for public review in September 1999, with a final EIS estimated to be completed in November 1999. The comment period on the draft EIS 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 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 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 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 comments refer to specific pages or chapter of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the draft EIS. 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 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 will not have standing to appeal the subsequent decision under 36 CFR 215 or 217. 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 confidentially should be aware that, under the FOIA, confidentiality may be granted in only 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 the comments may be resubmitted with or without name and address within 10 days.

Dated: June 29, 1999.

David Rittenhouse,

Forest Supervisor.

[FR Doc. 99–17127 Filed 7–8–99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Meadow Smith Project Environmental Impact Statement; Flathead National Forest, Swan Lake Ranger District, Lake and Missoula Counties, State of Montana

AGENCY: Forest Service, USDA.

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

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) for a proposal to harvest timber, commercial and pre-commercial tree thinning, burn brush fields or forest understory trees, reclaim and construct roads, change road access, improve fish passages, wet land restoration, and reduce sediment sources within the Meadow Smith Project area. The project area is located in the upper Swan Valley and is approximately 35 miles air miles southeast of Bigfork, Montana in the vicinity of the community of Condon.

The Forest Service is seeking further information and comments from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed actions. These comments will be used to prepare the draft EIS.

DATES: The draft EIS is expected to be filed with the Environmental Protection Agency and made available for public review in August, 1999. No date has yet been determined for filing the final EIS.

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.**

ADDRESSES: You may request to be placed on the project mailing list or direct questions, comments, and suggestions about the proposed action and EIS to Keith Soderstrom, EIS Team Leader, or Chuck Harris, District Ranger, Swan Lake Ranger District, 200 Ranger Station Road, Bigfork, MT 59911. Phone: (406) 837–7500.

The proposal's actions listed above are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25).

The Forest Service believes the current forest conditions resulting from large wildfires that occurred near the turn of the century and subsequent management decisions are causing adverse effects. Specifically, the encroachment of shade tolerant tree species on dry sites historically dominated by open-grown, large-tree communities has caused an overall reduction of individual tree health; increased risk of property damage on both national forest and adjacent private land from large and intense wildfires; and, a decrease in the presence of open-grown, large tree ponderosa pine and western larch forests. The Forest Service also believes implementing a no action alternative will further increase these effects in the future. The proposed actions may have short term significant effects on wildlife, but long term benefits to the function of the ecosystem are more desirable.

The EIS will tier to the Flathead National Forest Land and Resource Management Plan (LRMP) and EIS of January, 1986, and its subsequent amendments, which provide overall guidance of all land management activities on the Flathead National Forest.

Decision To Be Made

Should the Forest Service implement the proposed action or any action to meet the purpose and need or to defer any action at this time within the Meadow Smith Project area? The deciding official for this project is Chuck Harris, Swan Lake District Ranger, Flathead National Forest.

Preliminary Issues and Alternatives

Public and internal scoping which has already occurred for this project includes two public meetings, four public field trips; three mailings to Federal, State, and local agencies and other individuals or organizations; personal conversations with interdisciplinary team members and members of the public, and news media releases. An Environmental Assessment has been completed for this proposal and made available for public comment;

based on comments received, the Forest Service has decided to prepare an Environmental Impact Statement. Through public and internal scoping, the following significant issues emerged:

SUPPLEMENTARY INFORMATION:

Nature and Scope of the Proposed Action

Ponderosa pine and western larch forests in the Swan Valley were once a mosaic of open, park like stands that supported large trees. Fire suppression and timber harvesting in this century have changed these forests. Many of the remaining stands of ponderosa pine and western larch have become densely overgrown with mid-story and understory Douglas-fir, subalpine fir, spruce, and grand fir trees. These shade tolerant species are growing into the crowns of the older ponderosa pine and western larch. This creates ''fuel ladders'' that put ponderosa pine and western larch at increased risk should a fire occur. Historically, the low intensity ground fires will have thinned out these shades tolerant species. Trees in these dense stands are also susceptible to insects and pathogens. Dead or diseased trees increase the risk of fire. The closed forest canopy is also shading and reducing the vigor of shrub, grass, and forb populations associated with open forest conditions.

This proposal addresses the need to restore old growth forest characteristics within the Upper Swan Valley. The proposed management actions are intended to increase the presence of open-grown, large-tree ponderosa pine and western larch forests; lower the risks of loss of mature large trees from insects, disease, and lethal fire; and return fire, in the form of prescribed fire, as a process of forest succession.

The proposed action outlines 2,090 acres of vegetation treatments which include prescribed burning, pre-commercial thinning, and varying intensities of timber harvest with associated fuels treatments and preparation for reforestation. The proposed action includes 2.9 miles of road reclamation, 3.3 miles of temporary road construction and subsequent restoration, improved fish passages at 3 sites, culvert replacement at one site, wetland restoration (filling a man-made ditch) at one site, and approximately 5.5 miles of fuel breaks on upland sites adjacent to private lands. In addition, road access changes are proposed for 3.0 miles, and establishing approximately 5.5 miles of fuel breaks on upland sites adjacent to private lands.

1. Effects of vegetation treatments on big game winter range habitat.

2. Effects of vegetation treatments on existing and future old growth forest communities. The interdisciplinary team has developed alternatives to the proposed action that respond to these significant issues.

The Forest Service believes 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 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.

Following this comment period, the comments received will be analyzed, considered, and responded to by the Forest Service in the final environmental impact statement (FEIS). Chuck Harris, District Ranger, Swan Lake Ranger District, 200 Ranger Station Road, Bigfork, MT 59911 is the responsible official for the preparation of the EIS and will make a decision regarding this proposal considering the comments and responses, environmental consequences discussed in the FEIS, and applicable laws, regulations, and policies. The decision and rational for the decision will be documented in a Record of Decision. That decision will be subject to appeal under applicable Forest Service regulations.

Dated: July 2, 1999.

Chuck Harris,

District Ranger, Swan Lake Ranger District, Flathead National Forest.

[FR Doc. 99–17476 Filed 7–8–99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Threemile Timber Harvest, Tongass National Forest; Environmental Impact Statement

AGENCY: Forest Service, USDA.

ACTION: Revision of the Notice of Intent to Prepare an Environmental Impact Statement for the Threemile Timber Harvest as published in **Federal Register** page 13766–13767, on March 22, 1999. This revision includes changes in the proposed action, the size of the project area, as well as changes in the project schedule.

SUMMARY: The Department of Agriculture, Forest Service, will prepare an Environmental Impact Statement (EIS) to provide timber for the Tongass National Forest timber sale program. The Record of Decision will disclose how the Forest Service has decided to provide harvest units, roads, and associated timber harvesting facilities. The revised proposed action is to harvest timber in the Threemile Project area on Kuiu Island with associated road construction as well as a new log transfer facility at Threemile Arm.

A range of alternatives responsive to significant issues will be developed including a no-action alternative. The proposed timber harvest is located in the Tongass National Forest, Petersburg Ranger District, on Kuiu Island. Alaska, within the Threemile Arm area. The *Tongass Land and Resource Management Plan* (1999) 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. The Forest Plan allocates portions of the project area into three management prescriptions: Timber Production, Modified Landscape, and Old-growth Habitat Land Use Designations.