

DEPARTMENT OF AGRICULTURE**Commodity Credit Corporation****Financial Assistance To Promote Water Conservation in the Klamath Basin**

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice of intent to make monies available to promote water conservation in the Klamath Basin.

SUMMARY: Section 2104 of the Supplemental Appropriations Act, 2001, Pub. L. 107-20, provided for financial assistance to eligible producers to promote water conservation in the Klamath Basin. This notice sets out the method by which the payment will be distributed on behalf of eligible producers to eligible owners and operators who did not receive certain expected deliveries of irrigation water within the Klamath Basin during the past crop year, and who agree to promote water conservation methods in future agricultural activities.

FOR FURTHER INFORMATION CONTACT: Ilka Gray, Agricultural Program Specialist, USDA/FSA/CEPD/STOP 0513, 1400 Independence Ave., S.W., Washington, DC 20250-0513, (202) 690-0794, or email at: ilka_gray@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: Section 2104 of the Supplemental Appropriations Act, 2001 (Pub. L. 107-20), provided \$20,000,000 to make available financial assistance to eligible producers to promote water conservation in the Klamath Basin (Basin). The Basin is located in the high-desert inter-mountain region of Klamath County, Oregon, and Siskiyou and Modoc Counties, California. There are typically over 220,000 acres of irrigated crops in the Basin including: alfalfa, 50,450 acres; barley, 31,700 acres; other hay, 27,160 acres; and oats, 8,800 acres. Cropland in the area is traditionally serviced by the deliveries of water by the U.S. Bureau of Reclamation's (USBR) Klamath Project (Project) which also delivers water to the Tule Lake and Lower Klamath National Wildlife Refuges. The Project was authorized by President Theodore Roosevelt in 1905. USBR is an entity within the U.S. Department of Interior (USDOI).

From September 1, 2000, through March 26, 2001, the Basin watershed received about 32 percent of normal precipitation. Stream flows were estimated by USBR hydrologists to be at about 29 percent of normal. Meanwhile, as estimated by the U.S. Department of Agriculture's Natural Resources Conservation Service, the estimated

snow pack in the upper Basin was about 34 percent of normal. Because of record low levels, USBR determined on April 6, 2001, that water could not be delivered under the Project to the producers who normally use Project water for irrigation purposes. There are about 1,400 agricultural producers whose land normally receives Klamath Basin Irrigated Contract Acres (Contract Acres) in the Basin whose farming operations were substantially impacted by the water shortage.

To assist producers adversely affected by the drought, Congress included in section 2104 of Pub. L. 107-20 \$20 million, to remain available until expended, from amounts available to the U.S. Department of Agriculture's Commodity Credit Corporation under 15 U.S.C. 713a-4, "for the Secretary of Agriculture to make available financial assistance to eligible producers to promote water conservation in the Klamath Basin, as determined by the Secretary." In addition, the statute specified that to the extent that regulations might be found to be needed, the issuance of regulations promulgated pursuant to this new authority would be made without regard to: (1) The notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act"). It was also specified that in carrying out this section the Secretary should use the authority provided under section 808 of title 5, United States Code, which exempts certain rules from having to undergo certain Congressional oversight procedures prior to the time that the rules are made effective.

Eligibility

FSA will use data on Basin farming operations, along with data from USDOI, to identify the universe of eligible producers. Anyone that has an interest in the eligible land may also contact the FSA office to determine eligibility.

Land within the Horsefly and Langell Valley Irrigation Districts in the Basin received water. Accordingly, land in those districts will not be eligible for payment under this new program. Likewise, under the 2001 Klamath Basin Pilot Irrigation Demand Reduction Program, USBR purchased water normally provided to about 16,000 acres in the Basin and, because these producers have already been or will be

compensated through that effort, this land will also be generally ineligible for this assistance. Benefits will be made available for producers that sold water to USBR for a per acre amount less than per acre payment that would otherwise be available to eligible land. The potential payment will be equal to the difference between the two amounts. In no case may this per acre payment, taken in the aggregate with the USBR per acre payment, exceed the per acre payment otherwise payable under this new program.

Funds will be divided up according to contract acres and according to payment shares indicated. Such shares must be agreed to by the owner and operator located on the eligible land. Only undisputed requests for assistance will be paid. Producers will be provided with information on what kinds of conservation measures might be undertaken and other options as may be available to them. Such actions may include: (1) moving to less water-intensive crops, (2) improving irrigation scheduling, and (3) developing on-farm irrigation improvements such as land-leveling, canal maintenance, and sprinkler calibration. FSA can provide producers with assistance in determining the best water conservation practice(s) for their operation. All participating producers will agree to promote water conservation methods in future agricultural activities as a condition of payment. FSA will keep this agreement on file with the producers' other USDA records, and recipients may be subject to monitoring and/or enforcement measures.

Further information about the program will be made available at the local Farm Service Agency offices of the USDA.

Signed at Washington, DC, on October 4, 2001.

James R. Little,

*Acting Administrator, Farm Service Agency
and Acting Executive Vice President,
Commodity Credit Corporation.*

[FR Doc. 01-25462 Filed 10-5-01; 9:50 am]

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DEPARTMENT OF AGRICULTURE**Natural Resources Conservation Service****Broad Creek Watershed, DE**

AGENCY: Natural Resources Conservation Service, Delaware.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR part 1500); and the Natural Resources Conservation Service Guidelines (7 CFR part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Broad Creek Watershed, Sussex County, Delaware.

FOR FURTHER INFORMATION CONTACT: Elesa K. Cottrell, State Conservationist, Natural Resources Conservation Service (NRCS), Suite 101, 1203 College Park Dr., Dover, Delaware 19904-8713, telephone (302) 678-4160.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Elesa K. Cottrell, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

This watershed protection plan is a plan for water quality improvement and watershed protection within the Broad Creek watershed. This will be accomplished through accelerated technical and financial assistance to plan and install needed conservation measures. These measures include agricultural waste management systems, waste storage structures, livestock composters, nutrient management, conservation buffers, and irrigation water management.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, state, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment and planning phase of this project are on file and may be reviewed by contacting Paul M. Petrichenko, Assistant State Conservationist, at the above address.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program, Office of Management and Budget Circular A-95 regarding State and local clearing house review of Federal and federally assisted programs and project is applicable)

Dated: September 5, 2001.

Elesa K. Cottrell,

State Conservationist.

[FR Doc. 01-25329 Filed 10-9-01; 8:45 am]

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Dated: September 17, 2001.

Jane E. Hardisty,

State Conservationist, Indianapolis, Indiana.

[FR Doc. 01-25328 Filed 10-9-01; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Notice of Proposed Changes to Section IV of the Field Office Technical Guide (FOTG) of the Natural Resources Conservation Service in Indiana

AGENCY: Natural Resources Conservation Service (NRCS).

ACTION: Notice of availability of proposed changes in Section IV of the FOTG of the NRCS in Indiana for review and comment.

SUMMARY: It is the intention of NRCS in Indiana to issue four revised conservation practice standards in Section IV of the FOTG. The revised standards are: Contour Farming (330); Water and Sediment Control Basin (638); Constructed Wetland (656); Forest Stand Improvement (666). These practices may be used in conservation systems that treat highly erodible land and/or wetlands.

DATES: Comments will be received for a 30-day period commencing with this date of publication.

ADDRESSES: Address all requests and comments to Jane E. Hardisty, State Conservationist, Natural Resources Conservation Service (NRCS), 6013 Lakeside Blvd., Indianapolis, Indiana 46278. Copies of this standard will be made available upon written request. You may submit your electronic requests and comments to darrell.brown@in.usda.gov.

FOR FURTHER INFORMATION CONTACT: Jane E. Hardisty, 317-290-3200.

SUPPLEMENTARY INFORMATION: Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that after enactment of the law, revisions 2 made to NRCS state technical guides used to carry out highly erodible land and wetland provisions of the law, shall be made available for public review and comment. For the next 30 days, the NRCS in Indiana will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Indiana regarding disposition of those comments and a final determination of changes will be made.

DEPARTMENT OF COMMERCE

Economics and Statistics Administration

Performance Review Board Membership; Correction

SUMMARY: In FR Doc. 01-23281 published on page 48232 in the **Federal Register** on September 19, 2001, the list of executives eligible to serve on the Economics and Statistics Administration Performance Review Board requires a change to the spelling of one name and the addition of two board members. Change the name of "Brent R. Moton" to read "Brent R. Moulton", and add the names: Alan C. Lorish and Gloria Gutierrez.

Dated: October 3, 2001.

James K. White,

Associate Under Secretary for Management, Chair, Performance Review Board.

[FR Doc. 01-25377 Filed 10-9-01; 8:45 am]

BILLING CODE 3510-BS-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-507-502]

Certain In-Shell Pistachios From Iran: Initiation of New Shipper Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of initiation of new shipper review on certain in-shell pistachios from Iran.

SUMMARY: On July 31, 2001, the Department of Commerce (the Department) received a request to conduct a new shipper review of the antidumping duty order on certain in-shell pistachios (in-shell pistachios) from Iran. In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d), we are initiating this new shipper review.

EFFECTIVE DATE: October 10, 2001.

FOR FURTHER INFORMATION CONTACT: Dena Aliadinov or Donna Kinsella, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution