

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

Supplement to the Final Environmental Impact Statement for the Summit Fire Recovery, Malheur National Forest, Grant County, Oregon

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to supplement a final environmental impact statement.

SUMMARY: The USDA, Forest Service, will prepare a supplement to the final environmental impact statement (EIS) for the Summit Fire Recovery on the Long Creek Ranger District of the Malheur National Forest. The final EIS and Record of Decision for the Summit Fire Recovery were released by Forest Supervisor F. Carl Pence in October 1997 [Notice of Availability, October 10, 1997, (62 FR 52998)]. A review of the existing environmental analysis specific to riparian habitat conservation areas, management indicator species, and water quality within the Summit Fire project area revealed new environmental information. This information will be documented as a supplement to the existing analysis.

DATES: Written comments are due March 6, 1998.

ADDRESSES: Send written comments and suggestions concerning the scope of this supplemental analysis to Doug V. Robin, District Ranger, P.O. Box 849, John Day, Oregon 97845.

FOR FURTHER INFORMATION CONTACT: Acting Deputy Forest Supervisor Dave Craig, P.O. Box 909, John Day, OR 97845 or District Ranger Doug Robin, P.O. Box 849, John Day, OR 97845 (phone: 541-575-3000).

SUPPLEMENTARY INFORMATION: The purpose of the supplement is to evaluate new information available to the Forest Service with regard to riparian habitat conservation areas (RHCA), management indicator species (MIS), soils, roadless area character, and water

quality. Alternatives in the final EIS will include at least one new alternative which will be considered in light of the new information.

A draft supplement will be prepared and circulated for comment. Comments received on the draft supplement EIS will be considered in the preparation of the final EIS. The draft supplement is expected to be available for public review and comment in March 1998.

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 the supplemental 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*, 436 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft supplement EIS stage, but that are not raised until completion of the final EIS, may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1002 (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 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 supplement EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft supplement. Comments may also address the adequacy of the supplement 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 final EIS is scheduled for completion by Summer 1998. In the final EIS, the Forest Service is required to respond to substantive comments

received during the comment period for the draft supplement. Forest Supervisor F. Carl Pence is the Responsible Official. He will decide which, if any, of the alternatives will be implemented. His decision and rationale for the decision will be documented in the Record of Decision, which will be subject to Forest Service Appeal Regulations (36 CFR 215).

Dated: February 11, 1998.

F. Carl Pence,

Forest Supervisor.

[FR Doc. 98-4287 Filed 2-19-98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of application to amend certificate.

SUMMARY: The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review. This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Morton Schnabel, Acting Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.