

Issues Identified From Previous Scoping

The potential for impacts/effects as a result of the establishment and spread of invasive plants and the potential for impacts/effects as a result of treatment actions designed to manage invasive plants are both important considerations that need to be addressed in the analysis. The following issues were identified during the initial scoping process:

- **Human Health**—Invasive plant treatments may result in health risks to forestry workers and the public, including contamination of drinking water and forest products. Mitigation and protection measures should be evaluated to ensure they protect human health. Public notification measures should be evaluated to ensure that human exposure to herbicide is limited.
- **Treatment Effectiveness**—Invasive plant treatments can vary in effectiveness. The presence and spread of invasive plants within National Forest System lands may affect the presence and spread of invasive plants on neighboring ownerships. Treatments should be evaluated based on how likely they are to reach desired conditions in the foreseeable future.
- **Social and Economic**—Invasive plant treatments vary in cost and affect the acreage that can be effectively treated each year given a set budget. Manual treatment methods may cost more per acre and provide more employment.
- **Non-Target Plants and Animals**—Impacts to non-target plant and animal species varies by invasive plant treatments. Mitigation and protection measures should be evaluated to ensure they protect plant and animal species (including culturally important plants) from adverse effects.
- **Soils, Water Quality and Aquatic Biota**—Soil and ground disturbing impacts, effects to aquatic organisms, and water quality impacts vary by invasive plant treatments. Mitigation and protection measures should be evaluated to ensure they protect soil, water quality and aquatic biota from adverse effects.

Alternatives Considered

The No Action alternative will serve as a baseline for comparison of alternatives. Under the No Action alternative, the Gifford-Pinchot National Forest/Columbia River Gorge National Scenic Area would continue to treat invasive plant species as authorized under existing National Environmental Policy Act (NEPA) documents. The Gifford-Pinchot National Forest would

continue to have a standard that severely restricts herbicide use in riparian areas.

Alternative Evaluation Criteria

The alternatives will be evaluated based on how effectively they treat known and respond to new infestations, their monetary cost, and their potential risks to human health and the environment.

Estimated Dates for Draft and Final EIS

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public comment by March 2006. The comment period on the draft EIS will be 45 days from the date the EPA 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 the draft EIS 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 objectives that could be raised at the draft EIS stage but that are not raised until after the 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 Heritage, Inc. v. Harris*, 490 F. Supp. 1334 (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 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 the 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 provision of the National Environmental Policy Act (40 CFR 1503.3).

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. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to appeal the subsequent decision under 36 CFR part 215. Additionally, pursuant to 7 CFR 1.27(d), 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. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within a specified number of days.

Comments on the draft EIS will be analyzed, considered, and responded to by the Forest Service in preparing the final EIS. The Final EIS is scheduled to be completed in 2006. The Responsible Officials are Claire Lavendel, Gifford Pinchot National Forest Supervisor and Daniel T. Harkenrider, Columbia River Gorge National Scenic Area Manager. These officials will consider comments, responses, environmental consequences discussed in the final EIS, and applicable laws, regulations, and policies in making a decision regarding this proposed action. The responsible officials will document the decision and rationale for the decision in the Record of Decision. It will be subject to Forest Service Appeal Regulations (36 CFR Part 215).

Dated: August 16, 2005.

Claire Lavendel,

Forest Supervisor, Gifford Pinchot National Forest.

Dated: August 12, 2005.

Daniel T. Harkenrider,

Area Manager, Columbia River Gorge National Scenic Area.

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DEPARTMENT OF AGRICULTURE

Forest Service

Plumas National Forest; Beckwourth Ranger District, California; Freeman Project

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The USDA Forest Service, Plumas National Forest will prepare an Environmental Impact Statement (EIS) to reduce hazardous fuels, improve forest health, improve bald eagle habitat, cost effectively support the local communities, improve aspen stands, provide access needed to meet other project objectives and reduce transportation system impacts on the west side of Lake Davis near Portola, CA.

DATES: Although comments will be accepted throughout any phase of this project, it would be most helpful if comments on the scope of the analysis were received within 30 days of the date of publication of this notice of intent in the **Federal Register**. The draft EIS is expected in April 2006 and the final EIS is expected in August 2006.

ADDRESSES: Send written comments to Robert Mac Whorter, Plumas National Forest, PO Box 11500, Quincy, CA 95971; fax: (530) 283-7746. Comments may be: (1) Mailed to the Responsible Official; (2) hand-delivered between the hours of 8 a.m.-4:30 p.m. weekdays Pacific time; (3) faxed to (530) 283-7746; or (4) electronically mailed to: comments-pacificsouthwest-plumas@fs.fed.us. Comments submitted electronically must be in Rich Text Format (.rtf).

FOR FURTHER INFORMATION CONTACT: Sabrina Stadler, Interdisciplinary Team Leader, Plumas National Forest, Beckwourth Ranger District, P.O. Box 7, Blairsden, CA 96103, (530) 836-2575.

SUPPLEMENTARY INFORMATION:

Project Location

The project area is located north of Portola and west of Lake Davis, in the Beckwourth Ranger District of the Plumas National Forest. It is within all or parts of T23N, R12E; T23N, R13E; T24N, R12E; T24N, R13E.

Purpose and Need for Action

The effects of several vegetation management projects will be analyzed in this EIS. The need for and purpose of the project has six elements: to reduce hazardous fuels in the wildland/urban interface (WUI) and to create a strategic network of linear fuel treatments across the landscape referred to as defensible fuel profile zones (DFPZs); to improve forest health; to improve bald eagle habitat; to implement the project in a cost effective manner and contribute to local community economic stability; to improve aspen stands; to provide the access needed to meet other project

objectives and reduce transportation system impacts.

In its effort to reduce excessive fuel, the Forest Service intends to work with the Plumas County Fire Safe Council to reduce hazardous fuels around local communities, as well as to develop a strategic network of linear fuel treatments across the landscape. This will reduce the potential for large-scale, high-intensity fire where wildfire behavior would be modified to allow for safer, more effective fire suppression.

Many stands in the project area are infected with small pockets of insects and disease. The insects include both bark beetles (*Dendroctonus brevicornis*, *D. valens*) and pine engravers (*Ips* spp.). The diseases include mistletoe (*Arceuthobium* spp.), white pine blister rust (*Cronartium ribicola*) and annosus root rot (*Heterobasidion annosum*).

Stands in the Lake Davis Bald Eagle Habitat Management Area (BEHMA) in the Freeman project area are overstocked, largely unable to recruit nesting structure, and at risk of loss from wildlife and disease/insect infestation.

In addition to reducing the risk of catastrophic wildfire and improving forest health, this project would provide products that contribute to community stability in the most cost-effective manner possible, considering other resource objectives, by creating employment and income that contribute to local economic activity.

Aspen stands in the project area are low in productivity and health, and most are not successfully regenerating. Field evaluation indicates that, regardless of the relative contribution of these various factors, at present, competition by conifers is a major factor in aspen decline. Aspen stand improvement work will maintain or improve diverse and productive native plant communities in the riparian zone, as well as to support populations of well-distributed native plant, vertebrate and invertebrate populations that contribute to the viability of riparian plant communities.

The proposed road relocation and decommissioning work is needed to achieve desired riparian conditions and to reduce the total area of compacted soil.

Proposed Action

The project area consists of 14,967 acres of the PNF managed by the Beckwourth Ranger District. The proposed action will treat 5,792 acres, approximately 39 percent of the project area by: reducing hazardous fuels; improving forest health, improving bald eagle habitat, cost effectively supporting

the local communities; improving aspen stands; and providing the access needed to meet other project objectives and reducing transportation system impacts.

Fuel reduction treatments will occur over 3,066 acres of the DFPZ and WUI. Treatments are specifically designed to cause advancing wildfire to drop to the ground and burn with reduced intensity and will involve several methods (i.e., grapple pile, handthin, mastication, mechanical thinning, underburn only).

Forest health improvement will involve the use of group selection to remove insect and disease infected pockets within the stands. Group selection will be on 175 acres, ranging from 0.5-2 acres in size. The health of plantations and young conifer stands will also be addressed, through area thinning, mastication and grapple piling.

Over half of the eagle habitat within the project area would receive some kind of treatment, consisting of mechanical thinning, hand thinning, underburn only, group selection and mechanical aspen treatments, covering 1,964 acres. Treatments would focus on removing diseased pockets of trees and increasing the quantity of nesting habitat by thinning stands to accelerate growth.

Aspen stands would be treated to remove conifers to enhance aspen health and growth. Aspen would be released from conifer competition in 40 units totaling approximately 645 acres, ranging in size between 1-85 acres. Conifers to be removed are within the existing aspen stand (i.e., those trees actively suppressing aspen community productivity and function) or trees bordering a stand, which directly affect the health of the stand. All conifers up to 29.9" dbh would also be removed within a variable-width treatment zone extending up to 150' beyond the outer boundary of the aspen stands.

The Forest proposes to improve transportation system needed to access the vegetation/fuels treatment units and to mitigate existing adverse effects on heritage resources, soils, and water quality. These improvements to the transportation system will include: building approximately 17 short segments of temporary roads (decommissioned upon completion), totaling 2-miles, needed to implement planned activities; decommissioning approximately 12.5-miles of existing system roads and 1.9-miles of non-system roads; closing 0.7-miles of system roads; relocating 0.2-mile of system road and 0.7-mile of system road would be reduced to single-track, in order to provide for recreational opportunities near Lake Davis.

Hazard trees would be removed from along Maintenance Level 3, 4 and 5 roads (generally, surfaced roads) and high-use Maintenance Level 2 roads (generally native-surface roads). Identification of hazard trees would follow guidelines in the Plumas National Forest Roadside/Facility Hazard Tree Abatement Action Plan (2003).

Lead Agency: The USDA Forest Service is the lead agency for this proposal.

Responsible Official: Plumas National Acting Forest Supervisor, Robert G. MacWhorter is the responsible official; Plumas National Forest, P.O. Box 11500, Quincy, CA 95971.

Nature of Decision To Be Made

The responsible official will decide whether to implement this project as proposed, implement the project based on an alternative to this proposal that is formulated to resolve identified issues or not implement this project at this time. The responsible official will be the Plumas National Forest Forest Supervisor.

Scoping Process

Public questions and comments regarding this proposal are an integral part of this environmental analysis process. Comments will be used to identify issues and disqualification alternatives to the proposed action. To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments should be as specific as possible.

A copy of the proposed action and/or a summary of the proposed action will be mailed to adjacent landowners, as well as to those people and organizations that have indicated a specific interest in the Freeman project, to Native American entities, and Federal, State and local agencies. The public will be notified of any meetings regarding this proposed by mailings and press releases sent to the local newspaper and media. There are no meetings planned at this time.

Permits or Licenses Required: An Air Pollution Permit and a Smoke Management Plan are required by local agencies.

Comment

This notice of intent initiates the scoping process which guides the development of the EIS. Our desire is to receive substantive comments on the merits of the proposed action, as well as comments that address errors, misinformation, or information that has been omitted. Substantive comments are defined as comments within the scope of the proposal, that have a direct relationship to the proposal, and that include supporting reasons for the responsible official's consideration.

Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement will be prepared for comment. The comment period on the draft 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 as 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 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 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.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: August 19, 2005.

Kathleen L. Gay,

Acting Forest Supervisor.

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DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Producing Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration (EDA), Commerce.

ACTION: To give all interested parties an opportunity to comment.

Petitions have been accepted for filing on the dates indicated from the firms listed below.

LIST OF PETITION ACTION BY TRADE ADJUSTMENT ASSISTANCE FOR PERIOD JULY 16, 2005–AUGUST 19, 2005

Firm name	Address	Date petition accepted	Product
Source Code Corporation	290 Vanderbilt Avenue Norwood, MA 02062.	10–Aug–05	Computers and servers.
ITA Corporation	2401 Research Boulevard Rockville, MD 20850.	25–Jul–05	Accounting and human resource software.