

Biofuels produced in FY 2009 and the number of producers who request additional payments under this NOCP.

1. If an eligible producer received a payment in FY 2009, a written request must be submitted to the appropriate USDA, Rural Development Renewable Energy Coordinator. The request must acknowledge this is an additional one-time payment for the actual amount produced in FY 2009.

2. If an eligible producer had a valid executed contract, but did not submit a request for payment for the advanced biofuel produced in FY 2009, the request must include:

- Form RD 9005-3, "Advanced Biofuel Program Payment Application," for FY 2009 production;
- Documentation verifying the actual amount of advanced biofuel produced in FY 2009; and
- SF-3881, "Electronic Funds Transfer Payment Enrollment Form."

Additional documentation and access to same may be required if the producer's submittal is not sufficient to verify eligibility for payment or quantity of the Advanced Biofuel product.

3. If a producer was determined eligible, but did not execute a contract, the request must include:

- Form RD 9005-2, "Advanced Biofuel Payment Program Contract;"
- Form RD 9005-3, "Advanced Biofuel Program Payment Application," for FY 2009 production;
- Documentation verifying the actual amount of advanced biofuel produced in FY 2009; and
- SF-3881, "Electronic Funds Transfer Payment Enrollment Form."

Additional documentation and access to same may be required if the producer's submittal is not sufficient to verify eligibility for payment or quantity of the Advanced Biofuel product.

#### **Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act, the paperwork burden associated with this Notice of Contract for Proposal (NOCP) has been approved by the Office of Management and Budget (OMB) under OMB Control Number 0570-0057.

The PRA burden associated with the original NOCP, published on June 12, 2009, was approved by OMB under emergency conditions, with an opportunity to comment on the burden associated with the program, and was intended to be a one-time approval. Since the publication of the original NOCP, the Agency did not allocate all of the FY 2009 authorized funds because actual production did not meet the estimated production used to determine payment rates. Therefore, the

Agency is seeking to make additional payments to eligible Advanced Biofuel Producers from remaining fiscal year 2009 funds.

Under this NOCP, the Agency is providing additional payments to producers of advanced biofuels determined by the Agency to be eligible for the program in order to further support the production of advanced biofuels. To obtain these additional payments, producers who signed a contract (Form RD 9005-2) and submitted a payment request (Form RD 9005-3) must acknowledge that receiving payment from the remaining fiscal year 2009 funds is a one-time payment. Producers who signed a contract, but did not submit a payment request, must submit a payment request form, including documentation verifying the actual amount of advanced biofuel produced in fiscal year 2009, and an electronic funds transfer payment enrollment form (SF-3881). Producers determined by the Agency to be eligible, but who did not sign a contract with the Agency, must submit the contract form, a payment request form, including documentation verifying the actual amount of advanced biofuel produced in fiscal year 2009, and an electronic funds transfer payment enrollment form. The collection of this information is necessary to ensure that appropriate payments are made to eligible producers of Advanced Biofuels.

All of the forms, information, certifications, and agreements required to apply for these additional payments under this NOCP have been authorized under OMB Control Number 0570-0057. Since the emergency approval of the original NOCP for this program, the Agency has resubmitted the PRA package to OMB and received regular approval. Applications and accompanying materials required under this NOCP will be covered under the regular PRA package.

#### **Nondiscrimination Statement**

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2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD). "USDA is an equal opportunity provider, employer, and lender."

Dated: March 8, 2010.

**Judith A. Canales,**

*Administrator, Rural Business-Cooperative Service.*

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## **DEPARTMENT OF AGRICULTURE**

### **Commodity Credit Corporation**

#### **Chesapeake Bay Watershed Initiative**

**AGENCY:** Commodity Credit Corporation and Natural Resources Conservation Service, Department of Agriculture.

**ACTION:** Notice of availability of program funds for the Chesapeake Bay Watershed Initiative.

**SUMMARY:** The Commodity Credit Corporation (CCC) and the Natural Resources Conservation Service (NRCS) announce the availability of up to \$44,158,381 of technical and financial assistance funding in fiscal year (FY) 2010 through the Chesapeake Bay Watershed Initiative for agricultural producers in the Chesapeake Bay watershed in the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia. The Chesapeake Bay Watershed Initiative funds are available to help producers implement natural resources conservation practices on agricultural lands.

**DATES:** *Effective Date:* The Notice of Request is effective March 12, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dana D. York, Director, Conservation Planning and Technical Assistance Division, Department of Agriculture, Natural Resources Conservation Service, 1400 Independence Avenue SW., Room 6015 South Building, Washington, DC 20013; Telephone: (202) 720-1510; Fax: (202) 720-2998; or E-mail: [dana.york@wdc.usda.gov](mailto:dana.york@wdc.usda.gov).

#### **SUPPLEMENTARY INFORMATION:**

CCC and NRCS hereby announce the availability of up to \$44,158,381 to provide technical and financial assistance to producers through the Chesapeake Bay Watershed Initiative in FY 2010.

Section 1240Q of the Food Security Act of 1985, as amended by the Food,

Conservation, and Energy Act of 2008, established the Chesapeake Bay Watershed Initiative and defined the Chesapeake Bay watershed to mean all tributaries, backwaters, and side channels, including their watersheds, draining into the Chesapeake Bay. This area includes portions of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia. The NRCS administers the Chesapeake Bay Watershed Initiative and carries out program implementation using funds, facilities, and authorities of the CCC. The Initiative gives special, but not exclusive, consideration to producers' applications in the following river basins: Susquehanna River, Shenandoah River, Potomac River (including North and South), and the Patuxent River.

The Chesapeake Bay Watershed Initiative helps agricultural producers improve water quality and quantity, and restore, enhance, and conserve soil, air, and related resources in the Chesapeake Bay watershed through the implementation of conservation practices. These conservation practices reduce soil erosion and nutrient levels in ground and surface water; improve, restore, and enhance wildlife habitat; and help address air quality and related natural resource concerns. The Initiative is carried out through the various natural resources conservation programs authorized under Subtitle D, Title XII of the Food Security Act of 1985, as amended. The Chesapeake Bay Watershed Initiative assistance in FY 2010 will be delivered through the Environmental Quality Incentives Program (EQIP) and the Cooperative Conservation Partnership Initiative (CCPI) which consists of EQIP and the Wildlife Habitat Incentive Program (WHIP). All EQIP, CCPI, and WHIP requirements and policies will apply.

Individuals interested in applying for Chesapeake Bay Watershed Initiative assistance may contact their local USDA service center in the eligible Chesapeake Bay Watershed Initiative States. A listing of local service centers can be found at: <http://offices.sc.egov.usda.gov/locator/app?agency=nrsc>.

Signed this March 8, 2010, in Washington, DC.

**Dave White,**

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

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**BILLING CODE 3410-16-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Huron-Manistee National Forests, Michigan, USA and State South Branch 1-8 Well

**AGENCY:** Forest Service, USDA.

**ACTION:** Corrected Notice of Intent to prepare an Environmental Impact Statement for the USA and State South Branch 1-8 well. The original notice was published on 2/24/10.

**SUMMARY:** The Huron-Manistee National Forests (Forest Service) and the Bureau of Land Management (BLM), as a Cooperating Agency, will prepare an environmental impact statement (EIS) to assess the environmental impacts of an industry proposal to drill one exploratory natural gas well, the USA & State South Branch 1-8 (SB 1-8) well, on National Forest System lands. The EIS will also assess the impacts of constructing necessary infrastructure, including production facility and flowline, should the well be capable of producing hydrocarbons in commercial quantities. This analysis will allow the agencies to make their respective decisions on this proposal in accordance with federal regulations.

**DATES:** Comments concerning the scope of the analysis must be received by April 26, 2010. The Draft EIS is expected in December 2010 and the Final EIS is expected by July 2011.

**ADDRESSES:** Send written comments to Lauri Hogeboom, Interdisciplinary Team Leader, Huron-Manistee National Forests, 1755 S. Mitchell Street, Cadillac, MI 49601; fax: 231-775-5551. Send electronic comments to: [comments-eastern-huron-manistee@fs.fed.us](mailto:comments-eastern-huron-manistee@fs.fed.us).

**FOR FURTHER INFORMATION CONTACT:** Ken Arbogast, Huron-Manistee National Forests; telephone: 231-775-2421; fax: 231-775-5551. See address above under **ADDRESSES**. Copies of documents may be requested at the same address. Another means of obtaining information is to visit the Forest Web page at <http://www.fs.fed.us/r9/hmnf> then click on "Projects and Planning", then "Mio projects", and then "USA and State South Branch 1-8."

Individuals who use telecommunication devices for the deaf (TTY) may call 1-231-775-3183.

#### SUPPLEMENTARY INFORMATION:

#### Purpose and Need for Action

The purpose for action is to respond to the proponent's, Savoy Energy, L.P.'s (Savoy), proposal to exercise its rights under Federal leases to drill for, extract,

remove and dispose of all the oil and gas from leased lands. The Huron-Manistee National Forests (Forest Service) and the Bureau of Land Management (BLM) received an Application for Permit to Drill (APD), including a Surface Use Plan of Operation (SUPO), from Savoy.

A response to the application is needed because Savoy has lawful oil and gas rights to three state and three federal leases in a 640-acre drilling unit and the Forest Supervisor (FS) and the Milwaukee Field Office Manager (BLM) are required by regulation to evaluate and decide upon operating plans received from industry for exploration and development of federal leases. The agencies must ensure Savoy's operating plan is consistent with the terms and stipulations of the federal mineral leases, applicable laws and regulations, the Huron-Manistee's Land and Resource Management Plan, and identify any additional conditions needed to protect federal resources.

The BLM ultimately renders a decision on the APD, and the Forest Service must review and decide upon the SUPO before the BLM can make its APD decision.

#### Proposed Action

The Forest Service proposes to authorize Savoy to conduct surface operations associated with accessing, drilling, testing, and completing the USA and State South Branch 1-8 well, as described in the SUPO and APD submitted to the BLM. The Forest Service would approve the SUPO for the USA and State South Branch 1-8 Well.

The BLM proposes to authorize Savoy to conduct operations to drill, test and complete the proposed exploratory well on the subject leases and approve the APD submitted for this well.

The Forest Service and BLM authorization would include reasonable and necessary mitigation to ensure Savoy's operations would be in compliance with law, regulation, and policy.

Savoy holds six subsurface mineral leases included in a 640-acre drilling unit in South Branch Township (T25N, R1W), Crawford County, Michigan, Section 7: E 1/2, Section 8: W 1/2. This 640-acre drilling unit includes three state and three federal oil and gas leases. Savoy is proposing to drill directionally from National Forest System lands within the boundaries of the Huron-Manistee National Forests to the bottomhole located in Federal mineral lease MIES 50521, approximately 2,200 feet northwest of the surface hole, and construct associated infrastructure including a production facility and