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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

Natural Resources Conservation Service

RIN 0578-AA48

Conservation Practice Technical Assistance

AGENCY: Natural Resources Conservation Service, United States Department of Agriculture.

ACTION: Notice; request for comment.

SUMMARY: Section 1242(h) of the Food Security Act of 1985, as amended by the Food, Conservation, and Energy Act of 2008 (2008 Act), requires that the Natural Resources Conservation Service (NRCS): (1) Review conservation practice standards, including engineering design specifications, in effect on June 18, 2008; (2) ensure the completeness and relevance of the standards to local agricultural, forestry, and natural resource needs including specialty crops, native and managed pollinators, bioenergy crop production, forestry, and other such needs as determined by the Secretary; and (3) ensure, to the maximum extent practicable, that the standards provide for the optimal balance between meeting site-specific conservation needs and minimizing risks of design failure and associated costs of construction and installation. NRCS conducted an internal review of the conservation practice standards and met with various stakeholder groups, as required by section 1242(h)(2), to obtain their input about how to improve the completeness and relevance of the standards. NRCS is hereby notifying the public of the results of the preliminary review and requests comments from the public about how to improve the conservation practice standards to meet the goals and objectives of Section 1242(h) of the Food Security Act of 1985, as amended.

DATES: *Comment Date:* Submit comments on or before August 11, 2009.

ADDRESSES: You may send comments using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending comments electronically.

- *Mail:* Norman Widman, National Agronomist, Department of Agriculture, Natural Resources Conservation Service, Conservation Practice Standard Comments, Post Office Box 2890, Washington, DC 20013.

- *Fax:* (202) 720-5334.

- *E-mail:*

nrcscpta2008@wdc.usda.gov.

- *Hand Delivery:* USDA South Building, 1400 Independence Avenue, SW., Room 5234, Washington, DC 20250, between 9 a.m. and 4 p.m., Monday through Friday, except Federal Holidays. Please ask the guard at the entrance to the South Building to call (202) 720-4630 in order to be escorted into the building.

- This notice may be accessed via Internet. Users can access the NRCS homepage at <http://www.nrcs.usda.gov/>; select the *Farm Bill* link from the menu; select *Notices*. Persons with disabilities 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).

FOR FURTHER INFORMATION CONTACT:

Norman Widman, National Agronomist, Department of Agriculture, Natural Resources Conservation Service, P.O. Box 2890, Washington, DC 20013-2890; or e-mail: norm.widman@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: NRCS provides technical assistance to clients through the conservation planning process. The planning process involves: (1) Determining the client goals and resource concerns (conservation needs), (2) developing of treatment options, (3) recording the client's decisions, and (4) evaluating the conservation treatment. The conservation practice standards used to apply conservation contain information on why and where the practice is applied, and sets forth the minimum technical criteria that must be met during the application of that practice in order for it to achieve its intended purposes. The engineering design specifications address how the practice is to be applied or installed and are developed for site-specific conditions. Conservation practices are designed to address the treatment of

resource needs and are not directed to specific types of farming or commodities.

Agricultural and environmental groups expressed concern during the development of the 2008 Act that NRCS conservation practice standards did not adequately address or have relevance to particular types of farming operations or natural resource needs. As a result of those concerns, Section 2706 of the 2008 Act amended Section 1242(h)(1) of the Food Security Act of 1985 to require the Secretary of Agriculture to review conservation practice standards, including engineering design specifications, in effect on June 18, 2008; ensure, to the maximum extent practicable, the completeness and relevance of the standards to local agricultural, forestry, and natural resource needs, including specialty crops, native and managed pollinators, bioenergy crop production, forestry, and such other needs as are determined by the Secretary; and ensure that the standards provide for the optimal balance between meeting site-specific conservation needs and minimizing risks of design failure and associated costs of construction and installation. Section 1242(h)(2) of the Food Security Act of 1985, as amended, requires the Secretary, in conducting the review of the conservation practice standards, to consult with eligible participants, crop consultants, cooperative extension and Land Grant Universities, nongovernmental organizations, and other qualified entities. Additionally, if any revisions to the conservation practice standards are determined necessary, the Secretary is required to establish an administrative process for expediting the revisions.

During July 2008 through September 2008, NRCS conducted a preliminary internal review of all conservation practice standards (at both the national and State levels) by technical discipline leaders to evaluate the practice applicability to organic farming, specialty crops, precision agriculture, pollinators, bio-energy production, and forestry. Through its internal review, NRCS made the following preliminary determinations:

1. NRCS conservation practice standards have the flexibility to address the resource needs on all types of farming operations and resource interests, including those specified in

section 1242(h). NRCS will modify selected practices to better clarify their relevance to local agricultural, forestry, and natural resource needs, including specialty crops, native and managed pollinators, and bioenergy crop production.

2. Practices are designed to balance design, construction, and installation with minimal risk of failure.

3. NRCS field staff would benefit from additional training to better apply our current practices on non-traditional farming operations.

4. NRCS needs to recognize the special needs of the non-traditional farming operations when payment schedules are developed.

In addition to its internal review, NRCS met with several different groups representing organic agriculture, specialty crop production, forestry, pollinators, and precision farming to discuss our conservation practice standards and technical assistance. This meeting took place in December 2008 at the NRCS National Headquarters in Washington, DC. The results of the

national and State conservation practice review were discussed with those present, and they were asked to send comments concerning the review by January 9, 2009. No comments were received.

In order to obtain the widest possible input and to ensure NRCS fully meets the intent and spirit of the Section 1242(h) conservation practice review requirements, NRCS is now seeking further comments from the public on its conservation practice standards through August 11, 2009. A list of all the USDA–NRCS National Conservation Practice Standards (166) is attached as an Appendix to this Notice. The specific content of the standards can be found at the following URL: <http://www.nrcs.usda.gov/technical/standards/nhcp.html>. NRCS requests public input on the relevance of any particular conservation practice to meet the needs the different types of farming operations and resource needs, or how any particular conservation practice can be modified or improved to achieve such goals. NRCS will publish in the

Federal Register the final results of the conservation practice review and the modifications made in response to such review.

As required by section 1242(h)(3), NRCS has a process to expedite any revisions to the conservation practice standards necessitated by this review. This process includes the following options: (1) Revising the conservation practice at the national level by the national technical leader, (2) revising the conservation practice at the State level by the State technical leader, or (3) the State Conservationist can request a conservation practice variance from the NRCS National Headquarters.

Signed this 4th day of June, 2009, in Washington, DC.

Dave White,

Chief, Natural Resources Conservation Service.

Appendix

List of NRCS National Conservation Practice Standards; <http://www.nrcs.usda.gov/technical/standards/nhcp.html>.

Code	Conservation practice title
431	Above Ground, Multi-Outlet Pipeline (ft).
472	Access Control (ac).
560	Access Road (ft).
309	Agrichemical Handling Facility (no).
311	Alley Cropping (ac).
591	Amendments for Treatment of Agricultural Waste.
365	Anaerobic Digester, Ambient Temperature (no).
366	Anaerobic Digester, Controlled Temperature (no).
316	Animal Mortality Facility (no).
575	Animal Trails and Walkways (ft).
450	Anionic Polyacrylamide (PAM) Erosion Control (ac).
397	Aquaculture Ponds (ac).
370	Atmospheric Resources Quality Management (ac),
310	Bedding (ac).
314	Brush Management (ac).
322	Channel Bank Vegetation (ac).
584	Channel Stabilization (ft).
326	Clearing & Snagging (ft).
360	Closure of Waste Impoundments (no).
317	Composting Facility (no).
327	Conservation Cover (ac).
328	Conservation Crop Rotation (ac).
656	Constructed Wetland (no).
332	Contour Buffer Strips (ac).
330	Contour Farming (ac).
331	Contour Orchard and Other Fruit Areas (ac).
340	Cover Crop (ac).
342	Critical Area Planting (ac).
589A	Cross Wind Ridges (ac).
589C	Cross Wind Trap Strips (ac).
348	Dam, Diversion (no).
402	Dam (no & ac-ft).
324	Deep Tillage (ac).
356	Dike (ft).
362	Diversion (ft).
554	Drainage Water Management (ac).
432	Dry Hydrant (no).
647	Early Successional Habitat Development/Mgt. (ac).
592	Feed Management (no & au).
382	Fence (ft).
386	Field Border (ft).
393	Filter Strip (ac).

Code	Conservation practice title
394	Firebreak (ft).
396	Fish Passage (mi).
398	Fish Raceway or Tank (ft & ft ³).
399	Fishpond Management (no).
511	Forage Harvest Management (ac).
384	Forest Slash Treatment (ac).
666	Forest Stand Improvement (ac).
655	Forest Trails and Landings (ac).
383	Fuel Break (ac).
410	Grade Stabilization Structure (no).
412	Grassed Waterway (ac).
548	Grazing Land Mechanical Treatment (ac).
561	Heavy Use Area Protection (ac).
422	Hedgerow Planting (ft).
603	Herbaceous Wind Barriers (ft).
423	Hillside Ditch (ft).
320	Irrigation Canal or Lateral (ft).
388	Irrigation Field Ditch (ft).
464	Irrigation Land Leveling (ac).
552	Irrigation Regulating Reservoir (no).
436	Irrigation Storage Reservoir (no & ac-ft).
441	Irrigation System Microirrigation (no & ac).
442	Irrigation System Sprinkler (no & ac).
443	Irrigation System Surface & Subsurface (no & ac).
447	Irrigation System, Tailwater Recovery (no).
428A	Irrigation Water Conveyance, Ditch and Channel Lining, Plain Concrete (ft).
428B	Irrigation Water Conveyance, Ditch and Channel Lining, Flexible Membrane (ft).
428C	Irrigation Water Conveyance, Ditch and Channel Lining, Galvanized Steel (ft).
430AA	Pipeline, Aluminum Tubing (ft).
430BB	Pipeline, Asbestos-Cement (ft).
430CC	Pipeline, Nonreinforced Concrete (ft).
430DD	Pipeline, High-pressure, Underground, Plastic (ft).
430EE	Pipeline, Low-pressure, Underground, Plastic (ft).
430FF	Pipeline, Steel (ft).
430GG	Pipeline, Reinforced Plastic Mortar (ft).
449	Irrigation Water Management (ac).
460	Land Clearing (ac).
543	Land Reclamation, Abandoned Mined Land (ac).
544	Land Reclamation, Currently Mined Land (ac).
453	Land Reclamation, Landslide Treatment (no & ac).
455	Land Reclamation, Toxic Discharge Control (no).
466	Land Smoothing (ac).
468	Lined Waterway or Outlet (ft).
634	Waste Transfer (no).
457	Mine Shaft & Adit Closing (no).
482	Mole Drain (ft).
353	Monitoring Well (ea).
484	Mulching (ac).
379	Multi-Story Cropping.
590	Nutrient Management (ac).
500	Obstruction Removal (ac).
582	Open Channel (ft).
512	Pasture & Hay Planting (ac).
595	Pest Management (ac).
516	Pipeline (ft).
378	Pond (no).
521C	Pond Sealing or Lining, Bentonite Sealant (no).
521A	Pond Sealing or Lining, Flexible Membrane (no).
521B	Pond Sealing or Lining, Soil Dispersant (no).
521D	Pond Sealing or Lining, Compacted Clay Treatment (no).
462	Precision Land Forming (ac).
338	Prescribed Burning (ac).
409	Prescribed Forestry (ac).
528	Prescribed Grazing (ac).
533	Pumping Plant (no).
550	Range Planting (ac).
562	Recreation Area Improvement (ac).
566	Recreation Land Grading and Shaping (ac).
568	Recreation Trail and Walkway (ft).
329	Residue and Tillage Management, No Till/Strip Till/Direct Seed (ac).
345	Residue and Tillage Management, Mulch Till (ac).
346	Residue and Tillage Management, Ridge Till (ac).
344	Residue Management, Seasonal (ac).
643	Restoration and Management of Rare or Declining Habitats (ac).

Code	Conservation practice title
391	Riparian Forest Buffer (ac).
390	Riparian Herbaceous Cover (ac).
555	Rock Barrier (ft).
558	Roof Runoff Structure (no).
557	Row Arrangement (ac).
570	Runoff Management System (no & ac).
610	Salinity and Sodic Soil Management (ac).
350	Sediment Basin (no).
646	Shallow Water Development and Management (ac).
381	Silvopasture Establishment (ac).
527	Sinkhole and Sinkhole Area Treatment (no).
632	Solid/Liquid Waste Separation Facility.
572	Spoil Spreading (ac).
574	Spring Development (no).
580	Streambank and Shoreline Protection (ft).
578	Stream Crossing (no).
395	Stream Habitat Improvement and Management (ac).
585	Strippcropping (ac).
587	Structure for Water Control (no).
606	Subsurface Drain (ft).
607	Surface Drainage, Field Ditch (ft).
608	Surface Drainage, Main or Lateral (ft).
609	Surface Roughening (ac).
600	Terrace (ft, m).
612	Tree/Shrub Establishment (ac).
490	Tree/Shrub Site Preparation (ac).
660	Tree/Shrub Pruning (ac).
620	Underground Outlet (ft).
645	Upland Wildlife Habitat Management (ac).
635	Vegetated Treatment Area (ac).
601	Vegetative Barrier (ft).
630	Vertical Drain (no).
367	Waste Facility Cover (no).
313	Waste Storage Facility (no).
629	Waste Treatment.
359	Waste Treatment Lagoon (no).
633	Waste Utilization (ac).
636	Water Harvesting Catchment (no).
614	Watering Facility (no).
638	Water and Sediment Control Basin (no).
640	Waterspreading (ac).
642	Water Well (no).
351	Well Decommissioning (no).
355	Well Water Testing (no).
658	Wetland Creation (ac).
659	Wetland Enhancement (ac).
657	Wetland Restoration (ac).
644	Wetland Wildlife Habitat Management (ac).
380	Windbreak/Shelterbelt Establishment (ft).
650	Windbreak/Shelterbelt Renovation (ft).

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DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Notice of Contract Proposal (NOCP) for Payments to Eligible Advanced Biofuel Producers

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Notice.

SUMMARY: This Notice announces the intention of the U.S. Department of Agriculture to enter into Contracts to make payments to Eligible Advanced

Biofuel Producers to support and ensure an expanding production of Advanced Biofuels. This program is authorized under Title IX, Section 9001, of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-234). In addition, this program is intended to support Federal policy calling for greater production and use of Advanced Biofuels. The Agency will authorize up to \$30 million in funding for this program for fiscal year (FY) 2009.

DATES: Applications for participating in this program for Fiscal Year 2009 must be received between June 12, 2009 and August 11, 2009.

The comment period for information collection under the Paperwork Reduction Act of 1995 continues

through August 11, 2009. Comments on the paper work burden must be received by this date to be assured of consideration.

ADDRESSES: Application materials may be obtained by contacting the USDA, Rural Development State Office, Renewable Energy Coordinator. Submit applications to the Rural Development State Office in the State in which the applicant's principal office is located.

USDA Rural Development State Renewable Energy Coordinators

Note: Telephone numbers listed are not toll-free.