

would be decommissioned after use associated slash treatment or brush disposal and reforestation activities. This proposal includes reconstruction or improvement of 24 miles of existing roads to provide access to proposed harvest units while improving drainage, improving fish passage, or reducing the potential for sedimentation. Up to 30 miles of existing Forest roads, which have been identified through roads analysis as being no longer needed for administrative purposes, would be decommissioned as part of the proposed action.

The project does not propose to mechanically treat vegetation or construct roads in existing inventoried roadless areas. There is no proposed construction of new permanent roads in the proposed action.

#### Responsible Official

Bruce Bernhardt, Nez Perce National Forest Supervisor, Nez Perce National Forest Headquarters, Rt 2 Box 475 Grangeville, Idaho 83530.

#### Nature of Decision To Be Made

The nature of the decision in attaining the purpose and need is to determine the type and level of silvicultural treatments, and transportation projects needed within the scope of the Nez Perce National Forest Plan, 1987, and to determine a course of action to implement these actions.

#### Scoping Process

This Notice of Intent provides a description of the proposed action for public review and comment. The Forest Service is coordinating efforts with the USDI Bureau of Land Management, the Nez Perce Tribe, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, National Marine Fisheries Service, USDI Fish and Wildlife Service, U.S. Environmental Protection Agency, and other agencies and groups. To generate meaningful dialogue with the public, Nez Perce National Forest staff will issue local press releases and other opportunities for the interested public to meet or discuss the project as it develops.

#### Comment Requested

This notice of intent initiates the scoping process that guides development of the environmental impact statement.

#### Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft environmental impact statement will be prepared for comment. The comment period on the draft

environmental impact statement will be 45 days from the date the Environmental Protection Agency 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 environmental impact statements 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 environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodle*, 803 F.2d 1016, 1022 (9th Cir. 1986) *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 environmental impact statement 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 environmental impact statement 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.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: September 12, 2003.

**Bruce E. Bernhardt**,

*Nez Perce Forest Supervisor.*

[FR Doc. 03-24266 Filed 9-24-03; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Challis and Salmon-Cobalt Ranger Districts, Salmon-Challis National Forest; Idaho; Morgan Creek and Eddy Creek Grazing Allotments Environmental Impact Statement

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The Challis and Salmon-Cobalt Ranger Districts propose to update the livestock grazing plans for the Morgan Creek and Eddy Creek Cattle and Horse grazing allotments. The allotments are located 4 to 28 miles north to northwest of Challis, Idaho.

**DATES:** Comments concerning the scope of the analysis must be received by October 27, 2003. The draft environmental impact statement is expected February 2005 and the final environmental impact statement is expected June 2005.

**ADDRESSES:** Send written comments to Ken Rodgers, Environmental Coordinator, Challis Ranger District, H/C 63, Box 1669, Challis, Idaho 83226.

A public meeting will be conducted at the Challis Ranger District Office, Hwy 93 North, Challis, Idaho on October 8, 2003, starting at 6 p.m.

**FOR FURTHER INFORMATION CONTACT:** Ken Rodgers, Environmental Coordinator, Challis Ranger District, H/C 63, Box 1669, Challis, Idaho 83226, or e-mail [kr Rodgers@fs.fed.us](mailto:kr Rodgers@fs.fed.us).

#### SUPPLEMENTARY INFORMATION:

##### Purpose and Need for Action

This proposal, in part, is to comply with Public Law 104-19, section 504(a): establish and adhere to a schedule for the completion of National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*) analysis and decision on all grazing allotments within the National Forest System unit for which NEPA is needed (Pub. L. 104-19, General Provision 1995). Upon completion of the NEPA analysis and decisions for the allotments, the terms and conditions of existing grazing permits will be modified, as necessary, to conform to such NEPA analysis. In addition, the purpose of the proposed action is to improve range condition and trend and achieve desired conditions within the project area through livestock grazing.

##### Proposed Action

The proposed action is to authorize continued livestock grazing, provide analysis and data to update allotment

management plans (AMPs), and allow permitted livestock grazing that meets or moves existing resource conditions toward desired conditions on national forest grazing allotments while complying with applicable statutes. Adaptive management, which allows flexibility during the implementation of the grazing strategy, would allow managers to make adjustments and corrections to management based on monitoring.

#### Possible Alternatives

No Grazing and No Action alternatives will be analyzed to the proposed action during the NEPA process. The No Grazing alternative would eliminate domestic livestock grazing on allotments. The No Action alternative would allow continued livestock grazing as it is currently being managed. Other alternatives, arising from issues identified through scoping, could be analyzed as well.

#### Responsible Official

Forest Supervisor, Salmon-Challis National Forest, 50 Hwy 93 South, Salmon, ID 83467.

#### Nature of Decision To Be Made

The Forest Supervisor will decide whether to authorize continued livestock grazing on the allotments' suitable rangelands in accordance with the standards in the proposed action or as modified by additional mitigation measures and monitoring requirements.

#### Scoping Process

This analysis is for two grazing allotments. The decision will have limited environmental effects outside the allotment boundaries, and the economic impacts are localized. Scoping will include:

- Review scoping comments from previous efforts
- Publish notice in the Challis Messenger and Salmon Recorder-Herald, the newspapers of record, announcing the public meeting and requesting comments
- Mail scoping letters to interested public and grazing permittees describing the proposed action and preliminary issues
- Conduct public meeting in Challis, Idaho on October 8, 2003
- Notify consulting agencies and request comments
- Publish in the Quarterly Schedule of Proposed Actions (SOPA) notice and mail to interested individuals and groups, and put on the Forest's internet site
- Contact and consult with the Shoshone-Bannock Tribes

A public meeting is scheduled for October 8, 2003, at 6 p.m. at the Challis Ranger District Office, Hwy 93 North, Challis, Idaho.

#### Preliminary Issues

Concerns identified internally and from previous scoping include:

- Riparian and aquatic habitat; fisheries
- Terrestrial plants and animals
- Management Indicator Species; Threatened, Endangered and Sensitive Species
- Soil productivity and water quality
- Effects to other Forest users
- Economics
- Effects on vegetation structure and composition
- Tribal Treaty Rights
- Heritage Resources

#### Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement. Substantive comments and objections to the proposed action will be considered during this analysis.

*Early Notice of Importance of Public Participation in Subsequent Environmental Review:* A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency 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 environmental impact statements 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 environmental impact statement stage but that are not raised until after completion of the final environmental impact statement 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 environmental impact statement 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 environmental impact statement 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.

**Authority:** 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, section 21.

Dated: September 17, 2003.

**Richard E. Hafenfeld,**

*Acting Forest Supervisor.*

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**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Modoc County RAC Meetings

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of Modoc County RAC meetings.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committees Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106-393), the Modoc National Forest's Modoc County Resource Advisory Committee will meet Monday October 6, 2003, from 6 to 8 p.m. in Alturas, California. The meetings are open to the public.

**SUPPLEMENTARY INFORMATION:** Agenda topics for the meeting include approval of the August 11 minutes, review of Modoc County Board of Supervisor's approval of projects for 2003 RAC funds, and reprioritization of projects if needed. The meeting will be held at Modoc National Forest Office, Conference Room, 800 West 12th St., Alturas, California on Monday, October 6, 2003 from 6 to 8 p.m. Time will be set aside for public comments at the beginning of the meeting.