

leasing, and under what terms, conditions, and stipulations.

If leased, the Office of Surface Mining will be responsible for providing recommendations to the Secretary of the Interior regarding approval, disapproval, or conditional approval of the mine plan, with input from the BLM.

The Office of Surface Mining, with input from the U.S. Forest Service, will also be responsible for providing recommendations to the Secretary of the Interior concerning the issuance of findings as to whether or not the proposed mining areas contain significant recreational, timber, economic or other values that may be incompatible with the proposed mining activities.

Purpose and Need for the Proposal

The purpose and need for the LUA/EIS is to determine if Federal coal will be leased in response to the lease application submitted for this federal coal. Private coal leases, permitted by the state, surround the proposed federal coal lease tracts. The leasing of this coal would allow for the development of the private and federal coal resources in an economic and efficient manner and would maximize the recovery of the coal.

Scoping Process: Scoping is the process used to determine the scope of issues to be addressed and for identifying the significant issues related to this project. Public involvement is an integral component of scoping. The public has been contacted in several different ways, provided information about this project, and given an opportunity to provide input. Information has been sent to a mailing list of individuals, groups, and agencies that are known to have an interest in this project or have previously expressed an interest in projects of this nature or general activities in the project area.

In addition to the publication of this Notice of Intent, legal notices have been published in the Lexington (KY) Herald-Leader and the Manchester (KY) Times.

A public scoping open house meeting was held at the Leslie County Extension Office at 22045 Main Street in Hyden, KY on February 24, 2003 from 6 p.m. to 9 p.m.

Additional hearings pursuant to Title 43 Code of Federal Regulations (CFR) Section 1610.2 and 43 CFR 3425.4, will be announced through the **Federal Register**, local news media and Web sites at least 15 days prior to the event.

Preliminary Issues: Preliminary issues of concern include subsidence, and changes in the local hydrologic regime and water quality. The potential for

surface and ground water resource impacts will be studied in the EIS.

Preliminary Alternatives: The Proposed Action is to lease the Federal tracts for development and mining. The No Action Alternative is to not lease the Federal tracts.

Permits or Licenses Required: Should a Federal coal lease be issued, a permit is required from the State Department Of Surface Mining Reclamation and Enforcement prior to any development of the coal resources.

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. Firstly, 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 concerns (*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 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 project participate by the close of the comment period, for the draft EIS so that substantive comments are made available to the Forest Service at a time when the comments can be meaningfully considered and responded to 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 chapters 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.

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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.

After the comment period ends on the DEIS, the comments will be analyzed, considered, and responded to by the Forest Service in preparing the FEIS. The FEIS is scheduled to be completed in November 2003. The responsible official will consider the comments, responses, environmental consequences discussed in the FEIS, and applicable laws, regulations, and policies in making a decision regarding this proposed action.

The responsible official will document the decision and reasons for the decision in a Record of Decision. That decision will be subject to appeal in accordance with 36 CFR Part 215.

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Forest Supervisor, Daniel Boone National Forest.

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DEPARTMENT OF AGRICULTURE

Forest Service

Revised Land and Resource Management Plans for the Huron-Manistee National Forests (Alcona, Crawford, Iosco, Lake, Manistee, Mason, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Ogemaw, Oscoda and Wexford Counties, MI); the Hiawatha National Forest (Alger, Cheboygan, Chippewa, Delta, Luce, Mackinac, Marquette and Schoolcraft Counties, MI); and the Ottawa National Forest (Baraga, Gogebic, Houghton, Iron, Marquette and Ontonagon Counties, MI)

AGENCY: Forest Service, USDA.

ACTION: Notice of Intent to prepare Environmental Impact Statements.

SUMMARY: The USDA Forest Service intends to prepare three separate and individual Environmental Impact Statement (EIS) documents for revising the Huron-Manistee, Hiawatha and Ottawa National Forest Land and Resource Management Plans (Forest Plan) pursuant to 16 U.S.C. 1604(f) (5) and USDA Forest Service National Forest System Land and Resource Management Planning regulations. The National Forests in Michigan are concurrently starting the revision process for each of the three National Forests. The Revised Forest Plans for each Forest will supersede the existing Forest Plans, which were approved in