

Building, 6505 Belcrest Road,
Hyattsville, MD 20782, 301-436-7767.

SUPPLEMENTARY INFORMATION:

The regulations governing the interstate movement of swine because of pseudorabies (9 CFR part 85) set forth provisions for using approved differential pseudorabies tests for determining the disease status of herds of swine. The regulations state that approved differential pseudorabies tests may be conducted only in laboratories approved by the Administrator, and that a notice listing laboratories approved to conduct these tests will be published in the *Federal Register*.

This notice lists all laboratories approved, as of January 6, 1992, to conduct the HerdChek® anti-pseudorabies virus glycoprotein I enzyme-linked immunosorbent assay (HerdChek® test). The IDEXX HerdChek® Pseudorabies Virus gpi Antibody Test Kit is approved for use with official gene-altered pseudorabies vaccines manufactured by Syntovet, Inc. (gpi- and gpX-Deleted PRV-Markergold), Solvay Veterinary, Inc. (gpi), Boehringer-Ingelheim Animal Health, Inc. (gpi), and Norden Laboratories (gpi).

The following is a complete list of laboratories approved to perform the HerdChek® Pseudorabies Virus gpi Antibody Test:

Illinois

Illinois Department of Agriculture Animal Disease Laboratory, Galesburg, IL.

Indiana

Purdue University Animal Disease Diagnostic Laboratory, West Lafayette, IN.

Iowa

Iowa State University Veterinary Diagnostic Laboratory, Ames, IA.

Michigan

Michigan Department of Agriculture Laboratory, East Lansing, MI.

Minnesota

University of Minnesota Department of Veterinary Diagnostic Investigations, St. Paul, MN.

Nebraska

University of Nebraska Veterinary Diagnostic Center, Lincoln, NE.

North Carolina

Rollins Animal Disease Diagnostic Laboratory, Raleigh, NC.

Ohio

Ohio Department of Agriculture Animal Disease Diagnostic Laboratory, Reynoldsburg, OH.

South Dakota
South Dakota State University Animal Disease Research and Diagnostic Laboratory, Brookings, SD.

Authority: 21 U.S.C. 111, 112, 113, 115, 117, 120, 121, 123-126, 134b, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

Done in Washington, DC, this 6th day of April 1992.

Robert Melland,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92-8311 Filed 4-9-92; 8:45 am]

BILLING CODE 3410-34-M

Forest Service

Restoration Plan for the Exxon Valdez Oil Spill Area, Prince William Sound, Gulf of Alaska, and Alaska Peninsula, Alaska

AGENCY: Forest Service, USDA.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement

SUMMARY: The Department of Agriculture, Forest Service will be the lead Federal Agency for the Trustee Council in the preparation of a programmatic Environmental Impact Statement (EIS) for the development of a Restoration Plan following the March 24, 1989, Exxon Valdez oil spill. The responsible official for the preparation of the EIS is the Regional Forester, Michael A. Barton. The Restoration Plan will establish management direction and guide all natural resource restoration activities for the next 10 years.

Activities will be conducted within the area affected by the Exxon Valdez oil spill.

DATES: Initial comments concerning the proposed development of a Restoration Plan should be received by June 4, 1992.

ADDRESSES: Send written comments to Dave Gibbons, Acting Administrative Director, Restoration Team, 645 G Street, Anchorage, Alaska, 99501.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and EIS should be directed to Ken Rice, Deputy Natural Resource Manager, Restoration Team, 645 G Street, Anchorage, Alaska, 99501; phone (907) 278-8012.

SUPPLEMENTARY INFORMATION:

A. Introduction

On October 8, 1991, a federal court approved settlement between the State and Federal governments and Exxon under which Exxon will pay slightly over \$1 billion in criminal restitution and civil damages to the governments. The State and Federal Trustees will receive \$900 million in civil damages

from Exxon over the next 10 years. The funds are to be used to restore the environment of the areas affected by the Exxon Valdez oil spill to its pre-spill condition. This includes the restoration of any natural resource injured, lost or destroyed and the services provided by that resource or which replaces or substitutes for the injured, lost or destroyed resource and affected services.

All decisions about restoration and uses of restoration funds are determined by six natural resources Trustees, three Federal and three State. The three Federal Trustees are: The Administrator for the National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the Secretaries of the Department of Agriculture and of the Interior. The three State Trustees are: The Commissioners of Fish and Game and Environmental Conservation, and the Attorney General. A Trustee Council, located in Alaska, which is made up of designees of the Federal Trustees and the three State Trustees, is responsible for all decisions relating to the assessment of injuries, uses of the restoration funds, and all restoration activities including the preparation of a Restoration Plan. The Restoration Plan will provide management direction for restoration by identifying restoration goals, objectives and policy guidelines for conducting restoration activities. The Trustees will prepare a programmatic EIS on the proposed Restoration Plan.

B. Possible Restoration Alternatives

Six possible restoration alternatives that may be considered in the proposed Restoration Plan and analyzed in the EIS include:

1. No-Action

This alternative would rely upon the natural recovery process to restore the ecosystem. Monitoring would assess whether natural recovery is proceeding as anticipated.

2. Human Use Management

This alternative uses Federal and State management authorities (statutes and regulations) to modify human uses of resources or habitats. The goal is to reduce mortality or stress on injured resources and to accelerate their recovery.

3. Manipulation of Resources

This approach includes measures taken directly, usually on-site, to rehabilitate or replace an injured species population, restore a damaged

habitat or enhance services provided by a damaged resource.

4. Habitat Protection and Acquisition

This approach includes changes in management practices on public or private lands and creation of "protected" areas on existing public lands in order to prevent further damage to resources injured by the Exxon Valdez oil spill. Going beyond land management practices, there are options that involve the acquisition of damaged habitats or property rights short of title, in order to protect strategic wildlife, fisheries habitat or recreation sites.

5. Acquisition of Equivalent Resources

"Acquisition of equivalent resources means to compensate for an injured, lost, or destroyed resource by substituting another resource that provides the same or substantially similar services as the injured resource" (56 FR 8899 [March 1, 1991]). Restoration approaches, such as the manipulation of resources and habitat protection and acquisition, can be implemented on an equivalent-resource basis.

6. Combination Alternatives

Each of the alternatives above may be considered strictly in its own right or mixed in any number of ways, depending on priorities and methods.

Further information regarding the possible restoration alternatives is included in the Exxon Valdez Oil Spill Restoration, Volume I: Restoration Framework, which will be published in April, 1992.

C. Scoping and Issue Development

With publication of this Notice of Intent, the Trustees are continuing a process intended to identify those issues that need to be addressed in preparing the Draft EIS (DEIS) and Draft Restoration Plan. Under the National Environmental Policy Act, this process is called "scoping." The results of the scoping process will guide the preparation of the Draft Restoration Plan and DEIS. During the scoping process the Trustees will seek information, comments, and assistance from Federal, State and local agencies, and other individuals or organizations who may be interested in, or affected by restoration. Public scoping meetings will be held in local communities during April and May 1992. The Exxon Valdez Oil Spill Restoration, Volume I, Restoration Framework, is intended to serve as a scoping document. It provides information about restoration planning to date, a summary of injuries to natural resources, proposed injury criteria and criteria for evaluating restoration

options and alternatives. Public meetings will be held in October 1992 in local communities following publication of the DEIS.

D. Expected Time for Completion

A DEIS should be filed with EPA in September 1992 and the final EIS should be filed in February 1993. The Trustees will consider the comments, responses, disclosure of environmental consequences, and applicable laws, regulations and policies in making decisions regarding restoration.

E. Comments

The comment period on the DEIS will be 45 days from the date the notice of availability appears in the Federal Register. It is very important that those interested in this proposed action participate at that time. To be most helpful, comments on the DEIS statement should be as specific as possible, and may address the adequacy of the statement or the merits of the alternatives discussed. (See the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.03).

In addition, Federal court decisions have established that reviewers of DEIS 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 concerns.

Vermont Yankee Nuclear Power Corp. v. NRDC. 435 U.S. 519, 553 (1978).

Environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final EIS. *Wisconsin Heritage, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). The reason for this is to ensure that substantive comments and objectives are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final.

Dated: April 1, 1992.

Michael A. Barton,

Regional Forester.

[FR Doc. 92-6268 Filed 4-9-92; 8:45 am]

BILLING CODE 3410-11-M

Exxon Valdez Oil Spill Restoration, Volume I: Restoration Framework, Volume II: 1992 Draft Work Plan

ACTION: Availability of the 1992 Draft Work Plan and Restoration Framework Documents for the Exxon Valdez oil spill.

SUMMARY: This notice announces that the 1992 Draft Work Plan and Restoration Framework Documents ("1992 Documents") are now available for public review and comment. Responses to the public comments received concerning the 1991 State/Federal Natural Resource Damage Assessment and Restoration Plan for the Exxon Valdez Oil Spill are also available. The Regional Forester for the Alaska Region Michael A. Barton, is acting on behalf of the Trustee Council in releasing this notice.

DATES: Comments concerning the 1992 Documents must be received by June 4, 1992.

ADDRESSES: Copies of the 1992 Documents may be received by contacting the Trustee Council, 645 G Street, Anchorage, AK, 99501. All comments must be written and submitted to: Trustee Council, 645 G Street, Anchorage, AK, 99501.

FOR FURTHER INFORMATION CONTACT: The Oil Spill Public Information Center at the following telephone numbers: (907) 278-8008; In Alaska toll free 1-800-478-7745; Outside Alaska toll free 1-800-283-7745.

SUPPLEMENTARY INFORMATION: In October, 1991, the Federal Government and the State of Alaska agreed to a settlement for injuries resulting from the rupture of the T/V Exxon Valdez and the discharge of approximately 11 million gallons of North Slope crude oil into Prince William Sound and the Gulf of Alaska. The natural resources Trustees for the State, the Commissioners of the Departments of Fish and Game and Environmental Conservation and the Alaska Attorney General, and for the Federal Government, the Secretaries of Agriculture and the Interior and the Administrator of the National Oceanic and Atmospheric Administration will receive \$900 million in civil damages over the next ten years to be used to restore the environment of the areas affected by the Exxon Valdez oil spill to its prespill condition. A Trustee Council located in Alaska, which is comprised of the Federal Trustees' designees and the State Trustees, are responsible for all decisions relating to the assessment of injuries, uses of the funds received for restoration, and all restoration activities, including the preparation of a Restoration Plan. The Trustee Council is continuing a process intended to identify issues that need to be addressed in preparation of the Restoration Plan. To further this process, the Restoration Framework provides information about restoration planning to date, a summary

public for comment in February of 1994. The final EIS and its Record of Decision is expected in May of 1994. The decision will be appealable under Forest Service regulations found at 36 CFR part 215.

The comment period for the draft EIS will be 45 days from the date the Environmental Protection Agency's notice of availability appears in the **Federal Register**. The public will also be informed of the availability of the DEIS by news releases issued to the media in the Lake Tahoe region. It is very important that those interested in this proposed action participate at that time. To be the most helpful, comments on the draft EIS should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (see the Council on Environmental Quality Regulations for implementing the procedural provisions of NEPA at 40 CFR 1503.3).

In addition, Federal court decisions have established that reviewers of draft EIS' must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final EIS. *City of Angoon v. Hodel*, (9th Circuit, 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). The reason for this is to ensure that substantive comments and objections are made available for the Forest Service at a time when it can meaningfully consider them and respond to them in the final.

Dated: January 4, 1994.

John R. Swanson,
Acting Forest Supervisor.

[FIR Doc. 94-917 Filed 1-13-94; 8:45 am]

BILLING CODE 3410-11-M

Restoration Plan for the Exxon Valdez Oil Spill Area, Prince William Sound, Gulf of Alaska, and Alaska Peninsula, AK

AGENCY: Forest Service, USDA.

ACTION: Revised notice of intent to prepare an Environmental Impact Statement.

SUMMARY: On April 10, 1992 (57 FR 12473-12475) on behalf of the Exxon Valdez Trustee Council, the Department of Agriculture, Forest Service published a Notice of Intent to prepare a programmatic Environmental Impact Statement (EIS) for the development of

a Restoration Plan following the March 24, 1989, Exxon Valdez oil spill. This notice revises the dates for completion of the Draft and Final EIS and provides more information on the proposed action. The responsible official for the preparation of the EIS is the Regional Forester, Michael A. Barton. The Restoration Plan will establish management direction and guide all natural resource restoration activities covered by the civil settlement to the Exxon Valdez oil spill.

DATES: Initial comments concerning the proposed development of a Restoration Plan should be received by February 7, 1994.

ADDRESSES: Send written comments to or for further information contact Rod Kuhn, EIS Project Manager, 645 G Street, Anchorage, Alaska, 99501; phone (907) 278-8012.

SUPPLEMENTARY INFORMATION:

A. Introduction

On October 8, 1991, a federal court approved settlement between the State and Federal governments and Exxon under which Exxon will pay \$1 billion in criminal restitution and civil damages to the governments. The State and Federal Trustees will receive \$900 million in civil damages from Exxon over the 10 years. The funds are to be used to restore to their pre-spill condition the natural resources and the services they provide, that were injured by the Exxon Valdez oil spill. This includes the restoration of any natural resource injured, lost or destroyed and the services provided by that resource or which replaces or substitutes for the injured, lost or destroyed resource and affected services. Restoration includes all phases of injury assessment, restoration, replacement, and enhancement of natural resources, and acquisition of equivalent resources and services.

All decisions about restoration and uses of restoration funds are determined by six natural resources Trustees, three Federal and three State. The three Federal Trustees are: The Administrator for the National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the Secretaries of the Department of Agriculture and of the Interior. The three State Trustees are: The Commissioners of Fish and Game and Environmental Conservation, and the Attorney General. A Trustee Council, located in Alaska, which is made up of designees of the Federal Trustees and the three State Trustees, is responsible for decisions relating to the assessment of injuries, uses of the restoration funds,

and all restoration activities including the preparation of a Restoration Plan.

On April 10, 1992 (57 FR 12473-12475) on behalf of the Exxon Valdez Trustee Council, the Forest Service published a Notice of Intent to prepare an EIS on the Restoration Plan. Since then the Trustee Council has developed a draft Restoration Plan which has become the proposed action for the analysis to be conducted in the EIS.

B. Draft Restoration Plan

The proposed action (Draft Restoration Plan) consists of nine policy statements, a discussion of categories of restoration actions and broad objectives for injured resources. The policies for identifying and conducting restoration actions are:

1. The restoration program will take an ecosystem approach.

2. Restoration activities may be considered for any injured resource or service.

3. Most restoration activities will occur within the spill area. However, restoration activities outside the spill area, but within Alaska, may be considered when the most effective restoration actions for an injured migratory population are in a part of its range outside the spill area or when the information acquired from research and monitoring activities outside the spill area will be important for restoration or understanding injuries within the spill area.

4. Restoration activities will emphasize resources and services that have not recovered. Resources and service will be enhanced, as appropriate, to promote restoration. Restoration projects should not adversely affect the ecosystem.

5. Projects designed to restore or enhance an injured service must have a sufficient relationship to an injured resource; must benefit the same user group that was injured; and, should be compatible with the character and public uses of the area.

6. Competitive proposals for restoration projects will be encouraged.

7. Restoration projects will be subject to independent scientific review before Trustee Council approval.

8. Meaningful public participation in restoration decisions will be actively solicited.

9. Government agencies will be funded only for restoration work that they do not normally conduct.

Four types of restoration actions are identified and discussed in the Draft Restoration Plan: General restoration, habitat protection and acquisition, monitoring and research, and public information and administration.

Alternatives to the proposed action will place different emphases on each of these categories of restoration actions.

General Restoration consists of activities that fall within manipulation of the environment, management of human use for reduction of marine pollution. Decisions about conducting general restoration projects would look at the following factors: Extent of natural recovery, the value of an injured resource to the ecosystem and to the public, the duration of benefits, the technical feasibility of the project, the likelihood of success, the relationship of costs to expected benefits, potential for harmful side effects, benefits to more than one resource, effects on health and human safety, consistency with applicable laws, and policies, and duplication with other actions.

Habitat Protection and Acquisition is a category that includes purchase of private land or interests in land such as conservation easements, mineral rights, or timber rights. It also includes recommendations for changing public agency management practices. Specific policies that relate to habitat protection and acquisition are proposed. These policies deal with ranking potential lands to determine potential benefits, the need for a willing seller, purchasing at fair market value, post acquisition management of the acquired lands and involving the public in the prioritization process.

Monitoring and Research consists of recovery monitoring, restoration monitoring and ecological monitoring and research. Specific policies governing the selecting and performance of monitoring activities are discussed in the Draft Restoration Plan.

Public Information and Administration is the last category of restoration actions. It consists of all necessary administrative actions that are not attributable to a particular project. The Draft Restoration Plan goal for this category is for administrative costs to average no more than 5 percent of overall restoration expenditures for the remainder of the settlement period.

General restoration objectives have been developed for resources that are recovering, resources not recovering, resources where the recovery is unknown, resources such as archaeological resources and wilderness, and services. These broad objectives will guide in the development of annual work plans.

Further information regarding the proposed action and possible restoration alternatives is included in the Exxon Valdez Oil Spill Restoration, Volume I: Restoration Framework, April, 1992; the Draft Exxon Valdez Oil Spill Restoration

Plan, Summary of Alternatives for Public Comment, April 1993; the Supplement to Draft Exxon Valdez Oil Spill Restoration Plan, Summary of Alternatives for Public Comment, June 1993; the Summary of Public Comment on Alternatives of the Draft Exxon Valdez Oil Spill Restoration Plan, September 1993; and the Draft Exxon Valdez Oil Spill Restoration Plan, November 1993. Copies of these documents may be required from the Oil Spill Public Information Office, 645 G. Street, Anchorage, Alaska, 99501. Phone number 907 278-8008 or within Alaska 800 478-7745, outside Alaska 800 283-7745.

C. Scoping and Issue Development

With publication of this Revised Notice of Intent, the Trustees are continuing a process intended to identify those issues that need to be addressed in preparing the Draft EIS (DEIS). Under the National Environmental Policy Act, this process is called "scoping." Two rounds of public meetings have been held within the spill area soliciting comments on development of the Draft Restoration Plan. The results of the scoping to date have guided the preparation of the Draft Restoration Plan. During the scoping process for development of the proposed action the Trustees obtained information, comments, and assistance from Federal, State and local agencies, and other individuals or organizations interested in, or affected by restoration. Several of the documents referenced above provide summaries of public comments received to date.

Further scoping is being conducted to identify the issues to be addressed in the EIS and the range of alternatives that will need to be developed and analyzed. In addition to publishing this Revised Notice of Intent, interested and affected people within the spill area will be contacted through the news media. The Public Advisory Group will also be contacted soliciting comments.

D. Expected Time for Completion

A DEIS should be filed with EPA by mid June 1994 and the final EIS should be filed in late October 1994. The Trustees will consider the comments, responses, disclosure of environmental consequences, and applicable laws, regulations and policies in making decisions regarding restoration.

E. Comments

The comment period on the DEIS will be 45 days from the date the Environmental Protection Agency's notice of availability appears in the **Federal Register**. It is very important

that those interested in this proposed action participate at that time. To be most helpful, comments on the DEIS statement should be as specific as possible, and may address the adequacy of the statement or the merits of the alternatives discussed. (See the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3).

In addition, Federal court decisions have established that reviewers of DEIS 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 concerns.

Vermont Yankee Nuclear Power Corp. v. NRDC. 435 U.S. 519, 553 (1978).

Environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final EIS. *Wisconsin Heritage, Inc. v. Harris*, 490 F. Supp. 1334, 1138 (E.D. Wis. 1980). The reason for this is to ensure 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.

Dated: January 6, 1994.

Michael A. Barton,
Regional Forester.

[FR Doc. 94-959 Filed 1-13-94; 8:45 am]

BILLING CODE 3410-11-M

Compartment 28 (Zulu Smoot) Timber Sales; Kootenai National Forest; Lincoln County, MT

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) to analyze and disclose the environmental impacts of a proposal to harvest timber and construct and reconstruct roads in the Zulu and Can Creek and South Fork of the Yaak River drainages located about 18 air miles northeast of Troy, Montana. This EIS will tier to the Kootenai National Forest Land and Resource Management Plan and EIS, which provide overall guidance for achieving the desired forest condition of the area. The purpose of the proposed action is to harvest dead, dying or high risk (to mountain pine beetle infestation) stands of lodgepole pine to reduce potential excessive future natural fuel loadings, increase the health and productivity of stands that are currently declining in vigor and