

number, location, and type of project activities.

Comments received in response to this notice, including names and addresses of those who comment, will be considered part of the public record on this proposal and will be available to public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decision under 36 CFR parts 215 and 217. Additionally, pursuant to 7 CFR 1.27(d); any person may request the agency to withhold a submission from the public record by showing how the freedom of information act (FOIA) permits such confidentiality. However, they should be aware that, under FOIA, confidentiality may be granted in only limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality. Where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within a specified number of days.

Public meetings are anticipated to occur following issuance of the draft EIS. Public meetings will be announced in the Malheur National Forest's newspaper of record, the Blue Mountain Eagle, as well as the Burns Times Herald.

The Forest Service is seeking information and comments from other Federal, State, and Local agencies; tribes; organizations; and individuals interested in or affected by the proposed action. Comments will be appreciated throughout the analysis process. Input will be used in preparation of the draft EIS. The draft EIS will be filed with the Environmental Protection Agency (EPA) and is anticipated to be available for public review in March 2000. The comment period on the draft EIS will be 45 days from the date the EPA's Notice of Availability appears in the **Federal Register**. Those interested in the management of Malheur National Forest should participate at that time.

The Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EISs must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be

raised at the draft EIS stage, but that are not raised until completion of the final EIS, may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F. 2d 1016, 1002 (9th Cir. 1986), and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is important that those interested in this proposed action participate by the close of the 45-day comment period so substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in the addressing these points).

After the 45-day comment period ends on the draft EIS, comments will be analyzed and considered by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed in June 2000. In the final EIS, the Forest Service is required to respond to substantive comments received during the public comment period. The Forest Service is the lead agency. The Forest Supervisor is the responsible official. The responsible official will consider comments, responses to comments, and environmental consequences discussed in the EIS, and applicable laws, regulations, and policies in making a decision regarding this project. The responsible official will document the Silvies Canyon Watershed Restoration decision and rationale for that decision in the Record of Decision. That decision will be subject to review under Forest Service Appeal Regulations (36 CFR Part 215).

Dated: December 1, 1999.

Bonnie Wood,
Forest Supervisor.

[FR Doc. 99-31882 Filed 12-8-99; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Notice of the Technical Guidance for Developing Comprehensive Nutrient Management Plans

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: The United States Department of Agriculture (USDA) is seeking comments on the draft Technical Guidance for Developing Comprehensive Nutrient Management Plans (CNMPs). USDA is asking for comments from individuals, the livestock industry, private consultants, State, Tribal, and local governments or subgroups thereof, universities, colleges, environmental groups, and other organizations. These comments will assist USDA in the development and implementation of the final Technical Guidance for Developing Comprehensive Nutrient Management Plans. This guidance document is intended for use for Natural Resources Conservation Service (NRCS) and conservation partner State and local field staffs, private consultants, landowners/operators, and others that either will be developing or assisting in the development of CNMPs.

DATES: Comments will be received for a 90-day comment period commencing December 9, 1999.

ADDRESSES: Address all requests and comments to: Francine A. Gordon, Management Assistant, Natural Resources Conservation Service, ATTN: CNMP, 5601 Sunnyside Avenue, Stop Code 5473, Beltsville, Maryland 20705.

FOR FURTHER INFORMATION CONTACT: Obie Ashford, Natural Resources Conservation Service, 301-504-2197; fax 301-504-2264, e-mail obie.ashford@usda.gov

SUPPLEMENTARY INFORMATION: The Technical Guidance for Developing Comprehensive Nutrient Management Plans is a document intended for use by the Natural Resource Conservation Service (NRCS) and conservation partner State and local field staffs, private consultants, landowners/operators, and others that either will be developing or assisting in the development of CNMPs. The purpose of this document is to provide technical guidance for local, tribal, State, or Federal programs, not to establish regulatory requirements. This technical guidance is not intended as a sole source or reference for developing

CNMPs. CNMP is a subset of a conservation plan that is unique to animal feeding operations. A CNMP is a group of conservation practices and management activities which, when combined into a system, will help to ensure that both production and natural resource goals are achieved. It incorporates practices to utilize animal manure and organic by-products as a beneficial resource. A CNMP addresses natural resource concerns dealing with nutrient and organic by-products and their adverse impacts on water quality. The objective of a CNMP is to combine management activities and conservation practices into a system that, when implemented, will minimize the adverse impacts of animal feeding operations on water quality.

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To file a complaint of discrimination to USDA, write Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410, or call (202) 720-5964 (voice and TDD). The USDA is an equal opportunity provider and employer.

Signed at Washington, D.C., on December 3, 1999.

Pearlie S. Reed,

Chief, Natural Resources Conservation Service.

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Technical Guidance for Developing Comprehensive Nutrient Management Plans (CNMPs)

1.0 Introduction

Technical Guidance for Developing Comprehensive Nutrient Management Plans (CNMPs) is a document intended for use by Natural Resources Conservation Service (NRCS) and conservation partner State and local field staffs, private consultants, landowners/operators, and others that either will be developing or assisting in the development of CNMPs. The purpose of this document is to provide technical guidance for the development of CNMPs, not to establish regulatory requirements for local, tribal, State, or Federal programs. This technical guidance is not intended as a sole source of reference for developing CNMPs. Rather, it is to be used as a tool in support of the planning process (see Appendix A), as contained in the NRCS National Planning Procedures Handbook (NPPH). (See Appendix B.) It provides a list of essential elements that need to be considered in developing a CNMP. To effectively use this technical guidance, the planner needs a solid understanding of agricultural waste management systems, nutrient management, the NRCS planning process, and the NRCS Field Office Technical Guide.

2.0 Definition

A Comprehensive Nutrient Management Plan (CNMP) is a subset of a conservation plan that is unique to animal feeding operations. A CNMP is a grouping of conservation practices and management activities which, when combined into a system, will help to ensure that both production and natural resource goals are achieved. It incorporates practices to utilize animal manure and organic by-products as a beneficial resource. A CNMP addresses natural resource concerns dealing with nutrient and organic by-products and their adverse impacts on water quality. A CNMP is developed to assist landowners/operators with meeting all applicable local, tribal, State, and Federal regulations. For certain unique, impacted watersheds or water bodies, special management activities or conservation practices may be necessary to help the landowner/operator meet specific local, tribal, State, or Federal regulations.

The conservation practices and management activities in a CNMP for which NRCS maintains technical standards are to meet these standards. Components of a CNMP for which NRCS does not currently maintain standards are to meet criteria established by Land Grant Universities, industry, or appropriate others. Ultimately, it is the landowner's/operator's responsibility as the decision-maker to select the system of conservation practices and management activities that best meet his/her production and environmental needs from the alternatives available.

3.0 Objective

The objective of a CNMP is to combine management activities and conservation practices into a system that, when implemented, will minimize the adverse impacts of animal feeding operations on water quality. CNMPs are to be developed in accordance with procedures contained in the NRCS National Planning Procedures Handbook (NPPH) (Appendix B) and meet the technical requirements of the NRCS local Field Office Technical Guide (FOTG). For guidance on CNMP plan format and content see Appendix C. For a given enterprise to meet this objective, a significant increase, over current levels, in the intensity and comprehensiveness of technical assistance provided to producers may be required.

Elements to consider:

1. Animal Outputs—Manure and Wastewater Collection, Handling, Storage, Treatment, and Transfer
2. Evaluation and Treatment of Sites Proposed for Land Application
3. Land Application
4. Records of CNMP Implementation
5. Inputs to Animals
6. Other Utilization Activities

4. Elements to Consider

4.1 Animal Outputs—Manure and Wastewater Collection, Handling, Storage, and Treatment, and Transfer

A manure and wastewater management system for a given animal feeding operation (AFO) should include all the components and management activities necessary to minimize degradation of water quality. A system may consist of a single component, such as a clean water diversion, or as many components as necessary to meet the production and environmental objectives of the landowner/operator while minimizing the environmental impacts. An on-site visit(s) is required to identify existing and potential nature resource concerns, problems, and opportunities in the siting of manure

and wastewater management system components, including the identification and documentation of infrastructure physical features such as buildings, roads, houses, fences, power lines, and other utilities. Sufficient data and information need to be gathered to analyze and understand the treatment needs in and around the production site.

A complete manure and wastewater management system may include, but is not limited to, activities that address:

- adequate collection, storage, and/or treatment that allows application during favorable weather conditions and at times compatible with crop management

- identification of needed water control devices around the production facility

- disposal of dead animals
- disposal of animal medical wastes
- spills and catastrophic events
- spoiled feed and other

contaminants

- milk house cleanup water
- testing of manure and organic

sources

- insect control
- silage leachates
- visual improvement
- off-site conditions
- identification of operation and maintenance (O&M) practices/activities

Note: The planned manure and wastewater management system needs to be in conformance with the NRCS Waste Management System Standard (Code 312). (See Appendix D). Components of the planned system need to be in conformance with the applicable practice standards.

4.2 Evaluation and Treatment of Sites Proposed for Land Application

An on-site visit is required to identify existing and potential natural resource concerns, problems, and opportunities for the conservation management unit (CMU).¹ This process will be used to identify and assess operations and activities needed to address existing and potential natural resource problems. The CMU assessment will include, but is not limited to:

- identification of the potential for nitrogen or phosphorus transport off-site
- aerial site photographs or maps
- soil features and limitations
- identification of sensitive areas such as sinkholes, streams, springs, lakes, ponds, wells, gullies, and drinking water sources with setbacks, as necessary

- identification of conservation practices and management activities needed for erosion control and water management

- soil test analysis for pH, nutrients, sodic condition, and organic contents
- identification of pathogens and odors

- other site information features such as property boundaries and location of streams and water bodies

- identification of operation and maintenance (O&M) practices/activities

Notes: 1. A documented record will be kept of the site assessment for each CMU. As part of the CNMP, this record will need to address problems or concerns identified during the on-site assessment of the land application unit.

2. The operation and maintenance plan will need to address all structural and operational components in the CNMP.

3. This planning and assessment process integrates economic, social, and environmental considerations into a system that meets the needs of the natural resources and assists the landowner/operator in meeting Federal, State, tribal and local requirements.

4. Technical requirements will be in accordance with the NRCS National Planning Procedures Handbook (NPPH) and the FOTG. (See Appendix E).

4.3 Land Application

The potential short- and long-term impacts of planned land application of all nutrients and organic by-products (e.g., animal manure, wastewater, commercial fertilizers, crop residues, legume credits, irrigation water, etc.) must be evaluated and documented for each CMU.

This should include:

- developing a nutrient budget for nitrogen, phosphorus, and potassium that includes all potential sources of nutrients

- planned crop sequence
- current soil test results
- manure and organic by-product source testing results
- realistic yield goals
- crop nutrient use
- form, source, amount, timing and method of application of nutrients
- calibration of application equipment

Note: Site specific technical requirements will be based on the NRCS Nutrient Management Standard (Code 590). (See Appendix D).

4.4 Record of CNMP Implementation

If the landowner/operator is to safely manage and assess CNMP, it is critical that his/her maintain a record of activities and the functionality of the system be maintained. A record-keeping plan should be implemented that

addresses key elements of the CNMP to aid in proper application and provide for assessment documentation.

This record may include:

- recommended nutrient application rates by CMU
- quantities, analysis and source of nutrients and organic by-products applied
- dates on which nutrients were applied, by CMU
- weather conditions during nutrient application
- methods by which nutrients were applied, by CMU
- crops planted and planting and harvesting dates, by CMU
- dates of review, including person performing the review and recommendations that resulted from the review
- results of any plant tissue sampling and testing, when used, by CMU
- nutrient application equipment calibration
- off-site use of manure

Notes: Specific record-keeping guidance may be obtained from Land Grant Universities, Industry, or appropriate others. In situations where the CNMP is part of a permitting or other regulating program, it is the responsibility of the producer to maintain any required documentation, including plans and implementation records, and make them available to the regulatory organization if required.

4.5 Inputs to Animals—Feed Management

Feed management activities may be used to reduce the nutrient content of manure, making it easier to manage in a land application scenario. Feed management is a planning consideration not a technical standard. These activities may include phase feeding, amino acid supplemented low crude protein diets, and the use of low phytin phosphorus grain and enzymes, such as phytase or other additives. Information and recommendations regarding feed management may be obtained from Land Grant Universities, industry, USDA—Agricultural Research Service, or other appropriate sources.

4.6 Other Utilization Activities

Using manure and organic by-products to provide for environmentally-safe alternatives should be an integral part of the overall CNMP. This is especially true where past land application of manure and organic by-products is a problem because of residual soil nutrient content and where future land application will make conditions worse. Also, it should be recognized that most other utilization strategies, such as biogas generation or

¹ Conservation management unit (CMU)—a field, group of fields, or other land units of the same land use and having similar treatment needs and planned management. A CMU has definite boundaries, such as fence, drainage, vegetation, topography, or soil lines.

composing may result in the inadvertent loss of nitrogen, but not phosphorus or other plant nutrients. It is the producers responsibility, as the decision maker, to select the utilization options to be used.

Alternatives include, but are not limited to;

- transport and safe use off-site
- power generation (e.g., methane generation for fuel, combustion of litter, for energy, etc.)
- converting to high-value product (e.g., composting, fertilizer, etc.)
- soil conditioning

Note: All manure and organic by-product utilization activities are to comply with

Federal, State, Tribal, and local laws. Specific technical requirements will be based on NRCS Waste Utilization Standard (Code 633) and Nutrient Management Standard (Code 590). (See Appendix D.)

Appendix A—The Natural Resources Conservation Service Planning Process

NRCS uses a three-phase, nine-step planning process. The three phases and nine steps from a linear perspective are:

Phase I—Collection and Analysis (Understanding the Problems and Opportunities)

1. Identify Problems
2. Determine Objectives

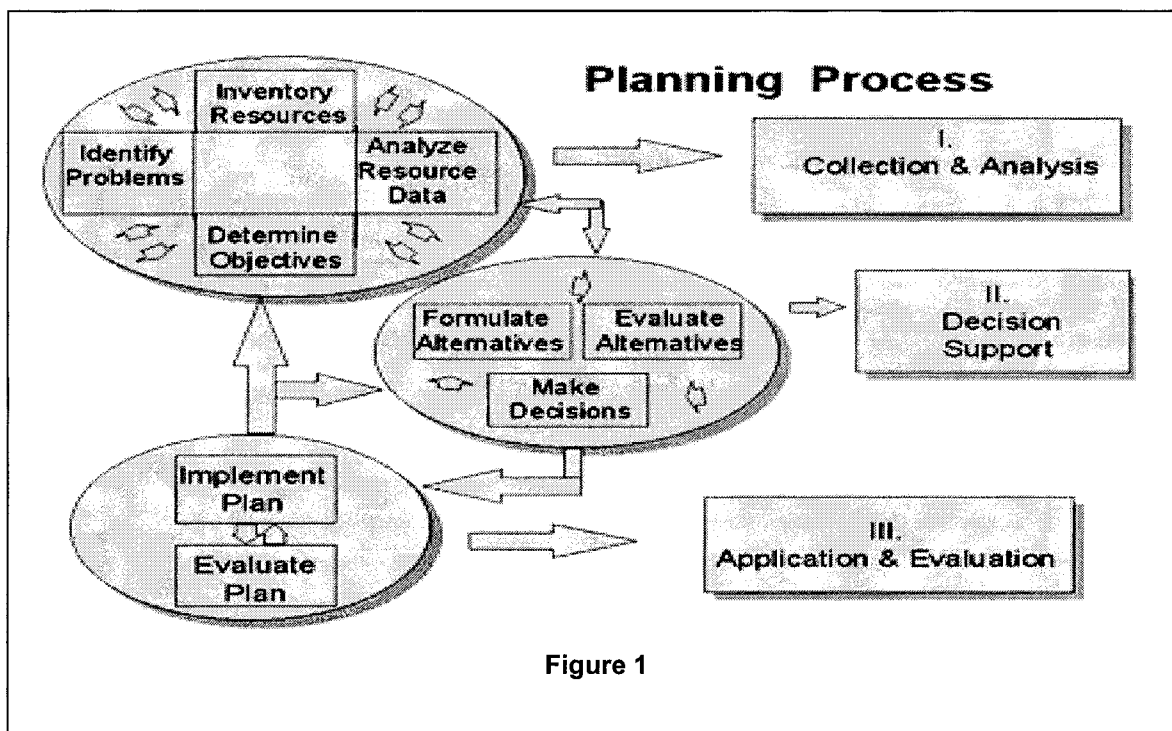
3. Inventory Resources
4. Analyze Resource Data

Phase II—Decision Support (Understanding the Solutions)

5. Formulate Alternatives
6. Evaluate Alternatives
7. Make Decisions

Phase III—Application and Evaluation (Understanding the Results)

8. Implement the Plan
9. Evaluate the Plan



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The planning process is straight forward, but not necessarily linear (See Figure 1). It is a cycling process—iterative—there is a need to cycle back. All three phases and all nine steps are vital for successful conservation planning.

- The planning process may start with any of the first three planning steps or planning step nine.

- There may be a need to cycle back to step three (inventory resources), while working on step four (analyze resource data), if more inventory information is needed.

- Step one (identify problems) and step two (determine objectives) will not be finalized until step four (analyze resource data) is completed. The analysis in step four will, at the very least, require a brief review of problem identification and objective determination to make sure they are suitable.

- There also may be a need for the landowner/operator to revise his objectives as alternatives are formulated and evaluated.

- Once the plan is developed, there may be a need to go back through the entire planning process and revise the plan, or that may become necessary while the plan is being implemented and evaluated. A revision may be necessary because of a change in objectives, size of the unit, livestock numbers, economics, weather conditions, etc.

- Based on the results of implementation, there also may be a need to look at additional alternatives if the results of plan implementation are not solving the identified problems or meeting the landowner's/operator's objectives.

Appendix B—Technical References, Handbooks, and Policy Directives

Technical References and Handbooks

The Natural Resource Conservation Service has numerous technical references and handbooks it uses to assist in the development of conservation plans and their various components. Listed below are those technical references and handbooks generally associated with the development of comprehensive nutrient management plans.

United States Department of Agriculture, Natural Resources Conservation Service (NRCS), National Engineering Handbook, Part 651, Agricultural Waste Management Field Handbook. This handbook is available on the NRCS web site at http://www.ncg.nrcs.usda.gov/tech_ref.html and from the National Technical Information Service at the address shown at the end of this Appendix.

United States Department of Agriculture, Natural Resource Conservation Service, National Range and Pasture Handbook. This handbook is available on the NRCS web site at http://www.ncg.nrcs.usda.gov/tech_ref.html.

United States Department of Agriculture, Natural Resource Conservation Service, National Agronomy Manual. This manual is presently under revision and is scheduled for release in Spring of 2000. The draft version is available on the USDA server in Ft. Worth, TX at <ftp://ftp.ftw.nrcs.usda.gov/pub/NAM/>.

United States Department of Agriculture, Natural Resource Conservation Service, National Planning Procedures Handbook (NPPH). This handbook is available from the NRCS, Conservation Operations Division, by contacting: Director, Conservation Operations Division, Natural Resources Conservation Service, 12th and Independence SW, Washington, DC 20013.

United States Department of Agriculture, Natural Resource Conservation Service, Conservation Planning Course. This course is available on the NRCS web site at <http://www.ncg.nrcs.usda.gov/start.htm>.

United States Department of Agriculture, Natural Resource Conservation Service, Agronomy Technical Notes. These notes are available on the NRCS web site at http://www.ncg.nrcs.usda.gov/tech_notes.html.

United States Department of Agriculture, Natural Resource Conservation Service, Soil Quality Information Sheets. These sheets are available on the NRCS web site at http://www.ncg.nrcs.usda.gov/tech_notes.html.

Hard copies of available publications can be purchased from: National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA. 22161; Telephone: 1-800-553-6847.

Policy Directives

NRCS policy is contained in Natural Resources Conservation Service, General Manual. The index for the entire manual can be found at NRCS web site <http://policy.nrcs.usda.gov/national/gm/index.htm>. Listed below are those policy directives contained in the General Manual generally associated with the development of comprehensive nutrient management plans.

Natural Resources Conservation Service, General Manual, Title 450, Technology, Part 401, Technical Guides. This part of the General Manual is available at the NRCS web site at <http://policy.nrcs.usda.gov/national/gm/title450/part401/index.htm>.

Natural Resources Conservation Service, "General Manual", Title 190, Ecological Sciences, Part 402, Nutrient Management. This part of the General Manual is available at the NRCS web site at <http://www.nhq.nrcs.usda.gov/BCS/nutri/gm-190.html>.

Appendix C—Comprehensive Nutrient Management Plan Format and Content

Introduction

The conservation plan is developed by the landowner/operator for his/her use to record decisions for natural resource protection, conservation, and enhancement.

Decisions and resource information needed during implementation and maintenance of the plan are recorded. The plan narrative and supporting documents provide guidance for implementation and may serve as a basis for compliance with State and Federal regulations and/or program funding through Federal, State, or local financial support initiatives.

A comprehensive nutrient management plan (CNMP) is to include all land units, on which manure and organic by-products will be generated, handled, or applied, and that the landowner/operator either owns or has decision making authority over.

The following guidance helps to maintain quality and provide appropriate documentation of a plan. The list shows the suggested items to be given to the landowner/operator. However, the plan content should be tailored to meet the landowner's/operator's needs.

Plan Format and Content

The plan document provided to the landowner/operator should be a quality document containing meaningful information for the landowner/operator. It should include the following items:

1. A folder, binder, or other means to assemble the contents of the plan.
2. A soil map with appropriate interpretations, such as land capability groupings, woodland suitability groups, pasture and hayland suitability groups, and other interpretive information regarding suitability for specific land uses.
3. Appropriate worksheets developed with the landowner/operator. The worksheets should include such things as resource impact summaries, forage inventories, erosion estimates, and cost estimates.
4. Available job sheets and other prepared material applicable to the landowner's/operator's specific planned practices.
5. Operation and maintenance agreements and procedures. More detailed operation and maintenance procedures, depending on their extent and complexity, may be contained in a separate document, but must be referenced in the CNMP in conjunction with the conservation system and practices contained in the plan.

6. In some cases, engineering designs may be included. However, these designs generally are kept in the office file under the landowner's/operator's name.

7. A conservation plan map. At a minimum, each map should include the following:

- a. Title block showing:
 - "Conservation Plan Map"
 - "Prepared with assistance from _____ (Name)"
 - Name of the conservation district, county and State
 - Scale of the map
 - Date prepared
 - North arrow
 - b. Body of map with:
 - Boundary lines of the planning unit outlined
 - Field boundaries
 - Land use and acres for each land unit correlating to landowner/operator land use in the case file
 - Appropriate map symbols and a map symbol legend on the map, or as an attachment
 - c. Land use designations:
 - Landowner/operator—specific land use designations (e.g., cropland, grazed range, forest, etc.) will be used on the plan map.
8. A record of the landowner's/operator's decisions.
- The recorded decisions will apply to land units reflecting common land use, objectives, and treatment needs (referred to as conservation management units).
 - Include the appropriate land unit label, official practice name, brief description of the practice, and schedule of practice application in the proper sequence by calendar year.
9. Available maps, sketches, and designs resulting from the planning process that will be useful to the landowner/operator in implementing the plan.

The CNMP Case File Will Contain:

1. Landowner's/operator's objectives and decisions
2. Assistance notes
3. Engineering notes
4. Operation and maintenance agreements and plans
5. Design documentation
6. Documentation of applied practices
7. Forms and worksheets used in developing and evaluating alternatives
8. Environmental documentation
9. Maps—conservation plan and soils
10. Other appropriate supporting documents

Appendix D—Conservation Practice Standards

Natural Resources Conservation Service (NRCS) conservation practice standards provide guidance for applying technology on the land, and set the minimum level for acceptable application of the technology.

NRCS issues national conservation practice standards in its National Handbook of Conservation Practices (NHCP). National standards for each practice are available at the NRCS web site http://www.ncg.nrcs.usda.gov/nhcp_2.html. State Conservationists determine which national standards will be used in his/her State.

State Conservationists that choose to use national standards, without changes, adapt them for use in their State and issue them as State conservation practice standards. State Conservationists add the technical detail needed to effectively use the standards at the field office level. Also, State Conservationists can make their conservation practiced

standards more restrictive, but not less restrictive. State conservation practice are contained in Section IV of the Field Office Technical Guide.

Copies of NRCS State conservation practice standards are not currently available from the NRCS Homepage, but may be available later. Copies presently can be obtained by

contacting the appropriate NRCS State Office. (See Appendix F.)

Following is a listing of the most commonly considered conservation practice standards that may be used when developing a comprehensive nutrient management plan (CNMP):

Practice code	Practice name	Date of last revision	Presently under revision
317	Composting Facility	12/90	• ¹
328	Conservation Crop Rotation	6/99
332	Contour Buffer Strips	3/99
340	Cover and Green Manure Crop	10/77	• ¹
589C	Cross Wind Trap Strips	3/99	• ¹
362	Diversion	10/85	• ¹
382	Fence	4/95	•
393	Filter Strip	3/99
410	Grade Stabilization Structure	10/85	• ¹
412	Grassed Waterway	10/85	• ¹
449	Irrigation Water Management	3/99
590	Nutrient Management	4/99
595A	Pest Management	7/97	• ¹
516	Pipeline	10/85	•
521A	Pond Sealing or Lining—Flexible Membrane	6/84	• ¹
521C	Pond Sealing or Lining—Bentonite Sealant	10/77	•
329A	Residue Management, No-till and Strip Till	3/99
329B	Residue Management, Mulch Till	3/99
558	Roof Runoff Management	6/84	•
574	Spring Development	10/87	•
585	Stripcropping, Contour	10/78	•
600	Terrace	4/82	•
614	Trough or Tank	10/87	•
472	Use Exclusion	6/94	•
312	Waste Management System	4/79	• ¹
313	Waste Storage Facility	4/95	• ¹
359	Waste Treatment Lagoon	6/84	• ¹
633	Waste Utilization	4/99	•
XXX	Closure of Waste Impoundments	Proposed	•

¹ New release anticipated in 2000.

Appendix E—Field Office Technical Guide

The Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG) is an essential tool for resource planning. The FOTG contains five Sections:

General Resource References—References, maps, cost lists, typical crop budgets, and other information for use in understanding the field office working area, or in making decisions about resource use and resource management.

Soil and Site Information—Soils are described and interpreted to help make decisions about land use and management. In most cases, this will be an electronic database.

Resource Management Systems—Guidance for developing conservation management systems. A description of the resource considerations and their acceptable levels of quality or criteria are included in this section.

Practice Standards and Specifications—

Contains standards and specifications for conservation practices used in the field office. Conservation practice standards contain minimum quality criteria for designing and planning each practice; specifications describe requirements necessary to install a practice.

Conservation Effects—Contains Conservation Practices Physical Effects matrices that outline the impact of practices on various aspects of the five major resources—soil, air, water, plants, and animals.

The FOTG is a document that is being updated continually to reflect changes in technology, resource information, and agency policy. The FOTG contains information that is unique to States and local field offices within States. To obtain information contained within the FOTG, contact a United States Department of Agriculture, NRCS, State Office (See Appendix F for a listing).

Appendix F—State offices

United States Department of Agriculture

Natural Resources Conservation Service

Alabama

3381 Skyway Drive, P.O. Box 311, Auburn, AL 36830

Phone: 334/887-4500 Fax: 334/887-4552

Alaska

949 East 36th Ave., Suite 400, Anchorage, AK 99508-4302

Phone: 907/271-2424 Fax: 907/271-3951

Arizona

3003 North Central Avenue, Suite 800, Phoenix, AZ 85012-2945

Phone: 602/280-8801 Fax: 602/280-8809

Arkansas

Federal Building, Room 3416, 700 West Capitol Avenue, Little Rock, AR 72201-3228

Phone: 501/301-3121 Fax: 501/301-3194

California

430 G Street, Suite 4164, Davis, CA 95616-4164

Phone: 530/792-5600 Fax: 530/792-5790

Colorado	Massachusetts	Oregon
655 Parfet Street, Room E200C, Lakewood, CO 80215-5517 Phone: 303/236-2886 x 202 Fax: 303/236- 2896	451 West Street, Amherst, MA 01002-2995 Phone: 413/253-4351 Fax: 413/253-4375	101 SW Main Street, Suite 1300, Portland, OR 97204-3221 Phone: 503/414-3221 Fax: 503/414-3277
Connecticut	Michigan	Pennsylvania
16 Professional Park Road, Storrs, CT 06268- 1299 Phone: 860/487-4011 Fax: 860/487-4054	1405 South Harrison Road, Room 101, East Lansing, MI 48823-5243 Phone: 517/337-6701 x1201 Fax: 517/337- 6905	1 Credit Union Place, Suite 340, Harrisburg, PA 17110-2993 Phone: 717/237-2210 Fax: 717/237-2238
Delaware	Minnesota	Puerto Rico
1203 College Park Drive, Suite 101, Dover, DE 19904-8713 Phone: 302/678-4160 Fax: 302/678-0843	375 Jackson Street, Suite 600, St. Paul, MN 55101-1854 Phone: 651/602-7856 Fax: 651/602-7914 or 7915	Director, Caribbean Area, IBM Building, Suite 604, 654 Munoz Rivera Avenue, Hato Rey, PR 00918-4123 Phone: 787/766-5206 Fax: 787/766-5987
Florida	Mississippi	Rhode Island
2614 N.W. 43d Street, Gainesville, FL 32606- 6611 Phone: 352/338-9500 Fax: 352/338-9574	Suite 1321, Federal Building, 100 West Capitol Street, Jackson, MS 39269 Phone: 601/965-5205 Fax: 601/965-4940	60 Quaker Lane, Suite 46, Warwick, RI 02886-0111 Phone: 401/828-1300 Fax: 401/828-0433
Georgia	Missouri	South Carolina
Federal Building, Stop 200, 355 East Hancock Avenue, Athens, GA 30601-2769 Phone: 706/546-2272 Fax: 706/546-2120	Parkade Center, Suite 250, 601 Business Loop 70 West, Columbia, MO 65203-2546 Phone: 573/876-0901 Fax: 573/876-0913	Strom Thurmond Federal Building, 1835 Assembly Street, Room 950, Columbia, SC 29201-2489 Phone: 803/253-2935 Fax: 803/253-3670
Guam	Montana	South Dakota
Director, Pacific Basin Area, FHB Building, Suite 301, 400 Route 8, Maite, GU 96927 Phone: 671/472-7490 Fax: 671/472-7288	Federal Building, Room 443, 10 East Babcock Street, Bozeman, MT 59175-4704 Phone: 406/587-6868 Fax: 406/587-6761	Federal Building, Room 203, 200 Fourth Street, S.W., Huron, SD 57350-2475 Phone: 605/352-1200 Fax: 605/352-1270
Hawaii	Nebraska	Tennessee
300 Ala Moana Blvd., Room 4-118, P.O. Box 50004, Honolulu, HI 96850-0002 Phone: 808/541-2600 x100 Fax: 808/541- 1335	Federal Building, Room 152, 100 Centennial Mall, North, Lincoln, NE 68508-3866 Phone: 402/437-5300 Fax: 402/437-5327	675 U.S. Courthouse, 801 Broadway, Nashville, TN 37203-3878 Phone: 615/736-5471 Fax: 615/736-7135
Idaho	Nevada	Texas
9173 West Barnes Drive, Suite C, Boise, ID 83709 Phone: 208/378-5700 Fax: 208/378-5735	5301 Longley Lane, Building F, Suite 201, Reno, NV 89511-1805 Phone: 702/784-5863 Fax: 702/784-5939	W.R. Poage Building, 101 South Main Street, Temple, TX 76501-7682 Phone: 254/742-9800 Fax: 254/742-9819
Illinois	New Hampshire	Utah
1902 Fox Drive, Champaign, IL 61820-7335 Phone: 217/398-5267 Fax: 217/373-4550	Federal Building, 2 Madbury Road, Durham, NH 03824-2043 Phone: 603/433-0505 Fax: 603/868-5301	W.F. Bennett Federal Building, 125 South State Street, Room 4402, Salt Lake City, UT 84138
Indiana	New Jersey	P.O. Box 11340, SLC, UT 84147-0350 Phone: 801/524-5050 Fax: 801/524-4403
6013 Lakeside Blvd., Indianapolis, IN 46278- 2933 Phone: 317/290-3200 Fax: 317/290-3225	1370 Hamilton Street, Somerset, NJ 08873- 3157 Phone: 732/246-1171 Fax: 732/246-2358	Vermont
Iowa	New Mexico	60 Union Street, Winooski, VT 05404-1999 Fax: 802/951-6327 Phone: 802/951-6795
693 Federal Building, 210 Walnut Street, Suite 693, Des Moines, IA 50309-2180 Phone: 515/284-6655 Fax: 515/284-4394	6200 Jefferson Street, N.E., Suite 305, Albuquerque, NM 87109-3734 Phone: 505/761-4400 Fax: 505/761-4462	Virginia
Kansas	New York	Culpeper Building, Suite 209, 1606 Santa Rosa Road, Richmond, VA 23229-5014 Phone: 804/287-1676 Fax: 804/287-1737
760 South Broadway, Salina, KS 67401-4642 Phone: 785/823-4565 Fax: 785/823-4540	441 South Salina Street, Suite 354, Syracuse, NY 13202-2450 Phone: 315/477-6504 Fax: 315/477-6550	Washington
Kentucky	North Carolina	Rock Pointe Tower II, W. 316 Boone Avenue, Suite 450, Spokane, WA 99201-2348 Phone: 509/323-2900 Fax: 509/323-2909
771 Corporate Drive, Suite 110, Lexington, KY 40503-5479 Phone: 606/224-7350 Fax: 606/224-7399	4405 Bland Road, Suite 205, Raleigh, NC 27609-6293 Phone: 919/873-2102 Fax: 919/873-2156	West Virginia
Louisiana	North Dakota	75 High Street, Room 301, Morgantown, WV 26505 Phone: 304/291-4152 x136 Fax: 304/291- 4628
3737 Government St, Alexandria, LA 71302 Phone: 318/473-7751 Fax: 318/473-7626	220 E. Rosser Avenue, Room 278, P.O. Box 1458, Bismarck, ND 58502-1458 Phone: 701/250-4421 Fax: 701/250-4778	Wisconsin
Maine	Ohio	6515 Watts Road, Suite 200, Madison, WI 53719-2726 Phone: 608/276-8732 x229 Fax: 608/276- 5890
5 Godfrey Drive, Orono, ME 04473 Phone: 207/866-7241 Fax: 207/866-7262	200 North High Street, Room 522, Columbus, OH 43215-2478 Phone: 614/469-6962 Fax: 614/469-2083	Wyoming
Maryland	Oklahoma	Federal Building, Room 3124, 100 East B Street, Casper, WY 82601-1911
John Hanson Business Center, 339 Busch's Frontage Road, Suite 301, Annapolis, MD 21401-5534 Phone: 410/757-0861 x314 Fax: 410/757- 0687	USDA Agri-Center Bldg., 100 USDA, Suite 203, Stillwater, OK 74074-2655 Phone: 405/742-1204 Fax: 405/742-1201	

Phone: 307/261-6453 Fax: 207/261-6490
 [FR Doc. 99-31872 Filed 12-8-99; 8:45 am]
 BILLING CODE 3410-16-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

**In the Matter of: Macosia International,
 2004 Baltimore Street, Laredo, Texas
 78041, Respondent**

Decision and Order

On August 14, 1998, the Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (hereinafter "BXA"), issued a charging letter initiating an administrative proceeding against Macosia International (hereinafter "Macosia"). The charging letter alleged that Macosia committed four violations of the Export Administration Regulations (currently codified at 15 CFR parts 730-774 (1999)) (the Regulations),¹ issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C.A. app. secs. 2401-2420 (1991 & Supp. 1999)) (the Act).²

Specifically, the charging letter alleged that, on four separate occasions between on or about August 17, 1993 and on or about August 18, 1994, Macosia exported handcuffs and leg irons from the United States to Mexico without obtaining the validated export license required by § 772.1(b) of the former Regulations. BXA alleged that, by exporting handcuffs and leg irons to any person or destination or for any use in violation of or contrary to the terms of the Act, or any regulation, order, or license issued thereunder, Macosia violated Section 787.6 of the former Regulations in connection with each of the exports, for a total of four violations.

Macosia failed to answer or otherwise respond to the charging letter.

¹ The alleged violations occurred in 1993 and 1994. The Regulations governing the violations at issue are found in the 1993 and 1994 versions of the Code of Federal Regulations (15 CFR parts 768-799 (1993 and 1994)). Those Regulations define the violations that BXA alleges occurred and are referred to hereinafter as the former Regulations. Since that time, the Regulations have been reorganized and restructured; the restructured Regulations establish the procedures that apply to the matters set forth herein.

² The Act expired on August 20, 1994. Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), extended by Presidential Notices of August 15, 1995 (3 CFR, 1995 Comp. 501 (1996)), August 14, 1996 (3 CFR, 1996 Comp. 298 (1997)), August 13, 1997 (3 CFR, 1997 Comp. 306 (1998)), August 13, 1998 (3 CFR, 1998 Comp. 294 (1999)) and August 10, 1999 (64 FR 44101, August 13, 1999), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. 1701-1706 (1991 & Supp. 1999)).

Accordingly, pursuant to the default procedures set forth in § 766.7 of the regulations, BXA moved that the Administrative Law Judge (hereinafter the "ALJ") find the facts to be as alleged in the charging letter and render a Recommended Decision and Order.

Following BXA's motion, the ALJ issued a Recommended Decision and Order in which he found that service of the charging letter was made on Macosia on September 10, 1998 and that, because it filed no answer to the charging letter, Macosia was in default. The ALJ also found the facts to be as alleged in the charging letter, and concluded that those facts establish that Macosia committed four violations of the former Regulations, as BXA alleged. The ALJ also agreed with BXA's recommendation that the appropriate penalty to be imposed for the violations is a denial, for a period of seven years, of all of Macosia's export privileges. As provided by § 766.22 of the regulations, the Recommended Decision and Order has been referred to me for final action.

Based on my review of the entire record, I affirm the findings of fact and conclusions of law in the Recommended Decision and Order of the ALJ.

Accordingly, it is therefore ordered, First, that, for a period of seven years from the date of this Order, Macosia International, 2004 Baltimore Street, Laredo, Texas 78041, and all of its successors or assignees, officers, representatives, agents, and employees when acting for or on behalf of Macosia International may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition or attempted acquisition by the denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and that is owned, possessed or controlled by the denied person, or service any item, of whatever origin, that is owned, possessed or controlled by the denied person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that, after notice and opportunity for comment as provided in § 766.23 of the regulations, any person, firm, corporation, or business organization related to the denied person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

Fourth, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

Fifth, that this Order shall be served on Macosia International and on BXA, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.