

Forest resource conditions as identified in the Cottonwood Plan Implementation Study.

Possible Alternatives

Alternative 2—No Action Alternative

Analysis of this alternative is required under National Environmental Policy Act (NEPA) regulations. The No Action Alternative also serves as a baseline of information for comparison of other alternatives. Though this alternative does not respond to the purpose and need for action, it does address some issues.

Responsible Official

Greg Clark, District Forest Ranger, Big Piney Ranger District, P.O. Box 218, Big Piney, Wyoming 83113.

Nature of Decision To Be Made

This decision will be whether or not to implement specific vegetation management projects and associated road and trail head improvements, as allowed in the Bridger-Teton National Forest Plan and Cottonwood Plan Implementation Study. The decision will include any mitigation measures needed in addition to those prescribed in the Forest Plan.

Scoping Process

The Forest Service is seeking information, comments, and assistance from individuals, organizations, Tribal governments, and Federal, state, and local agencies interested in or affected by this project. Comments that were submitted during the May 14, 1999 scoping effort and during field trips of the project area will be used to prepare the Draft EIS, as will comments submitted through this public scoping request. Public participation will be solicited by notifying in person and/or by mail, known interested and affected publics. News releases will be used to give the public general notice. Public participation activities will include requests for written comments. The first formal opportunity to comment is to respond to this Notice of Intent, which initiates the scoping process (40 CFR 1501.7). Scoping includes: (1) Identifying potential issues, (2) narrowing the potential issues and identifying significant issues from those issues that have been covered by prior environmental review, (3) exploring alternatives in addition to the No Action Alternative, and (4) identifying potential environmental effects of the Proposed Action and alternatives.

Preliminary Issues

The Forest Service has identified the following potential issues. In addition,

through the May 1999 scoping effort, issues have been refined. Your input is especially valuable here. It will help us determine which of these issues merit detailed analysis. It will also help identify additional issues related to the Proposed Action that may not be listed here.

Issue 1—Amount and/or types of vegetation treatments under the Proposed Action and the effects on old growth and mature vegetation for lynx, security cover for elk and other habitat, as well as Colorado cutthroat trout habitat.

Issue 2—Forest health, specifically the high proportion of older age-class conifer stands and declining tree growth, dwarf mistletoe infection levels in lodgepole pine, and high fuel loadings from dead and down material.

Issue 3—Amount of aspen treatments.

Comment Requested

This Notice of Intent initiates the scoping process, which guides the development of the Draft EIS.

Early Notice of Importance of Public Participation in Subsequent Environmental Review

The Draft EIS is scheduled to be filed with the Environmental Protection Agency (EPA) in late August 2004 and to be available for public comment in September 2004. At that time, the EPA will publish a Notice of Availability for the Draft EIS in the **Federal Register**. 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 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 EISs 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 on the Draft EIS. This ensures that substantive comments and objections are made available to the Forest Service at a time

when the Forest Service 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 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. 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. (Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, section 21).

Dated: December 17, 2003.

Gregory W. Clark,

District Forest Ranger.

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DEPARTMENT OF AGRICULTURE

Forest Service

Eastern Washington Cascades Provincial Advisory Committee and the Yakima Provincial Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Eastern Washington Cascades Provincial Advisory Committee and the Yakima Provincial Advisory Committee will meet on Wednesday, January 14, 2004, at the Okanogan and Wenatchee National Forests Headquarters Office, 215 Melody Lane, Wenatchee, Washington. The meeting will begin at 9 a.m. and continue until 3 p.m. During this meeting we will discuss public comments on the Forest Plan revision, recreation management issues, and new developments in implementation of the Northwest Forest Plan. All Eastern Washington Cascades and Yakima Province Advisory Committee meetings are open to the public. Interested citizens are welcome to attend.

FOR FURTHER INFORMATION CONTACT: Direct questions regarding this meeting to Paul Hart, Designated Federal Official, USDA, Wenatchee National