

10. Designation of old growth habitat (1608 acres).
11. Clean up of illegal garbage dumps where they are encountered.
12. Relocation of the portion of the Audubon Trail currently located in the floodplain of Bidwell Creek and construct two trailheads.
13. Reconstruction and maintenance of 37 miles of roads to accomplish items listed above. Some roads are also being evaluated for addition to the system, or for closure and obliteration.

While the primary focus of the analysis is to identify activities to accomplish ecological restoration, other activities that enhance recreational opportunities, result in better water quality, or move the area toward the Forest Plan's desired future condition (Forest Plan pages IV 125–131) may also be considered in the draft and/or final EIS.

The scope of this analysis is limited to those activities related to the purpose and need and measures necessary to mitigate the effects these activities may have on the environment. The decision will include if, when, how, and where to schedule restoration activities, recreation opportunity enhancement, interpretive activities, water quality improvement actions, resource protection measures, monitoring, and other follow-up activities.

Decision Space

Decision making will be limited to activities relating to the proposed actions. The primary decision to be made will be whether or not to implement the proposed actions listed above, a no-action alternative, or another action alternative that responds to the project's purpose and needs.

Preliminary Issues

Preliminary comments made by the interdisciplinary team were considered in the development of the tentative or preliminary issues. These are as follows: restoration of shortleaf pine on sites where it was historically dominant; reduction of vulnerability of forest stands to threats such as insects, disease, competition from non-native species, and catastrophic wildfire; protection of soils, water, and geological features from degradation caused by non-system roads, dump sites, especially near streams, and protecting riparian corridors and special areas such as the Artesian well, glades, springs, fens, caves, and cliffs; reduction of hazardous fuels build-up and the number of hazard trees that are threats to the public and adjoining landowners; provide lumber and firewood for the

local community, enhancing wildlife habitat by creating openings, restoring open woodland habitats and designating old growth and retaining hollow and cull trees in treatment areas.

Public Participation

The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, the Osage Tribe, and other individuals or organizations that may be interested in or affected by the proposed actions. Comments received in response to this notice will become a matter of public record. While public participation in this analysis is welcome at any time, comments on the proposed actions received within 30 days of the publication of this notice will be especially useful in the preparation of the draft EIS. Timely comments will be used in preparation of the draft EIS. The scoping process will be used to: Identify potential issues; identify additional alternatives to the proposed action; and, identify potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects). In addition, the public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision.

Estimated Dates for Filing

The draft EIS is expected to be filed with the Environmental protection Agency and available for public review in September 2003. A 45-day comment period will follow publication of a Notice of Availability of the draft EIS in the **Federal Register**. Comments received on the draft EIS will be analyzed and considered in preparation of a final EIS, expected in December 2003. A record of Decision (ROD) will also be issued at that time along with the publication of a Notice of Availability of the final EIS and ROD in the **Federal Register**.

Reviewers Obligation To Comment

The Forest Service believes it is important at this early stage 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 in such a way 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, 513 (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 of the draft EIS in order that substantive comments and objections are 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 should be as specific as possible. 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.

Responsible Official

The responsible official for this environmental impact statement is Ronnie Raum, Forest Supervisor, Mark Twain National Forest.

Dated: April 14, 2003.

Katherine W. Stuart,

District Ranger, Potosi/Fredericktown Ranger District, Mark Twain National Forest.

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DEPARTMENT OF AGRICULTURE

Forest Service

Monument Fire Recovery Project-Whitman Unit, Wallowa-Whitman National Forest, Baker County, OR

AGENCY: Forest Service, USDA.

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

SUMMARY: The USDA, Forest Service, will prepare an environmental impact statement (EIS) on a proposal to assist the recovery of the area burned in 2002 by the Monument Fire. The EIS will include proposals that salvage fire-killed and dying trees, implement reforestation, and projects to recover damaged riparian and aquatic resources. The 3,300-acre project area is located on the Whitman Unit-Unity District. The project is approximately 7 air miles southeast of Unity, Oregon, and within the West Fork of Camp Creek sub-watershed. Implementation of management actions is planned for fiscal year 2004. The agency gives notice of the full environmental analysis and decision making process that will occur on the proposal so that interested and