

within the Ash Creek Planning Area and will be removed in a manner consistent with the Forest Plan.

**Proposed Action.** The proposed action is to harvest about 350 acres of mature and late seral dead and dying trees, spread throughout 23 separate timber stands comprising about 1,366 acres that were killed in the Boulder Fire. Of these dead trees, about 2 to 6 trees per acre will be left as coarse down wood and snags. No new roads or temporary roads are being planned. The proposed harvest is in the matrix land allocation of the Ash/Zinc sub-watershed. Upon completion of harvest activities, the area will be planted with a mixture of conifers: Douglas-fir; sugar pine; white pine; incense-cedar; Pacific yew; and native hardwoods and shrubs.

This analysis will consider a range of alternatives that will address the purpose and need for the proposed project. The no-action alternative will be part of this range so that effects associated with not implementing any of the proposed activities can be evaluated. Preliminary issues identified include effects on: habitat of species associated with late-successional and old growth forests; aquatic habitats; and hydrologic processes.

**Scoping Process.** The Umpqua National Forest is seeking public input on this proposed action. A comment sheet will be posted to the Forest website and mailed with the scoping letter. The proposed action will be published in the Umpqua National Forest Quarterly Schedule of Proposed Actions and posted on the Forest Web site on the Internet: [www.fs.fed.us/r6/umpqua/planning/planning1.html](http://www.fs.fed.us/r6/umpqua/planning/planning1.html).

The Forest Service will be seeking additional information, comments, and assistance from Federal, State, and local agencies, tribal governments, and other individuals or organizations who may be interested or affected by the proposed project. Public meetings and field trips are scheduled. Dates and locations for these activities will be announced. The scoping process will include identifying: issues; alternatives to the proposed action; and potential environmental effects (that is, direct, indirect and, cumulative effects) of the proposed action and alternatives.

**Comment Requested.** Comments received in response to this notice and through scoping, include 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 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 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.

**Early Notice of Importance of Public Participation in Subsequent Environmental Review:** The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review May 2003. 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 final EIS is scheduled to be available September 2003.

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 a 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 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 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 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. 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.

In the final EIS, the Forest Service is required to respond to substantive comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making a decision regarding the Ash Creek Fire Salvage. The Responsible Official is James A. Caplan, Forest Supervisor, Umpqua National Forest. The Responsible Official will document the decision and rationale for the Ash Creek Fire Salvage decision in the Record of Decision. The decision will be subject to review under Forest Service Appeal Regulations (36 CFR part 215).

Dated: March 11, 2003.

**James A. Caplan,**  
Forest Supervisor.

[FR Doc. 03-6686 Filed 3-19-03; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Meeting of the Land Between The Lakes Advisory Board

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Land Between The Lakes Advisory Board will hold a meeting on Tuesday, April 8, 2003. Notice of this meeting is given under the Federal Advisory Committee Act, 5 U.S.C. App.2.

The meeting agenda includes the following:

- (1) Welcome/Introductions/Agenda
- (2) General Information Update on Land Between The Lakes
- (3) Update on Environmental Education Projects
- (4) Land and Resource Management Planning—Appreciative Inquiry Process
- (5) Presentation by Mr. David Nickell, representing Concept Zero
- (6) Review of Public Comments Received