

- (5) Environmental justice considerations, and
- (6) Environmental monitoring.

Preparation of the EIS

Following scoping, we will prepare a draft EIS for the Fruit Fly Cooperative Eradication Program. A notice published in the **Federal Register** will announce that the draft EIS is available for review and will announce the dates and locations of public meetings to review the draft EIS.

Done in Washington, DC, this 16th day of March 1998.

Craig A. Reed,

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

Natural Resources Conservation Service

Farmland Protection Program

AGENCY: Commodity Credit Corporation and Natural Resources Conservation Service, United States Department of Agriculture (USDA).

ACTION: Notice of request for proposals (RFP).

SUMMARY: Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 Act) established the Farmland Protection Program (FPP). The FPP is administered under the supervision of the Chief of the Natural Resources Conservation Service (NRCS) who is a Vice President of the Commodity Credit Corporation (CCC). CCC is requesting proposals from States, Tribes, and units of local government to cooperate in the acquisition of conservation easements or other interests in prime, unique, or other productive soil that is subject to a pending offer from a State, Tribal, or local government for the purpose of limiting conversion to nonagricultural uses of that land.

DATES: Proposals must be received in the NRCS State Office by June 18, 1998.

ADDRESSES: Proposals are to be sent to the appropriate State Conservationist, Natural Resources Conservation Service, United States Department of Agriculture. The telephone numbers and addresses of the NRCS State Conservationists are attached in the appendix of this notice.

FOR FURTHER INFORMATION CONTACT: Humberto Hernandez, Director,

Community Assistance and Rural Development Division, Natural Resources Conservation Service, phone: (202) 720-2847; fax: (202) 690-0639; e-mail: cardd.nrcs@usda.gov. Subject: 98FPP.

SUPPLEMENTARY INFORMATION:

Background

According to the 1987 Census of Agriculture, one-third of the Nation's agricultural products are produced in metropolitan counties adjacent to large cities. Another one-fourth of these agricultural products are produced in counties adjacent to significant urban populations. Historically, American settlements were located in areas where the land was the most productive. Consequently, some of the Nation's most valuable and productive farmland is located in urban and developing areas. Nearly 85 percent of domestic fruit and vegetable production and 80 percent of our dairy products come from urban-influenced areas.

These areas are continually threatened by rapid development and urban sprawl. Several social and economic changes over the past three decades have influenced the rate at which land is converted to urban and industrial uses. Population growth, shifts in age distribution, inexpensive energy cost, transportation, and economic development have contributed to increases in agricultural land conversion rates. Urban development has been a major cause of farmland conversion. Since 1960, farmland has been converted to other uses at a rate of approximately 1.5 million acres per year.

The gross acreage of farmland converted to urban development is not necessarily the most troubling concern. A greater cause for concern is the quality and the pattern of farmland being converted. In most States, prime farmland is being converted at 2 to 4 times the rate of other less-productive land. Most urbanization takes place as sprawl instead of orderly growth management. In addition, remaining farmland is placed under greater environmental, economic, and social strain as agrarian and urbanizing interests compete. For the agricultural producer, increased costs of production and liability risks are negative side effects of urban development. Agricultural producers are also induced by the development pressure to farm the remaining acreage more intensively, thus, generating adverse impacts on water quality and soil health. For urban dwellers, the loss of open space, and issues related to agricultural production such as pesticide overspray, animal

nutrient odors, dust, and noise are conflicting concerns.

There is, therefore, an important national interest in the protection of farmland. Once developed, productive farmland with rich topsoil is lost forever, placing future food security for the Nation at risk. In addition, agricultural lands are important components of environmental quality, historic landscapes, and are equally important simply for their scenic beauty.

In fiscal years 1996 and 1997, the CCC signed cooperative agreements with 41 State and local government entities in 18 States and obligated \$16.2 million in funds to partner in acquiring conservation easements or other interests in land to limit conversion to nonagricultural uses of the land. Once acquisitions of the pending easement offers are completed, approximately 80,000 acres of valuable farmland on about 230 farms with an estimated easement value of \$134 million will be protected in part with Federal funds.

Availability of Funding in Fiscal Year (FY) 1998

Effective on the date of publication of this notice, the CCC is announcing the availability of up to \$17.28 million for the FPP for FY 1998. Selection will be based on the FPP criteria established in this notice. Government entities responding to this RFP must have an existing farmland protection program, have pending offers, and be able to provide funds for at least 50 percent of the fair market value of the pending offers. CCC will evaluate the merits of the requests for participation utilizing the FPP criteria described in this notice and will enter into cooperative agreements with the States, Tribes, or units of local government that have proposals that CCC determines will effectively meet the objectives of the FPP. CCC must receive proposals for participation by June 18, 1998.

Overview of the Farmland Protection Program

CCC will accept proposals submitted to the NRCS State Offices from States, Tribes, and units of local government that have pending offers with landowners for the acquisition of conservation easements or other interests in lands that contain prime, unique, or other productive soils. The pending offers must be for the primary purpose of protecting topsoil by limiting conversion to nonagricultural uses of the land. Reference information regarding the FPP can be found in the Catalog of Federal Domestic Assistance #10.913.

A pending offer is a bid, contract, or option extended to a landowner by a State, Tribe, or local government entity to acquire a conservation easement or other interests in land to limit nonagricultural uses of the land before the legal title to these rights has been conveyed. The pending offer must be made as of the date when the cooperative agreement is signed.

Government entities must work with the appropriate NRCS State Conservationist to develop proposals and to develop operating agreements once selected. The State Conservationist may consult with the State Technical Committee (established pursuant to 16 U.S.C. 3861) to evaluate the technical merits of proposals submitted in that State. All requests must be submitted to the appropriate NRCS State Conservationist by June 18, 1998.

The NRCS State Conservationist will review and evaluate the requests for participation for consistency with USDA criteria based on the State, Tribal, or local program eligibility and the land eligibility. If received more than one proposal, the NRCS State Conservationist may consolidate proposals and determine the priority of the pending offers for selection using a ranking system described in this notice, such as: (1) The quality of the land considering the soils, economic viability, size, and product sales; (2) other factors including the scale of the contiguous track, historical, scenic, and environmental qualities; and (3) the likelihood of conversion considering developmental pressure, zoning, utility availability, and other related factors. If received only one proposal, the NRCS State Conservationist has the option of accepting the submitting entity's priority ranking provided that the lands are eligible for participation in the FPP.

The State Conservationist will submit a cover letter with a recommended list of the prioritized proposals that meet the criteria established in this notice to the appropriate NRCS Regional Conservationist by July 20, 1998. The NRCS Regional Conservationist will then forward proposals submitted from the region to the NRCS National Office in Washington, D.C. by August 3, 1998. Proposals will not be accepted by the NRCS National Office without having gone through the NRCS State and Regional Conservationists. Proposals sent to the NRCS National Office without having been sent through the NRCS State and regional offices will be returned to the submitting entity.

Once all proposals for participation are received in the NRCS National Office, the Chief of NRCS, who is a Vice President of the CCC, will authorize

cooperative agreements to be developed and signed by September 30, 1998, with specific terms of the FPP for each proposal accepted. An equitable allocation of the funds to the successful cooperating entities will be made by considering such factors as: The capability of each entity to fund at least half of the fair market easement cost of each of the pending offers selected for funding; the economic and environmental value of such offers; the probability of integrating other Federal, State, Tribal, or local conservation efforts; and the total number of eligible acres included in the offers.

To be selected for participation in the FPP, a pending offer must provide for the acquisition by a State, Tribe, local government unit, or other entity approved by the NRCS, of an easement or other interests in land for a minimum duration of 30 years, with priority given to those offers providing permanent protection. If a pending offer is selected for participation in the FPP, the conveyance document used by the State, tribal, or local government entity will need to be reviewed and approved by the NRCS National office. A strong preference will be given to reserved interest easements. If title to the easement is held by an entity other than the United States, the conveyance document will contain a reversionary clause that all rights conveyed by the landowner under the document will become vested in the United States, should the State, tribal, or local government entity abandon, terminate, or abrogate the exercise of the rights so acquired. As a condition for participation, all lands enrolled shall be encompassed by a conservation plan developed and implemented according to the NRCS Field Office Technical Guide.

Eligible State, Tribal, or Local Farmland Protection Programs

To be eligible, a State, Tribe, or unit of local government must have a farmland protection program that provides for the purchase of agricultural conservation easements for the purpose of protecting topsoil by limiting conversion to nonagricultural uses of land. A program must also have pending offers when submitting the proposal. A State, Tribal, or local government entity may apply for participation as a cooperating entity by submitting responses to the RFP to the appropriate NRCS State Conservationist.

The NRCS State Conservationist will evaluate the State, Tribal, or local program based on the conservation benefits derived from such farmland protection efforts. An eligible State,

Tribal, or local government entity must have a farmland protection program that: (1) Demonstrates a commitment to long-term conservation of agricultural lands through legal devices, such as right-to-farm laws, agricultural districts, zoning, or land use plans; (2) uses voluntary easements or other legal devices to protect farmland from conversion to nonagricultural uses; (3) demonstrates a capability to acquire, manage, and enforce easements and other interests in land; and (4) demonstrates that funds equal to at least 50 percent of the total fair market value of the easement are available.

Proposals

In addition to meeting program eligibility requirements, a prospective cooperating entity must submit a proposal that has: (1) An overview of the program, including components described in the section of "Eligible State, Tribal, or Local Farmland Protection Programs"; (2) a map showing the existing protected area; (3) the amount and source of funds currently available for easement acquisition; (4) the criteria used to set the acquisition priorities; and (5) a listing of the pending offers including the (a) priority of the offer; (b) name(s) of the landowner(s); (c) location identified on the map; (d) size of the parcel in acres for the FPP easement or other interests; (e) acres of the prime, unique, or other productive soil in the parcel for the FPP easement or other interests; (f) area participating in or its relative proximity to parcels participating in other conservation efforts identified on the map; (g) estimated costs of the easement or other interests; (h) type of the FPP easement or other interests to be used; (i) indication of the accessibility to markets; (j) indication of an existing agricultural infrastructure and other support system; (k) level of threat from urban development; (l) other factors from an evaluation and assessment system used for setting priorities for easement acquisition by the entity; and (m) other information that may be relevant.

To avoid double counting, local and county programs must coordinate their proposals with each other and the State program if particular parcels are subject to pending offers under multiple programs.

Eligible Land

Once program eligibility and the merits of each proposal have been evaluated, NRCS shall determine whether the farmland is eligible for enrollment and whether the lands may

be included in the FPP. The following land, if subject to a pending offer by a State, Tribe, or unit of local government, is eligible for enrollment in the FPP: (1) Land with prime, unique, or other productive soil; and (2) other incidental land that would not otherwise be eligible, but when considered as part of a pending offer, NRCS determines that the inclusion of such land would significantly augment the protection of the associated farmland.

Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses. It includes cropland, pasture land, rangeland, and forest land. Unique farmland is land other than prime farmland that is used for the production of specific high value food and fiber crops, such as nuts, citrus, olives, cranberries, fruits, vegetables, and herbs. Other productive soil refers to farmland of statewide or local importance for the production of food, feed, fiber, forage, and oil seed crops. Additional information on the definition of prime, unique, or other productive soil can be found in section 1540(c)(1) of the Farmland Protection Policy Act (Pub. L. 97-98, 1981, 7 U.S.C. 4201).

NRCS will only consider enrolling eligible land in the program that is configured in a size and with boundaries that allow for the efficient management of the area or for establishing a buffer zone for the purposes of the FPP. The land must have access to markets for its products and an infrastructure appropriate for agricultural production. NRCS will not enroll land in the FPP that is owned in fee title by an agency of the United States, or land that is already subject to an easement or deed restriction that limits the conversion of the land to nonagricultural use. NRCS will not enroll otherwise eligible lands if NRCS determines that the protection provided by the FPP would not be effective because of on-site or off-site conditions.

Ranking Considerations

Pending offers by a State, Tribe, or unit of local government must be for the acquisition of an easement or other interest in land for a minimum duration of 30 years. NRCS shall place a priority on acquiring easements or other interests in lands that provide the longest period of protection from conversion to nonagricultural use. NRCS will place a higher priority on lands and locations that help create a large track of protected area for viable agricultural production or buffer zones.

NRCS will place a higher priority on lands and locations that link to other Federal, State, Tribal, or local conservation efforts with complementary farmland protection objectives. NRCS may place a higher priority on lands that provide special social, economic, and environmental benefits to the region. A higher priority may be given to certain geographic regions where the enrollment of particular lands may help achieve national, State, and regional goals and objectives, or enhance existing government or private conservation projects.

Cooperative Agreements

The CCC will use a cooperative agreement with a selected State, Tribe, or unit of local government as the mechanism for participation in the FPP. The cooperative agreement will address the following: (1) The interests in land to be acquired, including the form of the easements to be used and terms and conditions; (2) the management and enforcement of the rights acquired; (3) the technical assistance that may be provided by the NRCS; (4) the holder of the easement or other interests in the land enrolled in the FPP; and (5) other requirements deemed necessary by the CCC to protect the interests of the United States. The cooperative agreement will also include an attachment that lists the pending offers accepted in the FPP, landowners' names, addresses, locations, and other relevant information.

Signed at Washington, DC, on March 16, 1998.

Pearlie S. Reed,

Chief, Natural Resources Conservation Service, Vice President, Commodity Credit Corporation.

State Conservationists

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DEPARTMENT OF AGRICULTURE**Food Safety and Inspection Service****[Docket No. 98-004N]****Ground Beef Processing Guidance Material****AGENCY:** Food Safety and Inspection Service, USDA.**ACTION:** Availability of material and public meeting notice.

SUMMARY: The Food Safety and Inspection Service (FSIS) announces that it is making available for public comment a guidance document intended to assist processors of ground beef, especially small processors, in developing procedures to minimize the risk of *E. coli* 0157:H7 and other pathogens in ground beef products produced in their establishments. FSIS plans to hold a public meeting to discuss this document on April 22, 1998. FSIS is aware that other organizations also are developing guidance materials for the production of ground beef and encourages their presentation and discussion at the public meeting. These presentations will be scheduled, and appropriate time will be allotted. FSIS will make available any such materials submitted to the Agency prior to the meeting. FSIS