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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Lake Tahoe Basin Management Unit; El Dorado Co., CA, Douglas Co., NV, Alpine Co., CA, Heavenly Mountain Resort Master Plan Amendment, 2006

AGENCY: Forest Service, USDA.

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

SUMMARY: The Department of Agriculture, Forest Service, Lake Tahoe Basin Management Unit, will prepare a Draft Environmental Impact Statement (DEIS) for the Heavenly Mountain Resort Master Plan Amendment, 2006. This update includes operational improvements for more efficient use of existing and proposed ski facilities, better skier dispersal, summer activities and lodge locations. Heavenly Mountain Resort is located within El Dorado and Alpine Co., California, and Douglas Co., Nevada, on the border between California and Nevada, adjacent to the community of Stateline. This Master Plan Amendment is submitted based on the existing 1996 Master Plan as part of Heavenly's special use permit.

DATES: Comments concerning the scope of the analysis must be received by October 3, 2005. The draft environmental impact statement is expected by December 2005 and the final environmental impact statement is expected by June 2006.

ADDRESSES: Send written comments to Janine Clayton, Acting Forest Supervisor, Lake Tahoe Basin Management Unit, 35 College Dr., South Lake Tahoe, California, 96150, email: comments-pacificsouthwest-ltbmu@fs.fed.us.

FOR FURTHER INFORMATION CONTACT: Douglas Ridley, Interdisciplinary Team Leader, Lake Tahoe Basin Management Unit, 35 College Dr., South Lake Tahoe, CA, 96150.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

Alpine skiing is the predominant land use within the Heavenly Management Area. The Master Plan Amendment, 2006 is expected to optimize the quality of skiing based upon annual assessments of the skiing experience. The Forest Plan identifies maintaining a quality ski resort as a desired future condition, thus the Master Plan Amendment, 2006 responds to changes in technology, resort ownership, market trends and user preferences.

Proposed Action

The Heavenly Master Plan Amendment, 2006 is intended to update the existing 1996 Heavenly Ski Resort Master Plan in order to incorporate recommendations from comprehensive studies regarding lift technology, mountain utilization and lodge locations. The DEIS will tier where appropriate from the adopted 1996 Heavenly Ski Resort EIS/EIR. The Master Plan provides for more efficient use of ski facilities and summer activities, a better balance of skiers/riders between lifts and trails, and improvement of facilities within the existing, developed ski area to maximize guest safety and experience.

Possible Alternatives

Alternative 1 is a No Action/No Project alternative. All future development would adhere to projects listed in the existing approved master plan and be subject to all mitigation measures, project limitations and timelines described therein. Alternative 2 is the Proposed Action and is based on updating the 1996 Heavenly Ski Resort Master Plan. The goal is improvement rather than expansion of resort lift technology, facilities and recreation activities. Additional alternatives may differ from the Proposed Action with possible revisions to the North Bowl Express alignment, ski trail design, snowmaking, and relocation of facilities and roads.

Lead and Cooperating Agencies

The USDA Forest Service, Lake Tahoe Basin Management Unit will serve as the lead federal agency. It will produce an Environmental Impact Statement (EIS) that satisfies the requirements of the National Environmental Policy Act (NEPA) and the Tahoe Regional

Planning Agency (TRPA). The TRPA is the lead agency under the Tahoe Regional Planning Compact and will serve as the lead agency for a TRPA EIS. El Dorado County, California will serve as the lead agency for preparation of an Environmental Impact Report (EIR) under the California Environmental quality Act (CEQA). The intention is to produce a joint document meeting the requirements of NEPA, TRPA and CEQA.

Responsible Official

The responsible official is Janine Clayton, Acting Forest Supervisor, Lake Tahoe Basin Management Unit, 35 College Dr., South Lake Tahoe, California, 96150.

Nature of Decision To Be Made

The Forest Service expects that a DEIS will be filed and made available to the public and other commenting entities in December, 2005. Following public comment, a Final Environmental Impact Statement (FEIS) is scheduled to be issued in June 2006 by the Forest Service. The LTBMU expects an insignificant amendment to the Forest Plan.

Scoping Process

A public scoping meeting will be held on Wednesday, September 21 at 7 p.m. at the Lake Tahoe Basin Management Unit's Forest Supervisor's office, 35 College Drive, South Lake Tahoe, California. Scoping will occur on September 14 at the TRPA Advisory Planning Commission meeting at the TRPA Governing Board Rooms, 128 Market Street, Stateline, NV. Scoping will continue at the September 28 TRPA Governing Board meeting at the North Tahoe conference center, 8381 North Lake Blvd., Kings Beach, CA.

Preliminary Issues

During preparation of the Master Plan Amendment 2005 Environmental Assessment, the following issues were identified: The need to prepare a project-level biological evaluation to analyze old growth and wildlife habitat; scenic quality, and project implementation in a stream environment zone. Due to the significance of these issues, it was decided to complete an EIS and not issue a decision under the EA.

Permits or Licenses Required

The TRPA will issue project specific permits for projects and activities within the Lake Tahoe Region, as approved under the Heavenly Mountain Resort Master Plan Amendment.

Comment Requested

This notice of intent initiates the scoping process which guides the 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. 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 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: August 23, 2005.

Tyrone Kelley,

Deputy Forest Supervisor, LTBMU.

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DEPARTMENT OF AGRICULTURE

Forest Service

White River National Forest; and Grand Mesa, Uncompahgre, and Gunnison National Forests; Bull Mountain Natural Gas Pipeline

AGENCY: Forest Service, USDA.

ACTION: Notice of Intent (NOI) to conduct scoping and prepare an Environmental Impact Statement (EIS) for the Bull Mountain Natural Gas Pipeline Project, Delta, Garfield, Gunnison, and Mesa Counties, Colorado.

SUMMARY: SG Interests I, LTD (SGI) of Houston, Texas, has submitted to the White River National Forest, the Grand Mesa, Uncompahgre and Gunnison National Forests, and the Bureau of Land Management (BLM) Glenwood Springs Field Office, a proposal to authorize SGI to construct, operate and maintain a 20-inch pipeline system to transport natural gas from production operations in the Bull Mountain Unit, 21 miles northeast of Paonia, CO, to the existing Divide Creek pipeline system, 10 miles south of Silt, CO, for delivery into interstate natural gas pipeline systems. The proposed pipeline crosses portions of Gunnison, Delta, Mesa, and Garfield Counties, CO. In addition to the natural gas pipeline, an 8-inch water pipeline would be installed in the same trench during the construction operations. The water pipeline would transport produced water from well drilling activities to a commercially available disposal facility at the north end of the pipeline. SGI has submitted a right-of-way application and temporary use are application to the Glenwood Springs Field Office of the BLM, which is the authorizing agency

for natural gas pipelines under the Mineral Leasing Act where the lands are managed by two or more Federal agencies.

Total length of the proposed pipeline is approximately 252.5 miles, starting on private land located in Section 10, T11S, R90W, 21 miles northeast of Paonia, CO, and traversing north approximately 8.2 miles on the Grand Mesa, Uncompahgre and Gunnison National Forests to the White River National Forest boundary. It then continues north for 8.1 miles in the White River National Forest-Rifle Ranger District. From the White River National Forest, it traverses approximately 3.5 miles of BLM, and then crosses onto private lands at Section 5, T8S, R91W (5.6 miles total on private land for entire length), and connects the existing Divide Creek pipeline located in Section 1, T8S, R92W. The proposed pipeline route starts in Gunnison County on the south end, and crosses north through portions of Delta, and Mesa Counties, and ending at the Divide Creek Compressor Station in Section 1, T8S, R92W, Garfield County, CO. The proposed pipeline route follows existing pipeline routes for approximately 44% of the entire length across all land ownerships. On National Forest lands, the proposed pipeline route follows existing pipeline routes for approximately 57% of the total proposed route on National Forest lands. The proposed pipeline deviates from existing pipeline routes for engineering constructability issues or to avoid private land where there have been landowner objections.

In addition to the pipeline proposals, the proposal action includes proposals by the White River National Forest and the Grand Mesa, Uncompahgre and Gunnison National Forests to change the area within and adjacent to the proposed pipeline right-of-way to a "Utility Corridor" management prescription. This would require a Forest Plan amendment for each Forest. These Forest Plan amendments would be considered *non-significant* per Forest Service Manual (FSM) 1922.51-2. "Adjustments of management area boundaries or management prescriptions [that] do not cause significant changes in multiple use goals and objectives for long-term land and resource management." The Plan amendments would place the lands in the appropriate management prescription for utility corridors. This management prescription describes the desired condition, and contains standards and guidelines that are appropriate for utility corridors. The proposed utility corridor management