

# Notices

Federal Register

Vol. 73, No. 135

Monday, July 14, 2008

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

### Commodity Credit Corporation

#### Payment Limitation and Payment Eligibility

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice.

**SUMMARY:** As announced by this notice, the Commodity Credit Corporation (CCC) is implementing the provisions of the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) regarding payment limitation and payment eligibility provisions (including the average adjusted gross income limitation) for the 2008 crop, fiscal, or program year. The 2008 Farm Bill authorizes payment limitations and payment eligibility provisions that were previously authorized for preceding commodity and conservation programs under the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill). As a result of this notice, CCC will be able to commence administration of payment limitation and payment eligibility provisions applicable to commodity and conservation programs for the 2008 crop, fiscal, or program year. Through a subsequent rule, CCC will implement payment limitation and payment eligibility provisions for 2009 through 2012.

**DATES:** *Effective Date:* July 11, 2008.

**FOR FURTHER INFORMATION CONTACT:** Salomon Ramirez, Director, Production, Emergencies and Compliance Division, Farm Service Agency, USDA, STOP 0517, 1400 Independence Avenue, SW., Washington, DC 20250-0517; telephone: (202) 720-7641; e-mail: [salomon.ramirez@wdc.usda.gov](mailto:salomon.ramirez@wdc.usda.gov).

Persons with disabilities who require alternative means for communication (Braille, large print, audiotape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).

**SUPPLEMENTARY INFORMATION:** Currently, the regulations in 7 CFR part 1400, Payment Limitation and Payment Eligibility, cover payment limitation and payment eligibility applicable to most commodity and conservation programs administered by CCC, including the following:

- Direct and Counter-Cyclical Program (DCP) for covered commodities and peanuts governed by 7 CFR part 1412, Direct and Counter-Cyclical Program,
- Programs under which a producer realizes a gain from repaying a marketing assistance loan at a lower rate than the commodity's original loan rate and any program that authorizes a loan deficiency payment for a commodity; specifically, programs governed by either 7 CFR part 1421, Grains and Similarly Handled Commodities—Marketing Assistance Loans and Loan Deficiency Payments for the 2002 through 2007 Crop Years, or 7 CFR part 1427, Cotton, and
- The Conservation Reserve Program, as governed by 7 CFR part 1410, Conservation Reserve Program.

As explained in this notice, CCC will operate the 2008 payment limitation and payment eligibility provisions as required by the 2008 Farm Bill (Pub. L. 110-246) using the standards of 7 CFR part 1400, as they applied to the 2007 crops or 2007 crop year.

Sections 1603(h) and 1604(b) of the 2008 Farm Bill authorize a continuation, with respect to certain commodity programs for the 2008 crop, fiscal, or fiscal year, as appropriate, of the payment limitation and payment eligibility provisions (including the average adjusted gross income limitation), as authorized by sections 1001, 1001A, 1001B, and 1001D of the Food Security Act of 1985 (7 U.S.C. 1308, 1308-1, 1308-2, and 1308-3a), as in effect on September 30, 2007 and set forth in regulations at 7 CFR part 1400.

Section 2903 of the 2008 Farm Bill authorizes the continuation of payment limitations with respect to new Conservation Reserve Program (CRP) contracts as covered by the Food Security Act (16 U.S.C. 3831-3835) through September 30, 2008, using the same provisions of law applicable to the program or activity as existed on the day before the date of enactment of the 2008 Farm Bill and set forth in regulations at 7 CFR part 1400.

This notice announces that with respect to the DCP, marketing assistance loans, loan deficiency payments under Title I of the 2008 Farm Bill, and CRP under Title II of the 2008 Farm Bill CCC will implement payment limitation and payment eligibility provisions for the 2008 crop, fiscal, or program year based on the current regulation in 7 CFR part 1400, as it applied to the 2007 crop or 2007 crop year. However, CRP contracts will be governed by those payment limitation provisions in place when the contracts were executed. For other matters and for 2009 through 2012 crops, CCC plans to amend 7 CFR part 1400 to reflect changes required by the 2008 Farm Bill.

#### Environmental Review

FSA has determined that this change would not constitute a major Federal action that would significantly affect the quality of the human environment. Therefore, in accordance with the 7 CFR part 799, Environmental Quality and Related Environmental Concerns—Compliance with the National Environmental Policy Act, implementing the regulations of the Council on Environmental Quality (40 CFR parts 1500-1508), no environmental assessment or environmental impact statement will be prepared.

Signed at Washington, DC, on June 25, 2008.

**Glen L. Keppy,**

*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. E8-16007 Filed 7-11-08; 8:45 am]

**BILLING CODE 3410-05-P**

---

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Notice of Proposed Changes to the Natural Resources Conservation Service's National Handbook of Conservation Practices

**AGENCY:** Natural Resources Conservation Service, USDA.

**ACTION:** Notice of availability of proposed changes in the Natural Resources Conservation Service (NRCS) National Handbook of Conservation Practices for public review and comment.

**SUMMARY:** Notice is hereby given of the intention of NRCS to issue a series of revised conservation practice standards in its National Handbook of Conservation Practices. These standards include: Residue Management, Seasonal (Code 344); Grassed Waterway (Code 412); Mulching (Code 484); Stripcropping (Code 585); Cross Wind Ridges (Code 588); Terrace (Code 600); Underground Outlet (Code 620); and Water and Sediment Control Basin (Code 638). NRCS State Conservationists who choose to adopt these practices for use within their States will incorporate them into Section IV of their respective electronic Field Office Technical Guide. These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland.

**DATES:** *Effective Dates:* Comments will be received for a 30-day period commencing with this date of publication. Final versions of these new or revised conservation practice standards will be adopted after the close of the 30-day period, and after consideration of all comments.

**ADDRESSES:** Comments should be submitted by one of the following methods:

1. *In writing to:* National Agricultural Engineer, Natural Resources Conservation Service, Post Office Box 2890, Washington, D.C. 20013-2890; or
2. *Electronically via e-mail to:* [Daniel.Meyer@wdc.usda.gov](mailto:Daniel.Meyer@wdc.usda.gov).

**FOR FURTHER INFORMATION:** Copies of these standards can be downloaded or printed from the following Web site: [ftp://ftp-fc.sc.egov.usda.gov/NHQ/practice-standards/federal-register/](http://ftp-fc.sc.egov.usda.gov/NHQ/practice-standards/federal-register/). Single copies of paper versions of these standards also are available from NRCS in Washington, DC. Submit individual inquiries in writing to Daniel Meyer, National Agricultural Engineer, Natural Resources Conservation Service, Post Office Box 2890, Room 6139—South, Washington, DC 20013-2890; or *e-mail:* [Daniel.meyer@wdc.usda.gov](mailto:Daniel.meyer@wdc.usda.gov).

**SUPPLEMENTARY INFORMATION:** The amount of the proposed changes varies considerably for each of the Conservation Practice Standards addressed in this Notice. To fully understand the proposed changes, individuals are encouraged to compare these changes with each standard's current version shown at: <http://www.nrcs.usda.gov/technical/Standards/nhcp.html>. To aid in this comparison, following are highlights of the proposed revisions to each standard: Residue Management, Seasonal (Code 344)—Substantial changes are reflected

in the proposed revision to this standard:

(a) One new purpose was added to address soil condition.

(b) Under the "General Criteria" section, (1) the option to burn residue was removed, as burning residue is not compatible with the purposes of the practice; and (2) tillage operations permitted during the residue management period is limited to undercutting tools.

(c) The tillage criteria were removed from the "Criteria to Reduce Sheet and Rill and Erosion from Wind" and the "Criteria to Provide Food and Escape Cover for Wildlife" sections of the standard. Criteria were added to the "Additional Criteria to Improve Soil Condition" section. Under the "Criteria to Manage Snow to Increase Plant-Available Moisture" section, (1) the criteria for harvesting equipment stubble height was removed since this is covered in the trapping snow criteria; and (2) the tillage and field operations criteria was revised to be done perpendicular to the direction of the prevailing winds.

(d) The "Considerations" section was revised to include PM-10, soil organisms, and cover crops.

Grassed Waterway (Code 412)—Only one significant change is proposed to this standard:

(a) The "Criteria" section, under the Stability subsection, was changed to require stability analysis based on tractive stress, rather than the velocity approach previously required.

Mulching (Code 484)—Significant changes are proposed for this standard:

(a) The "Purpose" section was revised by (1) adding a purpose for reduction of airborne particulates; and (2) removing increased soil fertility from the "improve soil condition" purpose.

(b) Under the "General Criteria" section, (1) Animal manure was removed as an acceptable mulching material; (2) criteria were added to the use of manufactured mulches, and that the rate specified by the manufacturer is the "minimum amount" that is acceptable; and

(3) Criteria were added that the mulch material also must be free from pesticides and chemicals that may impede the planned use of the mulch.

(c) Under the "Criteria for Soil Moisture" section, the criteria requiring the mulch be applied prior to soil moisture loss were removed. Under the "Criteria for Erosion Control" section, the criteria that the mulch cover shall not exceed 80 percent for wood products and 90 percent for gravel/inorganic mulches were removed. Under "Criteria to Establish Vegetative

Cover" section, the minimum cover was changed from 50 percent to 70 percent. Under the "Criteria for Soil Condition" section, all the criteria for animal manure and fertility were removed.

Stripcropping (Code 585)—Only minor changes have been proposed to this standard:

(a) The "General Criteria" section has been revised to require (1) Equal strip widths for erosion susceptible strips and erosion resistant strips; (2) that at least 50 percent of the rotation shall consist of erosion resistant crops or sediment trapping cover; and (3) that the same rotation shall be followed in each adjacent strip, while the year of the rotation is staggered to maintain alternating strips in an erosion resistant crop or cover.

(b) Under the "Additional Criteria for Soil Erosion by Water \* \* \*" section, the criteria for maximum row grade have been modified to be the same as the Contouring Standard (330), and criteria for cover conditions on the field headlands/end rows have been added.

(c) The "Considerations" section of the standard was revised to remove the specific considerations for each of the practice purposes.

(d) The "Operations and Maintenance" section of the standard was revised to remove the specific operation and maintenance for each purpose and combined into one common list of activities for operation and maintenance.

Cross Wind Ridges (Code 588)—Substantial changes are proposed for this standard:

(a) The practice code is being changed from 589A.

(b) The "Purposes" section has been expanded to include providing protection to crops from wind-borne soil particles and to reduce soil particulate emissions to air.

(c) The criteria for design of ridge height and spacing have been changed to reflect changing prediction technologies, and additional criteria have been added to address directional placement and minimum spacing.

(d) The "Considerations" section has been greatly expanded to optimize use of the standard.

Terrace (Code 600)—Significant editing is proposed for the standard:

(a) Design information that is contained in other Agency technical references, such as the Revised Universal Soil Loss Equation parameters and equations for computing ridge heights, has been removed. Otherwise, the "Criteria" section of the standard has not been substantially altered.

Underground Outlet (Code 620)—Considerable editing to the standard is being proposed:

(a) To add clarity and readability, every section of the standard has been rewritten. However, the underlying design requirements contained in the “Criteria” section have not been significantly modified from the current version of the standard.

Water and Sediment Control Basin (Code 638)—Considerable editing to the standard is being proposed:

(a) Every section of the standard has been rewritten to add clarity and readability. However, the underlying design requirements contained in the “Criteria” section have not been significantly modified from the current version of the standard.

(b) The “Considerations,” “Plans and Specifications,” and “Operations and Maintenance” sections have been significantly expanded.

Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 requires NRCS to make available for public review and comment all proposed revisions to conservation practice standards used to carry out the highly erodible land and wetland provisions of the law. For the next 30 days, NRCS will receive comments relative to the proposed changes. Following that period, a determination will be made by NRCS regarding disposition of those comments, and a final determination of changes will be made.

Signed in Washington, DC, on July 2, 2008.

**Arlen L. Lancaster,**

*Chief, Natural Resources Conservation Service.*

[FR Doc. E8-16024 Filed 7-11-08; 8:45 am]

**BILLING CODE 3410-16-P**

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### **Brazos Electric Power Cooperative, Inc.: Notice of Availability of an Environmental Assessment**

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Notice of Availability of an Environmental Assessment.

**SUMMARY:** Notice is hereby given that the Rural Utilities Service, an agency delivering the United States Department of Agriculture (USDA) Rural Development Utilities Programs, hereinafter referred to as Rural Development and/or the Agency, is issuing an Environmental Assessment (EA) in connection with possible impacts related to the construction and

operation of a second 500 megawatt combined-cycle combustion turbine generation unit at Brazos Electric Power Cooperative’s (Brazos) existing Jack County Plant Site, as proposed by Brazos, of Waco, Texas.

**DATES:** Written questions and comments on this notice must be received on or before July 14, 2008.

**ADDRESSES:** To obtain copies of the EA, or for further information, contact: Dennis E. Rankin, Environmental Protection Specialist, USDA Rural Development Utilities Programs, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW., Washington, DC 20250-1571, or e-mail: [drankin@wdc.usda.gov](mailto:drankin@wdc.usda.gov); Rob Reid, Project Director, PBS&J, 206 Wild Basin Road, Suite 300, Austin, Texas 78746-8342, telephone: (512) 329-8342 or e-mail: [rreid@pbsj.com](mailto:rreid@pbsj.com); or David McDaniel, Brazos, 2404 LaSalle Avenue, Waco, Texas 76702-2585, telephone: (254) 750-6324 or e-mail: [dmcdaniel@brazoselectric.com](mailto:dmcdaniel@brazoselectric.com). The EA can be reviewed online at the Agency’s Web site: <http://www.usda.gov/rus/water/ees/ea/htm> and at the following locations:

USDA, Rural Development Utilities Programs, 1400 Independence Avenue, Room 2244, Washington, DC 20250;

Brazos Electric Power Cooperative, 2404 La Salle Avenue, Waco, TX 76702;

Wise Electric Cooperative, Corner of Hale & Cowan Streets, Decatur, TX 76234;

Gladys Johnson Ritchie Public Library, 620 West College Street, Jacksboro, TX 76458;

Bridgeport Public Library, 2159 Tenth Street, Bridgeport TX 76426.

**SUPPLEMENTARY INFORMATION:** Brazos is proposing to construct a second 500 MW gas-fired combined-cycle electric generation unit at its existing Jack County Plant Site on Henderson Ranch Road near the Joplin Community in Jack County, Texas. The project will consist of two combustion turbines and heat recovery steam generators and one steam turbine with a water-cooled steam surface condenser.

PBS&J, an environmental consultant, prepared an EA for Rural Development that describes the project and assesses the proposed plant’s environmental impacts. The Agency has conducted an independent evaluation of the EA and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project. The EA is available for public review at addresses provided above in the Notice.

Any final action by Rural Development related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by the 7 CFR part 1794, Environmental Policies and Procedures.

Dated: July 8, 2008.

**Mark S. Plank,**

*Director, Engineering and Environmental Staff, USDA/Rural Development Utilities Programs.*

[FR Doc. E8-15915 Filed 7-11-08; 8:45 am]

**BILLING CODE 3410-15-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-868]

#### **Folding Metal Tables and Chairs from the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Intent to Revoke in Part**

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

**SUMMARY:** The Department of Commerce (“the Department”) is conducting an administrative review of the antidumping duty order on folding metal tables and chairs (“FMTCs”) from the People’s Republic of China (“PRC”) covering the period June 1, 2006, through May 31, 2007. We have preliminarily determined that Feili Furniture Development Limited Quanzhou City, Feili Furniture Development Co., Ltd., Feili Group (Fujian) Co., Ltd., and Feili (Fujian) Co., Ltd. (collectively “Feili”) and Dongguan Shichang Metals Factory Co., Ltd. (“Shichang”), did not make sales below normal value (“NV”) during the period of review (“POR”). If these preliminary results are adopted in our final results of this review, we will instruct U.S. Customs and Border Protection (“CBP”) to assess antidumping duties on all appropriate entries of subject merchandise during the POR.

We invite interested parties to comment on these preliminary results. We intend to issue the final results no later than 120 days from the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (“the Act”).

**EFFECTIVE DATE:** July 14, 2008.

**FOR FURTHER INFORMATION CONTACT:** Lilit Astvatsatrian or Charles Riggle, AD/CVD Operations, Office 8, Import Administration, International Trade