

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 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).

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of a 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 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 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 EIS. To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be specified as possible.

The final EIS is scheduled to be completed in December 1995. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Sonny O'Neal, Forest Supervisor, Wenatchee National Forest and Dennis Bschor, Forest Supervisor, Mt. Baker-Snoqualmie National Forest are the responsible officials. As responsible officials they will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR Part 217).

Dated: January 25, 1995.

**Sonny O'Neal,**

*Forest Supervisor, Wenatchee National Forest.*

Dated: January 26, 1995.

**Dennis E. Bschor,**

*Forest Supervisor, Mt. Baker-Snoqualmie National Forest.*

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### **Opportunity To Comment on the Preparation of a Draft Environmental Impact Statement To Salvage Fire-Killed Timber on the Almanor Ranger District, Lassen National Forest**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement for the Barkley Fire Salvage.

**SUMMARY:** The Department of Agriculture, Forest Service will prepare an environmental impact statement for a proposal to salvage approximately 2.6 million board feet (MMBF) of fire killed timber on 250 acres within the 44,000 acres burned by the Barkley Fire during September 1994 on the Lassen National Forest, Almanor Ranger District, Tehama County, California. The proposed project area is bordered by private timber land on the north, Deer Creek Canyon on the east, and the Ishi Wilderness to the west. The legal description is Sections 5, 6, 9, and 19 of T.26N., R.3E. M.D.M. The decision to be made is whether to salvage fire-killed timber from the Barkley Fire as proposed, and what mitigation measures will be in effect.

**DATES:** Written comments concerning the scope of the analysis and significant issues should be received by March 6, 1995.

**ADDRESSES:** Send comments about the proposed action and scope of the analysis to: Michael R. Williams, District Ranger, Almanor Ranger District, P.O. Box 767, Chester, California 96020.

**FOR FURTHER INFORMATION CONTACT:** Phil Tuma, District Forest Land Manager, Almanor Ranger District, P.O. Box 767, Chester, California 96020, (916) 258-2141.

**SUPPLEMENTARY INFORMATION:** The proposed fire salvage areas are within the former Polk Springs Roadless Area, which was released to non-wilderness management by the California Wilderness Act of 1984. The Lassen National Forest Land and Resource Management Plan (LRMP) was completed in 1993. The management direction in the LRMP for the proposed

salvage area has management prescriptions of timber and semi-primitive non-motorized.

The proposal is whether or not to implement restoration projects on 250 acres within the Lower Deer Creek Management Area, including salvage timber harvest, fuels treatments and reforestation activities to restore the area to its natural vegetation type, and reduce fuel loading and the associated risk for future catastrophic intensity fires.

Public participation will be especially important at several points during the analysis. The first point is during the scoping process (40 CFR 1501.7). The Forest Service will be seeking information, comments and assistance from Federal, State, and local agencies and other individuals or organizations who may be interested in affected by the proposed action. This input will be used in the preparation of the draft environmental impact statement (DEIS).

The scoping process includes:

1. Identifying potential issues.
2. Eliminating insignificant issues or those which have been covered by a relevant previous environmental analysis.
3. Exploring additional alternatives.
4. Identifying potential environmental effects of the proposed action and alternatives.
5. Determining potential cooperating agencies and task assignments.

A public field trip to the proposed project area will be announced to the public to discuss issues, alternatives, and mitigations.

The following preliminary issues and alternatives have the been developed.

#### *Issues*

(1) Timber harvesting and road construction create soil disturbance which may result in stream sedimentation. Sedimentation may affect water quality, anadromous fisheries habitat, and other aquatic resources. These activities may contribute to existing cumulative watershed effects, occurring from preceding fire impacts and recent salvage logging on private land.

(2) Salvage logging and associated road construction activities could affect the roadless characteristics of the area.

(3) Untreated excess fuels could increase the risk of another catastrophic fire that would damage or destroy resource values on public and private land.

(4) Vegetative biodiversity, viability, and recovery rates may be affected by the proposed projects.

#### *Alternatives*

(1) No Action. No timber salvage or restoration activities are proposed.

(2) This alternative proposes to salvage approximately 2.6 MMBF of fire