

the Responsible Official must use the factors of "significantly" as defined in 40 CFR 1508.27 for the determination that a proposal will have no significant effect on the human environment.

#### 101.6 Categorical Exclusions.

Reviewers offered several thoughtful comments regarding the description of categorical exclusions. Paragraphs (a), (b), and (c) are rewritten to respond to several of these comments to clarify the description of categorical exclusions.

The text in (a) is revised to read. "In the absence of extraordinary circumstances, the Responsible Official may undertake the stewardship actions in (c) without preparation of an environmental document.

Paragraph (b) is revised to read. "Extraordinary circumstances include, but are not limited to: Scientific controversy; high level of public interest; extreme weather or climatic conditions; or the potential for effects on environmental resources of critical concern such as cultural resource sites and habitat for candidate, endangered, or threatened species.

Paragraph (c) is rewritten to read. "In the absence of extraordinary circumstances, the following stewardship actions may be undertaken, provided that no more than 1320 feet of road or trail construction is required to implement the stewardship action:

\* \* \*. Based on reviewer comments to better quantify the categories listed in the proposed procedures, a requirement that the categorical exclusions may not include more than 1320 feet of road or trail construction is added. The list of categorical exclusions with the revisions made to improve the description and use of each category as well as correct minor errors follows:

"(1) Policy development, planning and implementation which relate to routine activities, such as personnel, organizational change, record management, internal communication, financial management, or similar administrative functions;

(2) Procurement of equipment and supplies consistent with federal environmental policies and direction;

(3) Closures or other orders issued for durations of less than one year to provide resource protection or to protect public health and safety;

(4) Location and maintenance of landline boundaries and geographic sites;

(5) Routine repair and maintenance of facilities and administrative sites including, but not limited to, buildings, fences, water systems, roads, trails, signs, and ancillary facilities associated with the administration and management of the Preserve, or the

installation, and routine repair and maintenance of removable communication facilities of not more than 250 square feet, the primary purpose of which is to facilitate communication associated with the administration and management of the Preserve;

(6) Use and care for horses or other stock for administrative purposes that is clearly limited in context and intensity;

(7) Repair and maintenance of recreation sites;

(8) Reconstruction or maintenance of utilities within a designated corridor;

(9) Inventories, research activities, and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity;

(10) Implementation or modification of minor management practices such as the placement of salt blocks, temporary fencing, and the placement of temporary water tanks to improve range conditions and/or animal distribution;

(11) Treatment of forest structure and fuel conditions for the purpose of reducing the hazard of large, stand-replacing crown fires in areas where such high severity fires are outside an historic range of variability. Projects under this category are limited to an aggregate area in the Preserve of no more than 640 acres in a calendar year, and may involve prescribed fire and/or the removal of live trees, the diameter of which will be:

(A) No larger than nine inches at breast height; or

(B) Determined by publicly available site-specific size class information used to define an appropriate diameter and basal area distribution of trees to be removed;

(12) Removal of brush or hazard trees near roads or buildings, where such action is necessary to protect historic structures or the health and safety of the public and/or employees, and when such action is clearly limited in context and intensity; and

(13) Authorizing seasonal or short-term backcountry recreation or special use actions such as: Day-use hiking; wildlife observation; educational field trips; and other small group activities."

101.7 Public Involvement. The procedures for engaging the public in the consideration of a proposed stewardship action are presented in paragraphs (a) through (f) of this section. Paragraph (a) states. "Opportunities for the public to provide input and maintain a dialogue with the Trust regarding a proposed stewardship action may be triggered by a combination of notice through appropriate media, public meetings, targeted outreach,

agency consultation, scoping, and public review of relevant documents."

Paragraph (b) states that the Trust will identify the appropriate stages during the consideration of a proposed stewardship action, and for specific forms of public review and input to the Responsible Official. For stewardship actions involving natural and cultural resources of the Preserve, the Responsible Official will notify the public that the stewardship action is being proposed, and that a stewardship register is available for review. The Trust will take into account public input received at this stage of the proposal to help determine the appropriate goals, objectives, and performance requirements that will guide further development of the proposed stewardship action.

Paragraph (c) explains that the public's reaction to a proposed stewardship action will be "taken fully into account" in planning for the appropriate level of public involvement throughout the decisionmaking process. The term "critical" is replaced in the text by "taken fully into account". Based on reviewer comments, it is emphasized here that the Responsible Official should act on the comments received, not just consider the comments to be critical. The term "throughout the rest of the NEPA process" is replaced with "throughout the decisionmaking process" to emphasize that public reaction and comment is important in developing appropriate environmental evaluation and documentation as well as in the overall decisionmaking process of the Trust. The public's reaction to a proposal will also help determine the extent to which the Trust develops alternatives to a proposed action.

Paragraph (d) has the requirement that all proposed stewardship actions involving the lands, resources, and facilities of the Preserve will require authorization by the Board of Trustees at a public meeting, during which public comments will be recorded and considered.

Several comments were received regarding paragraph (e). Some reviewers said that the proposed procedures did specify an adequate time for review of an environmental assessment and that specific time periods should be set. Trust staff and others acknowledged that some flexibility is needed for public reviews based on the nature and extent of a proposed stewardship action. Paragraph (e) is reworded and an additional paragraph (f) is added to the text of this section. The text for (e) now reads. "The Trust will provide a reasonable time period for public review