

# Notices

Federal Register

Vol. 71, No. 229

Wednesday, November 29, 2006

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

#### Opal Creek Scenic Recreation Area (SRA) Advisory Council

**AGENCY:** USDA Forest Service, Willamette National Forest.

**ACTION:** Notice of Solicitation for Nominations.

**SUMMARY:** The Willamette National Forest is seeking nominees for eight positions on the Opal Creek Advisory Council. The Council was originally established in June 2000 with 13 members. On April 20, 2007, eight member's terms will expire. Five of the current members will remain on the Council to provide continuity for new members.

The Advisory Council makes recommendations to the Detroit District Ranger on matters relating to the management of the Opal Creek Scenic Recreation Area (SRA).

The Advisory Council is composed of a diverse group of citizens, which allows for sharing of technical knowledge and personal experience. Members represent interests including, but not limited to: Timber industry; environmental organizations; mining industry; land inholders within the Opal Creek Wilderness and SRA; economic development interests; and Indian tribes. Other members serving on the Council as required by the Act represent Marion County, communities within a 25 mile radius of the SRA, State of Oregon, and City of Salem.

Positions to be filled are from timber industry, economic development, Indian Tribes, communities within 25-miles of the SRA, the City of Salem, Marion County, the State of Oregon, and one at-large member. Examples of "at-large" members who may be interested in serving on this Council include recreation interests, adjacent landowner, educators and researchers.

Nominees must be United States citizens, at least 18 years old. Willamette officials will recommend nominees' appointments to the Secretary of Agriculture based on criteria which include:

- (1) Familiarity with the Opal Creek SRA;
- (2) Knowledge and understanding of other cultures;
- (3) Ability to actively participate in diverse team settings;
- (4) Respect and credibility in local communities;
- (5) Past experience working with the government planning processes;
- (6) Demonstrated skill in working toward mutually beneficial solutions to complex issues; and
- (7) Commitment to attending Advisory Council and other meetings.

The basic duties include sharing of technical knowledge and personal experience. Members also represent interests of appropriate groups by (1) generating information necessary for the planning and implementation process from interest groups, and (2) keeping their constituency informed of progress.

**DATES:** Nomination packets should be received by January 8, 2007.

**Address and Contact Information:** People interested in more information or a nomination packet should contact the Detroit Ranger District at 503-854-3366. The nomination packet can also be downloaded from the Opal Creek Advisory Council section of the Willamette National Forest Web site: [www.fs.fed.us/r6/willamette/manage/opalcreek/index.html](http://www.fs.fed.us/r6/willamette/manage/opalcreek/index.html). The nomination packet with original signatures must be sent to: Detroit Ranger District, *Attn:* Opal Creek DFO, HC 73 Box 320, Mill City, OR 97360.

**SUPPLEMENTARY INFORMATION:** Congress established the Opal Creek Wilderness and the Scenic Recreation Areas on November 9, 1998. As outlined in Section 1023 of the Omnibus Parks and Public Lands Management Act of 1996 (Pub. L. 104-333), an Advisory Council has been chartered to serve as a consultant on matters relating to the management of the 13,408-acres Opal Creek Scenic Recreation Area (SRA).

Dated: November 22, 2006.

**Dallas J. Emch,**  
*Forest Supervisor.*

[FR Doc. E6-20202 Filed 11-28-06; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Lake Tahoe Basin Management Unit, California, South Tahoe Greenway Multi-Use Trail Project

**AGENCY:** Forest Service, USDA.

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

**SUMMARY:** The South Tahoe Greenway Multi-Use Trail is a California Tahoe Conservancy (Conservancy) proposed Class I or better trail that will link Meyers, California to Stateline, Nevada, generally following the former Caltrans U.S. Highway 50 Bypass Corridor. The trail will form the backbone of the bike trail network in South Lake Tahoe and line residential and lodging uses to jobs, schools, shopping, and recreation and community areas. The trail implements specific goals and policies of the Tahoe Regional Planning Agency (TRPA), the USDA Forest Service Lake Tahoe Basin Management Unit (USFS), and Conservancy to provide a non-motorized alternative transportation corridor through South Lake Tahoe. Approximately 0.5 mile of the trail corridor will cross National Forest lands in approximately six locations.

**DATES:** Comments concerning the scope of the analysis must be received by December 20, 2006. The Draft Environmental Impact Statement (DEIS) is expected by summer 2007 and the Final Environmental Impact Statement (FEIS) is expected by fall/winter 2007.

**ADDRESSES:** Send written comments to: Ray Lacey, Program Coordinator, California Tahoe Conservancy, 1061 Third Street, South Lake Tahoe, California, 96150, e-mail: [rlacey@tahoecons.ca.gov](mailto:rlacey@tahoecons.ca.gov).

**FOR FURTHER INFORMATION CONTACT:** Matt Dickinson, NEPA Coordinator, Lake Tahoe Basin Management Unit, 35 College Drive, South Lake Tahoe, CA 96150, [Mattdickinson@fs.fed.us](mailto:Mattdickinson@fs.fed.us), (530) 543-2769; or Lisa O'Daly, Recreation Program Manager, Tahoe Regional Planning Agency, P.O. Box 5310, 128 Market Street, Stateline, NV 89449, [lodaly@trpa.org](mailto:lodaly@trpa.org), (775) 589-5242.

**SUPPLEMENTARY INFORMATION:** *Purpose and need for action:* Complete accessible and continuous multi-use trail from the existing Class I trail in Meyers, California to Stateline, Nevada

that establishes a convenient non-auto transportation alternative and high quality recreational experience for residents and visitors. The South Shore roadway network suffers from excessive traffic congestion and the resulting degradation of air quality. The South Shore also lacks continuous Class I facilities for bicycles and pedestrians that provide high quality recreational opportunities. The Tahoe Regional Planning Agency (TRPA) Regional Transportation Plan/Air Quality Plan identifies the unconstructed State Route 50 right-of-way as an opportunity for development of a portion of the bicycle and pedestrian network to reduce dependence on private autos and improve air quality.

**Proposed action:** The Conservancy is proposing to construct a 9.6-mile long multi-purpose trail that will provide residents and visitors with a non-motorized, alternative transportation corridor from Meyers, California (near the intersection of U.S. Highway 50 and Pioneer Trail) to Stateline, Nevada (near the proposed Van Sickle Bi-State Park). The South Tahoe Greenway Multi-Use Trail will generally follow the former Caltrans U.S. Highway 50 Bypass Corridor and will also utilize other publicly (including National Forest) and privately owned lands.

**Possible alternatives:** Potential alternatives include the following: (1) Use of the new El Dorado County Sawmill Trail (located west of U.S. Highway 50) from Meyers to the intersection of Meadowvale or Elks Club and U.S. Highway 50; (2) Use of the U.S. Highway 50 corridor from Pioneer Trail to near Kyburz Avenue, bending around the north side of the Lake Tahoe Airport and crossing back east toward the South Tahoe Greenway Multi-Use trail corridor through Barton Meadow and over the Upper Truckee River on private property; (3) Use of alternative trail design measures (e.g., boardwalks, bridges, porous paving materials) to reduce or eliminate effects to sensitive resources; (4) Use of Pioneer Trail right of way from the South Tahoe Greenway Multi-Use Trail's crossing location at Pioneer Trail to Ski Run Boulevard, then using Ski Run Boulevard, connecting back to the South Tahoe Greenway; (5) Use of Pioneer Trail right-of-way from Ski Run Boulevard to the trail's terminus at U.S. Highway 50; and (6) maximize use of the former U.S. Highway 50 bypass right-of-way in the Sunset Stables project area located east of the Lake Tahoe Airport by locating the trail in the eastern-most forested area of the Sunset Stables project and at a higher elevation to allow for greater flexibility during future Conservancy

design of the Sunset Stables river restoration project.

**Lead, Joint Lead, and Cooperating Agencies:** The Conservancy is planning to construct the South Tahoe Greenway Multi-Use Trail. The Conservancy, USFS, and TRPA are preparing a joint Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) to inform agency decision makers about the potential environmental effects of the project. This joint document will serve as an EIR prepared by the Conservancy (lead CEQA agency) pursuant to the California Environmental Quality Act (CEQA); an EIS prepared by the USFS (lead federal agency) pursuant to the National Environmental Policy Act (NEPA); and an EIS prepared by TRPA pursuant to its regulations.

**Responsible Official and Mailing Address:** For Forest Service Decision, Terri Marceron, Forest Supervisor, Lake Tahoe Basin Management Unit, 35 College Drive, South Lake Tahoe, CA 96150 is the responsible official.

**Decision to Be Made:** The decision to be made is whether to construct a Class I trail on approximately 1/2 mile of National Forest System land in conjunction with construction of a Class I trail along the U.S. Highway 50 right-of-way as described in the proposed action, to implement another combination of activities which meets the purpose and need for action, or to take no action at this time.

**Scoping Process:** Public scoping began with the publication of this Notice of Intent in the **Federal Register**. Notice of the preparation of the environmental documentation is also being published in a local newspaper (Tahoe Daily Tribune) and mailed to adjacent property owners. Public scoping opportunities with agency staff will be provided on the following dates: The City of South Lake Tahoe will provide an opportunity for public input at their Council hearing on Tuesday, November 28 beginning at 9 a.m. at the Lake Tahoe Airport, 1901 Airport Road, South Lake Tahoe, CA; and the TRPA will hold a public scoping hearing before their Hearings Officer on December 14 beginning at 2 p.m. at the TRPA offices, 128 Market Street, Stateline, NV. The Forest Service will accept comments at these public meetings.

**Preliminary Issues:** During preparation of the Multi-Use Trail Preliminary Concept Plans, the following issues were identified: Disturbance of stream environment zone and the Upper Truckee River floodplain from new trail construction; potential water quality degradation from runoff

and erosion from new trail creation; wildlife habitat environmental effects from direct habitat removal and potential habitat degradation from increased visitation to the project area; effects to sensitive vegetation communities and loss of "old growth" trees as defined by the TRPA Code of Ordinances; effects to scenic quality along scenic highways and at the Pioneer Trail roadway crossing; conflicts (e.g., public safety and traffic flow) with vehicular circulation in neighborhood areas and at roadway intersections; consistency with public safety plans and policies, such as the Lake Tahoe Airport Comprehensive Land Use Plan; consistency with the Lake Tahoe Basin Management Unit Forest Plan; and consistency with the goals of the Conservancy Sunset Stables Restoration and Resource Management Plan Project.

**Identification of Permits or Licenses Required:** The TRPA, California Department of Fish and Game, U.S. Army Corps of Engineers and California Regional Water Quality Control Board, Lahontan Region may issue project specific permits for trail segments within the Lake Tahoe Region.

**Comment Requested:** This notice of intent initiates the scoping process that guides the development of the environmental impact statement. The Forest Service would like to know the views of interested persons, organizations, and agencies as to the scope and content of the information to be included and analyzed in the DEIS. Agencies should comment on the elements of the environmental information that are relevant to their statutory responsibilities in connection with the proposed alternatives. Comments must be received by December 20, 2006.

**Person to Which Comments may be Mailed:** Send written comments to: Ray Lacey, Program Coordinator, California Tahoe Conservancy, 1061 Third Street, South Lake Tahoe, California, 96150, e-mail: [rlacey@tahoecons.ca.gov](mailto:rlacey@tahoecons.ca.gov).

**Early Notice of Importance of Public Participation in Subsequent Environmental Review:** There will be additional opportunities to comment on this project in addition to this scoping period. When the DEIS is released there will be a 45 day comment period from the date the Environmental Protection Agency publishes the notice of availability of the DEIS 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 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 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: November 21, 2006.

**Nancy J. Gibson,**

*Acting Deputy Forest Supervisor, Lake Tahoe Basin Management Unit.*

[FR Doc. 06-9444 Filed 11-28-06; 8:45 am]

**BILLING CODE 3410-05-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108-447)

**AGENCY:** Willamette National Forest, USDA Forest Service.

**ACTION:** Notice of Proposed New Fee Sites.

**SUMMARY:** The Willamette National Forest is planning to charge fees at six recreation sites. All sites have recently been reconstructed or amenities are being added to improve services and experiences. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, market assessment, and public comment.

The fees listed are only proposed and will be determined upon further analysis and public comment. Funds from fees would be used for the continued operation and maintenance of these recreation sites.

Gold Butte and Timber Butte Lookouts will be available for overnight rental. A financial analysis is being completed to determine the rental fee but may range between \$40 and \$80 per night. Lookout rentals offer a unique experience and are a widely popular offering on National Forests. Gold Butte was recently resorted to maintain the lookout's eligibility to the National Register of Historic Places. Fees would continue to help protect and maintain lookouts and their historic integrity.

The fee structure at Harralson Horse Camp would change from the required Recreation Pass to a \$10 per campsite for overnight use. A fee of \$5 per additional vehicle would be required per campsite. Recreation passes such as the Northwest Forest Pass would continue to cover day use fees at the trailhead. Additional amenities are proposed for the facility and may include hitching rails, additional corrals and campsites, and a water system. Improvements allow visitors with horses to safely secure their stock while protecting area resources from degradation.

Elk Lake Campground is currently a fee free site. Improvements are being made including designating up to 17 campsites, installing fire rings, picnic tables and adding garbage service. Three new toilets were installed last year. Improvements will address sanitation and safety concerns, and improve deteriorating resource conditions and recreation experiences. A financial

analysis is being completed to determine fee rates. The proposed fee to help maintain this site would range between \$6 and \$8 a campsite, \$12-\$16 for a double site, and \$5 per one additional vehicle per campsite.

Whitewater Trailhead would be re-established as a fee site since amenities such as toilets and garbage service have been added, and interpretive signing is being developed for this site. Recreation Passes such as the Northwest Forest Pass would cover day use fees for this trailhead. Northwest Forest Passes are \$5 for a daily pass and \$30 for an annual pass. The Forest Service proposes to continue charging a \$5 per vehicle fee at Upper Arm Day Use Site from October through March. This newly constructed picnic site and formal swimming area opened in June of 2006, and is operated by Santiam Recreation under a concessionaire special use permit from April through September. The concessionaire currently charges a \$5 per vehicle fee during the operating season of their permit.

**DATES:** New fees would begin after May 2007 and contingent upon completion of certain improvements. The lookout rentals would be available once a final decision is made and is listed with the National Recreation Reservation Service.

**ADDRESSES:** Dalles Emch, Forest Supervisor, Willamette National Forest, 211 East 7th Avenue, Eugene, Oregon 97401.

**FOR FURTHER INFORMATION CONTACT:** Dani Pavoni, Recreation Fee Coordinator, 503-854-4208. Information about proposed fee changes can also be found on the Willamette National Forest Web site: <http://www.fs.fed.us/r6/willamette/recreation/index.html>.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation. People wanting to rent Gold Butte or Timber Butte Lookouts would need to do so through the National Recreation Reservation Service, at [www.reserveusa.com](http://www.reserveusa.com) or by calling 1-877-444-6777 when it becomes available.