOR FURTHER INFORMATION CONTACT: Submit written comments and suggestions concerning the proposed

action to: "Brush Creek Project," attention Ronald Neff—ID Team Leader, Marienville Ranger District, HC2 Box 130, Marienville, PA 16239. For further information, contact Ronald Neff (814) 927-6628.

SUPPLEMENTARY INFORMATION: The issue of uneven-aged management often arises during the scoping process for projects such as this. We will therefore include at least one alternative to the Proposed Action which will evaluate the effects of applying uneven-aged management techniques. Issues, which are generated through the scoping process, may generate additional alternatives.

Comments considered beyond the scope of this project and which will not be evaluated include whether or not commercial timber harvest should occur on National Forest System lands; the validity of the science of silviculture and forest management; and whether or not to allow the use of herbicides on the Allegheny National Forest on a programmatic level.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. In a recent legal opinion, the Forest Service's Office of General Council (OGC) has determined that names and addresses of people who respond to a Forest Service solicitation are not protected by the Privacy Act and can be released to the public. The Forest Service routinely gives notice of and requests comments on proposed land and resource management actions accompanied by environmental documents, as well as on proposed rules and policies. Comments received in response to such solicitations, including names and addresses of those who comment, will be considered part of the public record and will be available for such inspection, upon request. Any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. The opinion states that such confidentiality may be granted in only very limited circumstances, such as to protect trade secrets.

The Draft EIS is expected to be filed with the Environmental Protection Agency and be available for public review during June of 1999. At that time, the Environmental Protection Agency (EPA) will publish in the **Federal Register** a notice of availability of the draft environmental impact statement. The comment period on the draft will be 45 days from the date the

EPA notice appears in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage 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 proposals 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 draft environmental impact statement stage may be waived if not raised until after completion of the final environmental impact statement, *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1988), 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.

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 CEQ Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points). After the comment period ends on the draft environmental impact statement, the comments received will be analyzed and considered by the Forest Service in preparing the final environmental impact statement.

The final environmental impact statement is scheduled to be completed in October, 1999. In the final EIS, the Forest Service is required to respond to the comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, environmental consequences discussed in the environmental impact statement, and applicable laws, regulations and policies in making a decision regarding this proposal. The responsible official will document the decision and reasons for the decision in a Record of Decision. That decision will be subject to appeal under 36 CFR part 215.

The responsible official is Leon Blashock, District Ranger, Allegheny National Forest, HC2 Box 130, Marienville, PA 16239.

Dated: February 26, 1999.

Leon Blashock,

District Ranger.

[FR Doc. 99-5430 Filed 3-4-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Klamath Provincial Advisory Committee (PAC)

AGENCY: Forest Service, USDA.

ACTION: Notice of Meeting.

SUMMARY: The Klamath Provincial Advisory Committee will meet on March 11-12, 1999, at the Clear Lake Room, Shilo Inn, 2500 Almond Street, Klamath Falls, Oregon. On Thursday, March 11, the PAC will meet from 9:00 A.M. to 5:30 P.M. On Friday, March 12, the meeting will start at 8:00 A.M. and adjourn at 1:00 P.M. On Thursday, the PAC meeting will adjourn to the Shasta Room, Oregon Institute of Technology, 3201 Campus Drive from 1:00 to 3:00 P.M. to discuss "Using Science, Research, and Community to Restore the Klamath Basin." Other agenda items for the meeting include: (1) Pelican Butte Project; (2) Twelve PAC and Intergovernmental Agency Committee Proposed Meeting, November 1999; (3) Economic Impact of the Northwest Forest Plan on Two Small Communities in Oregon; (4) Subcommittee Reports; and (5) Public Comment Periods. All PAC meetings are open to the public. Interested citizens are encouraged to attend.

FOR FURTHER INFORMATION CONTACT: Connie Hendryx, USDA, Klamath National Forest, 1312 Fairlane Road, Yreka, California 96097; telephone 530-841-4468 (voice), TDD 530-841-4573.

Dated: March 1, 1999.

Jan Ford,

Klamath PAC Support Staff.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and Deletions from the Procurement List.

SUMMARY: This action adds to the Procurement List a commodity and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List commodities and a service previously furnished by such agencies.

EFFECTIVE DATE: April 5, 1999.

ADDRESS: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Gateway 3, Suite 310, 1215 Jefferson Davis Highway, Arlington, Virginia 22202-4302.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603-7740.

SUPPLEMENTARY INFORMATION: On September 18, 1998, January 15 and 22, 1999, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (63 FR 49896 and 64 FR 2623 and 3483) of proposed additions to and deletions from the Procurement List:

Additions

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodity and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodity and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodity and services to the Government.

2. The action will not have a severe economic impact on current contractors for the commodity and services.

3. The action will result in authorizing small entities to furnish the commodity and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodity and services proposed for addition to the Procurement List.

Accordingly, the following commodity and services are hereby added to the Procurement List: