

# Notices

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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

#### Black Hills National Forest, Mystic Ranger District, South Dakota, Pactola Project Area

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Forest Service will prepare an environmental impact statement on a proposal to use multiple vegetation treatments focused on reducing the threat to ecosystem components including forest resources from an existing insect and disease epidemic (mountain pine beetle), creating a landscape condition more adapted to fire and that reduces potential for high severity wildfire near at-risk communities and in the wildland-urban interface. The proposal is being planned for the 26,017 acre Pactola Project Area that includes about 24,863 acres of National Forest System land and about 1,154 acres of interspersed private land. The project area lies west of Pactola Lake and approximately 10 miles west of Rapid City, SD. This project will be conducted as an authorized project under Section 102 of the Healthy Forests Restoration Act of 2003 (HFRA). Actions proposed for the Pactola Project Area include the following:

- Thin and harvest approximately 8,566 acres of pine stands using a variety of methods to treat mountain pine beetle (MPB) infested stands, reduce the overall density of pine trees and create a mosaic of structural stages across the landscape. Both commercial harvest and non-commercial thinning will be used to reduce the stand density, and associated fuel hazard conditions and susceptibility to mountain pine beetle infestations.
- Reduce the amount of fuels that currently exists and that created by

vegetation treatment activities. Treatment could include lopping, chipping, crushing, piling and burning, and creating fuel breaks along roads and adjacent to private property, particularly those properties with houses and subdivisions. Prescribed broadcast and pile burning of up to 5,037 acres is also planned to disrupt the continuity of surface and canopy fuels, and to increase the quantity and quality of forage for big game and other wildlife resources.

- Remove conifers from hardwood stands such as aspen and birch, and restore meadows on approximately 1,562 acres to provide habitat diversity and additional wildfire protection by enhancing natural fuel breaks.
- Use of existing road templates with less than two miles of new construction.

**DATES:** Comments concerning the scope of the analysis would be most useful if received by 30 days following the date of this notice. The draft environmental impact statement is expected to be available for public review by November 2010 and the final environmental impact statement is expected to be completed by March 2011.

**ADDRESSES:** Send written comments to Robert J. Thompson, District Ranger, Black Hills National Forest, Mystic Ranger District, Pactola Project Area, 8221 South Highway 16, Rapid City, South Dakota 57702. Telephone Number: (605) 343-1567. E-mail: [comments-rocky-mountain-black-hills-mystic@fs.fed.us](mailto:comments-rocky-mountain-black-hills-mystic@fs.fed.us) with "Pactola" as the subject. Electronic comments must be readable in Word, Rich Text or PDF formats.

**FOR FURTHER INFORMATION CONTACT:** If you have any questions or need additional information, please contact Katie Van Alstyne, Team Leader or Robert J. Thompson, District Ranger, at the Mystic Ranger District office in Rapid City at (605) 343-1567.

**SUPPLEMENTARY INFORMATION:** The actions proposed are in direct response to management direction provided by the Black Hills National Forest Land and Resource Management Plan (Forest Plan). The site specific actions are designed, based on Forest Plan Standards and Guidelines, to move existing resource conditions in the Pactola Project Area toward meeting Forest Plan Goals and Objectives. The project area lies west of Pactola Lake

and approximately 10 miles west of Rapid City, SD. Anticipated issues include: reducing MPB infestation and risk; protecting local communities, private and public lands, infrastructure and access from severe wildfire; associated fire and fuels hazard reduction needs in the wildland-urban interface; support or opposition to forest thinning using commercial timber harvest; impacts of vegetation treatment and multiple forest uses on wildlife habitat. The range of alternatives analyzed in the EIS is expected to be consistent with Sec. 104 of HFRA.

#### Purpose and Need for Action

The purpose of the Pactola Project is to:

- Move toward achieving desired land and resource conditions, as provided by the Forest Plan.
- Reduce the threat to ecosystem components including forest resources, from the existing insect and disease (mountain pine beetle) epidemic.
- Restore resource conditions to a healthy, resilient fire-adapted ecosystem.
- Help protect local communities and resources from catastrophic wildfire.

This project is focused on implementing management actions that move toward achieving:

- Desired conditions and objectives embodied in Goals 2, 3, 7, and 10 of the Forest Plan (as amended).
- Goals and objectives applicable to Forest Plan Management Area (MA) 2.2—Research Natural Areas (~548 acres); MA 3.7—Late Successional Forest Landscape (~1,268 acres); MA 5.1 Resource Production Emphasis (~5,755 acres); MA 5.3A; MA 5.4—Big Game Winter Range Emphasis (~12,201 acres); and MA 8.2 Developed Recreation Complexes (~5,071 acres), that lie within Pactola Project Area, described in Chapter III of the Forest Plan (Phase II Amendment).

• Goals of the Healthy Forest Restoration Act (HFRA) of 2003 (HR 1904) and other National level initiatives and policy that provide procedural tools to hasten processes focused on reducing insects or disease on public and adjacent private lands, and reducing the probability and occurrence of severe wildfire in the fire adapted ecosystems, especially near at risk communities and in the wildland-urban interface. Moreover, it is appropriate that proposed actions be

designed in consideration of the fuels hazard reduction management recommendations and guidelines provided by the Pennington County Community Wildfire Protection Plan of 2007.

#### Proposed Action

Proposed actions include the following:

- Thin and harvest approximately 8,556 acres of pine stands using a variety of methods to treat MPB infested stands, reduce the overall density of pine trees and create a mosaic of structural stages across the landscape. Both commercial and non-commercial sized trees would be removed utilizing multiple contracts including stewardship, timber sale, and service contracts.
- Disrupt the continuity of surface and canopy fuels to help reduce the potential for large-scale, intense wildfire spread. Treatment could include thinning, lopping, chipping, crushing, piling, and burning; restoring natural fuel breaks by removing conifers that have encroached upon meadows and hardwood stands on approximately 1,562 acres; creating fuel breaks along roads and adjacent to private property—particularly those properties with houses and subdivisions. Prescribed broadcast and pile burning of up to 5,037 acres is also planned to reduce the natural, as well as the management-caused accumulation of fuels and to benefit big game and other wildlife resources.
- Use of existing road templates with less than two miles of new construction.

#### Responsible Official

Robert J. Thompson, District Ranger, Mystic Ranger District, Black Hills National Forest, 8221 South Highway 16, Rapid City, South Dakota 57702

#### Nature of Decision To Be Made

The decision to be made is whether or not to implement the proposed action or possible alternative at this time.

#### Scoping Process

Comments and input regarding the proposal will be received via direct mailing from the public, other groups, and agencies during the initial public comment period in August 2010. If you would like to be more involved, a public meeting is scheduled for Tuesday, August 24, 2010, from 7 p.m. to 9 p.m. at the Silver City Community Hall, Silver City, South Dakota. Comments submitted based on this NOI will be most useful if received within 30 days from the date of this notice. Response to the draft EIS will be sought from the

interested public beginning in November 2010.

#### Comment Requested

This notice of intent provides information that the agency will prepare an environmental impact statement in response to public comment and feedback during the August 2010, scoping period. Comments received will assist the planning team to develop the mailing list for the draft EIS and help identify key issues and opportunities used to refine the proposal or possible alternative and mitigation measures. Comments on the DEIS will be requested during the 45 day comment period following the Notice of Availability, expected to be published in the **Federal Register** in November 2010 (See discussion below).

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

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.

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

Dated: July 27, 2010.

**Craig Bobzien,**

*Forest Supervisor, Black Hills National Forest.*

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**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Announcement of Grant Application Deadlines and Funding Levels for the Assistance to High Energy Cost Rural Communities

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Notice of funding availability (NOFA).

**SUMMARY:** The Rural Utilities Service (RUS), an agency of the United States Department of Agriculture (USDA), announces the availability of \$15.5 million in Fiscal Year 2010 for competitive grants to assist communities with extremely high energy costs. This grant program is authorized under section 19 of the Rural Electrification Act of 1936 (RE Act) (7 U.S.C. 918a) and program regulations at 7 CFR Part 1709. The grant funds may be used to acquire, construct, extend, upgrade, or otherwise improve energy generation, transmission, or distribution facilities serving communities in which the average residential expenditure for home energy exceeds 275 percent of the national average. Eligible applicants include persons, States, political subdivisions of States, and other entities organized under State law. Federally-recognized Indian Tribes and Tribal entities are eligible applicants. This notice describes the eligibility and application requirements, the criteria that will be used by the Agency to award funding, and information on how to obtain application materials. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 10.859. You may obtain the Application Guide and materials for the Assistance to High Energy Cost Rural Communities Grant Program via the Internet at the following Web site: <http://www.usda.gov/rus/electric/hecgp/index.htm>. You may also request the Application Guide and materials from RUS by contacting the individual listed