

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS–2012–0079]

#### Golden Nematode; Removal of Regulated Areas in Livingston and Steuben Counties, NY

##### Correction

In rule document 2013–206 appearing on pages 1713–1715 in the issue of January 9, 2013, make the following corrections:

(1) On page 1713, in the second column, in the last line, “§ 301.852(a)” should read “§ 301.85–2(a)”.

##### § 301.85–2a [Corrected]

■ (2) On page 1714, beginning in the second column, § 301.85–2a is corrected to read as set forth below:

##### § 301.85–2a Regulated areas; suppressive and generally infested areas.

\* \* \* \* \*

##### New York

(1) *Generally infested area:*

\* \* \* \* \*

*Livingston County.* (A) That portion of land in the town of Avon bounded as follows: Beginning at a point marked by latitude/longitude coordinates 42°90'56", -77°68'72"; then east along a farm road to coordinates 42°90'54", -77°68'50"; then east along a farm road to coordinates 42°90'60", -77°68'25"; then north along a drainage ditch to coordinates 42°90'69", -77°68'23"; then north along a drainage ditch to coordinates 42°90'79", -77°68'47"; then north to coordinates 42°91'03", -77°68'44"; then west along the south side of a farm road to coordinates 42°91'03", -77°68'57"; then south along a farm road to point of beginning at coordinates 42°90'56", -77°68'72";

(B) The area known as “South Lima North Muck” in the town of Lima bounded as follows: Beginning at a point along the north side of South Lima Road marked by latitude/longitude coordinates 42°85'53", -77°67'38"; then north along a farm road to coordinates 42°85'88", -77°67'12"; then east along a farm road and along a forested edge to coordinates 42°85'94.7", -77°66'60.1"; then north along an irrigation ditch to coordinates 42°86'10.9", -77°66'59.0"; then east along a forested edge to coordinates 42°86'11.2", -77°66'47.7"; then north along a farm road to coordinates 42°87'35", -77°66'51"; then west along a farm road to coordinates 42°87'35", -77°66'84"; then south along Little Conesus Creek to coordinates 42°87'12.56", -77°66'93.38"; then west to include a portion of an access road and gravel clean off site to coordinates 42°87'12.60", -77°67'05.50"; then south to coordinates 42°87'11.19", -77°67'04.43"; then east to coordinates 42°87'11.05", -77°66'99.68"; then north to coordinates 42°87'12.03", -77°66'98.99"; then east to coordinates 42°87'11.97", -77°66'93.67"; then south along Little Conesus Creek to coordinates 42°86'88", -77°67'02"; then west along a farm road to coordinates 42°86'88", -77°67'13"; then south along a farm road to coordinates 42°86'59", -77°67'33"; then south along a farm road to coordinates 42°86'42", -77°67'40"; then west along a farm road to coordinates 42°86'43", -77°67'61"; then south along a farm road to coordinates 42°85'67", -77°68'02"; then east to coordinates 42°85'64", -77°67'41"; then south along Little Conesus Creek to coordinates 42°85'53", -77°67'45"; then east to point of beginning at coordinates 42°85'53", -77°67'38";

(C) The area known as “South Lima South Muck” in the town of Lima bounded as follows: Beginning at a point along the south side of South Lima Road marked by latitude/longitude coordinates 42°85'52", -77°67'74"; then south to coordinates 42°85'48", -77°67'74"; then east to coordinates 42°85'48", -77°67'67"; then south to coordinates 42°85'09", -77°67'70"; then south to coordinates 42°84'47", -77°67'72"; then east to coordinates 42°84'46", -77°67'39"; then north along a farm road to coordinates 42°84'77", -77°67'28"; then east along a farm road to coordinates 42°84'88", -77°67'00"; then north along a farm road to

coordinates 42°85'12", -77°67'01"; then west along a farm road to coordinates 42°85'12", -77°67'20"; then north along a farm road to coordinates 42°85'16", -77°67'20"; then west along a farm road to coordinates 42°85'18", -77°67'40"; then north to coordinates 42°85'41", -77°67'40"; then west to coordinates 42°85'45", -77°67'66"; then north to coordinates 42°85'52", -77°67'65"; then west to point of beginning at coordinates 42°85'52", -77°67'74"; and

(D) The area known as “Wiggle Muck” in the town of Livonia bounded as follows: Beginning at a point along the west side of Plank Road (State Highway 15A) marked by latitude/longitude coordinates 42°84'89.0", -77°61'36.7"; then west to coordinates 42°84'91", -77°62'03"; then south along a farm road to coordinates 42°84'68", -77°61'92"; then south along a farm road to coordinates 42°84'19", -77°61'88"; then east to coordinates 42°84'22", -77°61'61"; then north along a farm road to coordinates 42°84'87.2", -77°61'68.1"; then east to the west side of Plank Road marked by coordinates 42°84'87.2", -77°61'35.9"; then north to point of beginning at coordinates 42°84'89.0", -77°61'36.7".

\* \* \* \* \*

*Steuben County.* (A) The towns of Prattsburg and Wheeler;

(B) The area known as “Arkport Muck North” located in the town of Dansville and bounded as follows: Beginning at a point along the west bank of the Marsh Ditch that intersects a farm road marked by latitude/longitude coordinates 42°42'30", -77°71'21"; then north along the Marsh Ditch to coordinates 42°42'96.1", -77°71'54.0"; then west along a 45-foot wide hedgerow to coordinates 42°42'83.1", -77°72'00.3"; then south through woods, along a farm road, and field border to coordinates 42°42'55", -77°71'89"; then east along a tree line to coordinates 42°42'54", -77°71'80"; then south along a tree line to coordinates 42°42'30", -77°71'57"; then east to point of beginning at coordinates 42°42'30", -77°71'21";

(C) The area known as “Arkport Muck South” located in the town of Dansville and bounded as follows: Beginning at a point along the west side of New York Route 36 marked by latitude/longitude coordinates 42°40'54.5", -77°69'79.0"; then north along the west side of New York Route 36 to coordinates 42°41'45", -77°69'99"; then west along a farm road

to coordinates 42°41'45", -77°70'29"; then north along a farm road to coordinates 42°41'60", -77°70'36"; then west along a farm road to coordinates 42°41'62", -77°70'83"; then north along the Marsh Ditch to coordinates 42°41'86", -77°70'97"; then west along a farm road to coordinates 42°41'81", -77°71'21"; then south along a farm road to coordinates 42°41'76.0", -77°71'18.0"; then west along a fallow strip to coordinates 42°41'75.6", -77°71'40.2"; then south along a fallow strip to coordinates 42°41'61.3", -77°71'42.0"; then west along a farm road to coordinates 42°41'60.4", -77°71'68.1"; then south along a farm road on the east side of the Conrail right-of-way (Erie Lackawanna Railroad) to coordinates 42°40'50", -77°71'07"; then east along a farm road to coordinates 42°40'49", -77°70'38"; then north along an irrigation ditch to coordinates 42°40'69.9", -77°70'46.8"; then east along an irrigation ditch to coordinates 42°40'69.7", -77°70'34.3"; then south along the Marsh Ditch to coordinates 42°40'55.0", -77°70'26.5"; then east to point of beginning at coordinates 42°40'54.5", -77°69'79.0";

(D) The property in the town of Cohocton (formerly known as the "Werthwhile Farm") bounded as follows: Beginning at a point along the north side of Brown Hill Road marked by latitude/longitude coordinates 42°45'03.5", -77°53'56.2"; then north along a forest edge to coordinates 42°45'27.5", -77°53'55.7"; then west along a forest edge to coordinates 42°45'27", -77°53'72.9"; then north along a forest edge to coordinates 42°45'47.6", -77°53'72.2"; then west along a forest edge and a hedgerow to the east side of Rex Road to coordinates 42°45'48.7", -77°54'40.7"; then southwest along the east side of Rex Road to coordinates 42°45'39.4", -77°54'53.6"; then south along a hedgerow and a forest edge to coordinates 42°45'05.7", -77°54'54.7"; then east along a hedgerow and the north side of Brown Hill Road to point of beginning at coordinates 42°45'03.5", -77°53'56.2"; and

(E) The property located in the town of Fremont that is bounded as follows: Beginning at a point on Babcock Road that intersects a farm road marked by latitude/longitude coordinates 42°43'68.06", -77°57'51.11"; then west along the farm road to coordinates 42°43'67.22", -77°57'80.56"; then south to coordinates 42°43'60.00", -77°57'80.28"; then west to coordinates 42°43'59.44", -77°58'07.50"; then south to coordinates 42°43'35.28", -77°58'06.39"; then east to coordinates 42°43'33.06", -77°57'78.89"; then south to coordinates 42°43'18.61",

-77°57'77.78"; then east to coordinates 42°43'23.06", -77°57'71.39"; then north to coordinates 42°43'30.28", -77°57'63.89"; then east to coordinates 42°43'30.28", -77°57'61.39"; then north to coordinates 42°43'49.44", -77°57'56.94"; then east to coordinates 42°43'49.17", -77°57'49.72"; then north to the point of beginning at coordinates 42°43'68.06", -77°57'51.11".

\* \* \* \* \*

[FR Doc. C1-2013-00206 Filed 1-16-13; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Parts 761 and 764

RIN 0560-AI17

#### Microloan Operating Loans

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Farm Service Agency (FSA) is modifying Operating Loan (OL) application, eligibility, and security requirements for Microloans (ML) to better serve the unique operating needs of small family farm operations. The intended effect of this rule is to make the OL Program more widely available and attractive to small operators through reduced application requirements, more timely application processing, and added flexibility in meeting the managerial ability eligibility requirement. FSA is also removing provisions for the low documentation (Lo-Doc) application process for OLs from the existing direct loan regulations.

**DATES:** Effective January 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** Connie Holman; telephone: (202) 690-0756. Persons with disabilities or who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).

#### SUPPLEMENTARY INFORMATION:

##### Background

FSA has a long history of providing agricultural credit to the Nation's farmers and ranchers through its OL Program. The Consolidated Farm and Rural Development Act of 1972 (Pub. L. 92-419, CONACT), as amended, authorizes FSA's OL Program. FSA's OL Program is designed to finance the farm operating needs of family farms for operators who meet the program eligibility requirements. Among other things, eligible applicants must be

unable to obtain sufficient credit from other sources; have sufficient applicable education, on-the-job training, or farming experience; have an acceptable credit history; and have adequate collateral for the proposed loan. (See 7 CFR 764.101 and 764.252 for a full explanation of OL eligibility requirements.) OL funds may be used for such things as annual or term operating purposes to refinance certain debts; pay normal farm operating and family living expenses; purchase livestock, equipment, and other materials essential to a farm operation; and may also be used for some minor improvements to farm real estate, such as wells and essential repairs to buildings. (See 7 CFR 764.251 for a complete list of OL funds uses.) Throughout this rule, any reference to "farm" or "farmer" also includes "ranch" or "rancher," respectively; in this document, the word "operator" refers to farmers who operate a farm.

In on-going efforts to improve the OL Program, FSA evaluated the unique needs of small farm operations and identified unintended barriers to applying for OLs. As a result, FSA is simplifying the application process and adding flexibility for meeting both loan eligibility and security requirements to encourage their participation. FSA published the proposed rule on May 25, 2012 (77 FR 31220-31226). The proposed rule included provisions for streamlining and abbreviating the application process, modifying security provisions, and providing additional flexibility in meeting the experience eligibility requirement. Additionally, FSA proposed removing the Lo-Doc OL Program provisions from the CFR. As discussed below, this final rule makes a few changes from the proposed rule in response to comments.

The ML application process, or the ML process, is within the existing OL Program framework, and uses existing OL appropriations to focus on the financing needs of small farm operations. These small farms, including non-traditional farm operations, currently have limited financing options available.

ML has been designed to appeal to small family farm operations. The ML application process simplifies the information required to apply by reducing the level of documentation required to more appropriately align with the less complex structure and needs of small operations. Additionally, the eligibility requirement for managerial ability and the loan security requirements for the ML process have been modified from the OL