

measures and monitoring requirements identified during the course of the analysis.

Scoping Process

The Forest Service will mail information to interested and/or affected parties. Public involvement will be ongoing throughout the analysis process, and public input will be specifically requested at certain times. There are currently no scoping meetings planned.

Preliminary Issues

The following are some potential issues identified through internal Forest Service scoping based on experience with similar projects. We are asking you to help us further refine the existing issues as well as identify other issues or concerns relevant to the Proposed Action. This list is not considered all-inclusive; rather, it should be viewed as a starting point:

- Improper livestock grazing has the potential to affect the following resources as identified by internal scoping:
 - Water quality in streams throughout the District;
 - Habitat for Lahontan Cutthroat trout, a federally-listed species found in the Humboldt River Basin;
 - Heritage resources within the Project Area;
 - Vegetation, including riparian plant communities and aspen stands, which may result in a decline in the long-term productivity of the land base;
 - Wildlife habitat for several species, including mule deer, pygmy rabbits, spotted frogs, northern goshawk, and sage grouse.

Comment Requested

This NOI initiates the scoping process which will guide the development of the EIS. The public is invited to submit comments stating your concerns and issues that are relevant to the proposed project. These comments will be used to help establish the scope of study and analysis for the EIS.

Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft EIS will be prepared for comment. The comment period on the draft EIS will be 45 days from the date that the Environmental Protection Agency (EPA) publishes the notice of availability (NOA) in the **Federal Register**.

The Forest Service believes that, 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 have been 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 so that substantive comments and objections are made available to the Forest Service at a time when it can consider them and respond to them in a meaningful manner within the final EIS.

To assist the Forest Service in identifying and considering issues and concerns regarding the Proposed Action, comments on the draft EIS should be as specific as possible. It is also helpful if the comments refer to specific pages, sections, or chapters of the draft document. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the document. Reviewers may wish to refer to the Council on Environmental Quality (CEQ) Regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA) 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 of 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: October 12, 2005.

Edward C. Monnig,

Acting Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Tri-County Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393) the Beaverhead-Deerlodge National Forest's Tri-County Resource Advisory Committee will meet on Thursday, November 3, 2005, from 4 p.m. to 8 p.m. in Philipsburg, Montana, for a business meeting. The meeting is open to the public.

DATES: Thursday, November 3, 2005.

ADDRESSES: The meeting will be held at the USDA Forest Service office, 88 10-A Business Loop, Philipsburg, Montana.

FOR FURTHER INFORMATION CONTACT:

Bruce Ramsey, Designated Forest Official (DFO), Forest Supervisor, Beaverhead-Deerlodge National Forest, at (406) 683-3973.

SUPPLEMENTARY INFORMATION: Agenda topics for this meeting includes a review of projects proposed for funding as authorized under Title II of Pub. L. 106-393 and public comment. If the meeting location is changed, notice will be posted in local newspapers, including *The Montana Standard*.

Dated: October 11, 2005.

Bruce Ramsey,

Forest Supervisor.

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ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Courthouse Access Advisory Committee; Meeting

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has established an advisory committee to advise the Board on issues related to the accessibility of courthouses covered by the Americans with Disabilities Act of 1990 and the Architectural Barriers Act of 1968. The Courthouse Access Advisory Committee (Committee) includes organizations with an interest in courthouse accessibility. This notice announces the date, times and location of the next Committee meeting, which will be open to the public.

DATES: The meeting of the Committee is scheduled for November 17, 2005 (beginning at 9 a.m. and ending at 5 p.m.) and November 18, 2005