EXHIBIT K TO SUBPART G OF PART 1940—LOCATIONS AND TELEPHONE NUMBERS OF U.S. FISH AND WILDLIFE SERVICE’S WETLAND COORDINATORS

The U.S. Fish and Wildlife Service (FWS) is presently preparing the National Wetlands Inventory. Each regional office of the FWS has named a staff member as a Wetland Coordinator. These individuals can provide updated information concerning existing State and local wetland surveys and Federal inventories. Listed below are the FWS regional offices and their areas of responsibility.

Region I
Portland, OR—FTS 429–6154; Commercial (503) 231–6154.

Region II
Albuquerque, NM—FTS 474–3152; Commercial (505) 766–2914.
Areas Covered: Arizona, New Mexico, Oklahoma, Texas.

Region III
Twin Cities, MN—FTS 725–3593; Commercial (612) 725–3593.
Areas Covered: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

Region IV
Atlanta, GA—FTS 242–6343; Commercial (404) 221–6343.
Areas Covered: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Panama Canal Zone, Puerto Rico, South Carolina, Tennessee, Virgin Islands.

Region V
Newton Corner, MA—FTS 829–9379; Commercial (617) 965–5100, Ext. 979.

Region VI
Denver, CO—FTS 234–5586; Commercial (303) 234–5586.
Areas Covered: Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming.

Alaska Area Office
Anchorage, AK—Commercial (907) 263–3463.

National Office
St. Petersburg, FL—FTS 826–3624; Commercial (813) 893–3624.

EXHIBIT L TO SUBPART G OF PART 1940—EXCEPTIONS TO RESTRICTIONS OF COASTAL BARRIER RESOURCES ACT

Section 6 Exceptions*

(a) Notwithstanding section 5, the appropriate Federal officer, after consultation with the Secretary, may make Federal expenditures or financial assistance available within the Coastal Barrier Resources System for—

1. Any use or facility necessary for the exploration, extraction, or transportation of energy resources which can be carried out only on, in, or adjacent to coastal water areas because the use or facility requires access to the coastal water body;

2. The maintenance of existing channel improvements and related structures, such as jetties, and including the disposal of dredge materials related to such improvements;

3. The maintenance, replacement, reconstruction, or repair, but not the expansion, of publicly owned or publicly operated roads, structures, or facilities that are essential links in a larger network or system;

4. Military activities essential to national security;

5. The construction, operation, maintenance, and rehabilitation of Coast Guard facilities and access thereto; and

6. Any of the following actions or projects, but only if the making available of expenditures or assistance therefor is consistent with the purposes of this Act:

(A) Projects for the study, management, protection and enhancement of fish and wildlife resources and habitats, including, but not limited to, acquisition of fish and wildlife habitats and related lands, stabilization projects for fish and wildlife habitats, and recreational projects.

(B) The establishment, operation, and maintenance of air and water navigation aids and devices, and for access thereto.

(C) Projects under the Land and Water Conservation Fund Act of 1965 (16 U.S.C.

*Quoted from section 6 of the Act, Pub. L. 97–348.
Program loans'' means Farm Operating

For the purpose of this exhibit, ‘‘Farmer

leases and credit sales of inventory property.

transfers and assumptions of such loans and

and Tribal Corporations, subordinations,

and guaranteed Farm-

land.

on highly erodible land or converted wet-

modities by removing certain incentives for

cover; and curb production of surplus com-

tion’s wetlands; create better habitat for fish

and fiber; reduce sedimentation; improve

tion’s long term capability to produce food

to wind and water erosion; protect the Na-

of these Subtitles are to: Reduce soil loss due

or its successor agency under Public Law

103–354 will conclude that excessive erosion

of highly erodible land results or would re-

103–354 will use the USDA’s definitions

or its successor agency under Public Law

of the terms found at §12.2 of subpart A of

(attachment 1 of this exhibit which is available in any

or its successor agency under Public Law

of these Subtitles are to: Reduce soil loss due to

of the Nation’s long term capability to produce food

in preserving the Nation’s wetlands; create better habitat for fish

and wildlife through improved food and

and curb production of surplus com-

any activity that results in

by SCS, (1) a wetland has or will be drained,

is or would be used to produce an agricultural commodity without conformance to a con-

the appropriate conservation district, as evi-

and (2) such field is not exempt from the provisions

and converted wetland.

such person to produce agricultural commodities

or reach of water) that makes possible the

impaired or reducing the flow, circulation,

consequence, any applicant proposing to use loan proceeds for an activ-

will contribute to excessive erosion of highly

or (b) for a purpose that will

produce an agricultural commodity. (See

Subsection 13(e)(1) of subpart A of part 12 of subtitle

A of title 7, which is attachment 1 of this ex-

will be in default on the loan.

b. U.S. Department of Agriculture (USDA) definitions. In implementing this exhibit,

Loan and Soil and Water Loans. As used in

this exhibit, the word loan is meant to in-

Loans, and Soil and Water Loans. As used in

this exhibit, the word loan is meant to in-

increased or will occur whenever, as determined

number of such loans and

leases and credit sales of inventory property.

For the purpose of this exhibit, ‘‘Farmer

Program loans’’ means Farm Operating

Loans, and Soil and Water Loans. As used in

this exhibit, the word loan is meant to in-

by SCS, (1) a wetland has or will be drained,

or reach of water) that makes possible the

impaired or reducing the flow, circulation,

b. Highly erodible land conservation. FmHA or its successor agency under Public Law

103–354 will conclude that excessive erosion of highly erodible land results or would re-

whenever (1) a field on which highly

by SCS, is or would be used to produce an agricultural commodity without conformance to a con-

the Soil Conservation Service (SCS), is or

by SCS, (1) a wetland has or will be drained,

by SCS, (1) a wetland has or will be drained,

will produce an agricultural commodity has oc-

conclude that a conversion of wetlands to

600–4 through 11) and the Coastal Zone Man-


(D) Scientific research, including but not

limited to aeronautical, atmospheric, space,

geologic, marine, fish and wildlife and other

research, development and applications.

(E) Assistance for emergency actions es-

sential to the saving of lives and the protec-

tion of property and the public health and

safety, if such actions are performed pursu-

ant to sections 305 and 306 of the Disaster Re-

lief Act of 1974 (42 U.S.C. 5145 and 5146) and

section 108 of the National Flood Insurance

Act of 1968 (42 U.S.C. 4103) and are limited to

actions that are necessary to alleviate the

emergency.

(F) The maintenance, replacement, recon-

struction, or repair, but not the expansion,

of publicly owned or publicly operated roads,

structures, or facilities.

(G) Nonstructural Projects for shoreline

stabilization that are designed to mimic, en-

hance, or restore natural stabilization sys-

tems.

a. U.S. Department of Agriculture (USDA) definitions. In implementing this exhibit,

apply to insured and guaranteed Farm-

er Program loans and loans to Indian Tribes

and Tribal Corporations, subordinations,

transfers and assumptions of such loans and

and guaranteed loan and borrower means a recipient of ei-

ther an insured or guaranteed loan.

3. FmHA or its successor agency under Public

Law 103–354 prohibited activities. Unless other-

wise exempted by the provisions of this ex-

hibit, the proceeds of any Farmer Program

loan or loan to an Indian Tribe or Tribal Cor-

poration made or guaranteed by FmHA or its

successor agency under Public Law 103–354

will not be used either (a) for a purpose that

will contribute to excessive erosion of highly

erodible land, or (b) for a purpose that will

contribute to conversion of wetlands to

produce an agricultural commodity. (See

§12.2(a)(1) of subpart A of part 12 of subtitle

A of title 7, which is attachment 1 of this ex-

hibit and is available in any FmHA or its

successor agency under Public Law 103–354

office, for the definition of an agricultural commodity.) Consequently, any applicant

proposing to use loan proceeds for an activ-

ity contributing to either such purpose, will

not be eligible for the requested loan. Any

borrower that uses loan proceeds in a man-

ner that contributes to either such purpose

will be in default on the loan.

1. Background. This exhibit implements the

requirements of Subtitle B, Highly Erodible

Land Conservation, and Subtitle C, Wetland

Conservation, of Title XII of the Food Secu-


of these Subtitles are to: Reduce soil loss due

to wind and water erosion; protect the Na-

tion’s wetlands; create better habitat for fish

and wildlife through improved food and

cover; and curb production of surplus com-

modities. (See §12.2 of subpart A of part 12

of subtitle A of title 7, which is attachment 1

of this exhibit which is available in any

FmHA or its successor agency under Public

Law 103–354 office).

b. Highly erodible land conservation. FmHA

or its successor agency under Public Law

103–354 will conclude that excessive erosion

of highly erodible land results or would re-

result whenever (1) a field on which highly

erodible land is predominant, as determined

by the Soil Conservation Service (SCS), is or

would be used to produce an agricultural commodity without conformance to a con-

servation system approved either by SCS or

the appropriate conservation district, as evi-

denced by a statement from SCS, and (2) such field is not exempt from the provisions

of this exhibit.

c. Wetland conservation. FmHA or its suc-

cessor agency under Public Law 103–354 will

conclude that a conversion of wetlands to

produce an agricultural commodity has oc-

curred or will occur whenever, as determined

by SCS, (1) a wetland has or will be drained,

dredged, filled, leveled, or otherwise manipu-

lated (including any activity that results in

impairing or reducing the flow, circulation,

reach of water) that makes possible the

production of an agricultural commodity

without further application of the manipula-

tions described herein if (a) such production

EXHIBIT M TO SUBPART G OF PART

1940—IMPLEMENTATION PROCEDURE

FOR THE CONSERVATION OF WET-

LANDS AND HIGHLY ERODIBLE LAND

AFFECTING FARMER PROGRAM

LOANS AND LOANS TO INDIAN TRIBES

AND TRIBAL CORPORATIONS