(b) (1) The single point of contact is not obligated to transmit comments form State, areawide, regional or local officials and entities where there is no State process recommendation.

(2) If a State process recommendation is transmitted by a single point of contact, all comments from State, areawide, regional, and local officials and entities that differ from it must also be transmitted.

(c) If a State has not established a process, or is unable to submit a State process recommendation, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department.

(d) If a program or activity is not selected by a State process, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department. In addition, if a State process recommendation for a non-selected program or activity is transmitted to the Department by the single point of contact, the Secretary follows the procedures of §3015.309 of this subpart.

(e) The Secretary considers comments which do not constitute a State process recommendation submitted under these regulations and for which the Secretary is not required to apply the procedures of §3015.309 of this subpart, when such comments are provided by a single point of contact by the applicant, or directly to the Department by a commenting party.

§3015.310 Interstate situations.

(a) The Secretary is responsible for:

1. Identifying proposed Federal financial assistance and direct Federal development that have an impact on interstate areas;
2. Notifying appropriate officials in States which have adopted a process and which selected the Department's program or activity;
3. Making efforts to identify and notify the affected State, areawide, regional, and local officials and entities in those States that have not adopted a process under the Order or do not select the Department's program or activity; and
4. Responding, pursuant to §3015.309 of this subpart, if the Secretary receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Department have been delegated.

(b) The Secretary uses the procedures of §3015.309 if a State process provides a State process recommendation to the Department through a single point of contact.

§3015.311 Simplification, consolidation, or substitution of State plans.

(a) As used in this section:
1. "Simplify" means that a State may develop its own format, choose its own submission date, and select the planning period for a State plan.
2. "Consolidate" means that a State may meet statutory and regulatory requirements by combining two or more plans into one document and that the State can select the format, submission date, the planning period for the consolidated plan.
3. "Substitute" means that a State may use a plan or other document that it has developed for its own purposes to meet Federal requirements.

(b) If not inconsistent with law, a State may decide to try to simplify, consolidate, or substitute Federally required State plans without prior approval by the Secretary.

(c) The Secretary receives each State plan a consolidated, modified, or substituted and accepts the plan only if its contents meet Federal requirements.

§3015.312 Waivers.

In an emergency, the Secretary may waive any provision of these regulations.

Issued at Washington, D.C.

John J. Frankje, Jr.,
Assistant Secretary for Administration.

Approved: June 14, 1983.

John R. Block,
Secretary of Agriculture.
Department of Agriculture Programs and Activities Excluded from Executive Order 12372

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule related notice.

SUMMARY: The purpose of this Notice is to inform State and local governments and other interested persons of programs and activities excluded from the scope of Executive Order 12372, "Intergovernmental Review of Federal Programs." A full understanding of the requirements of the Order may be gained by referring to the final rules published in 7 CFR Part 3015, Subpart V, appearing in this Part III in today's Federal Register.


SUPPLEMENTAL INFORMATION: This listing of programs and activities excluded from the scope of Executive Order 12372 is listed by the Catalog of Federal Domestic assistance number as follows:

Agricultural Research Service
CFDA No.
10.001 Basic and Applied Agriculture Research—Research, development, and demonstration that does not have a unique geographic focus, are not directly relevant to State and local government responsibilities, do not require an EIS, and do not expose the public to adverse exposure or hazard. These activities are National in scope and the results of research are beneficial to National goal.

Agricultural Stabilization and Conservation Service
10.050 Commodity Loans and Purchases—Direct payments to individuals

Soil Conservation Service
10.900 Resource Conservation and Development
10.904 Watershed Planning and Operations
10.906 Flood Plain Management
10.908 River Basin Survey and Investigation

Food Safety and Inspection Service
10.061 Marketing Agreements and Orders—Advisory services and counseling—Non financial assistance—Provisions of specialized services
10.062 Water Bank Program—Direct payments to individuals
10.063 Appalachian Land Stabilization Program—Direct payments to individuals
10.064 Forestry Incentives Program—Direct payments to individuals
10.065 Rice Production Stabilization Program—Direct payments to individuals
10.066 Emergency Feed Program—Direct payments to individuals
10.067 Grain Reserve Program—Direct payments to individuals
10.068 Rural Clean Water Program—Direct payments to individuals

Agriculture Marketing Service
10.153 Market News—Partially fee supported activity—Non financial assistance—Dissemination of Technical Information
10.154 Market Supervision and Assistance—Fee supported trust fund activity—Non financial assistance—Provisions of specialized services
10.155 Market Agreements and Orders—Advisory services and counseling—Non financial assistance—Provisions of specialized services
10.162 Inspection Grading and Standardization—Fee supported trust fund activity—Non financial assistance—Provisions of specialized services

Rural Development
10.164 Wholesale Market Development—Applied research to improve the efficiency of the Food distribution system and assist in developing better wholesale market centers

Forest Service
10.664 Cooperative Forestry Assistance

National Forest System Land Management Practices Which Involve Direct Development Activities

Rural Electrification Administration
10.850 Rural Electrification Loans and Loan Guarantees to governmental entities
10.851 Rural Telephone Loans and Loan Guarantees to governmental entities

Soil and Water Loans

10.414 Resources Conservation and Development Loans 
10.415 Rural Rental Housing Loans 
10.416 Soil and Water Loans 
10.417 Water and Waste Disposal Loan and Grant Program 
10.419 Watershed Loans and Advances 
10.420 Mutual and Self-Help Housing Grants
10.422 Business and Industrial Loans 
10.423 Community Facilities Loans 
10.424 Industrial Development Grants
10.426 Biomass Energy and Alcohol Fuel Loans
10.427 Rural Assistance Payments 
10.430 Energy Impacted Area Development Assistance 
10.431 Technical and Supervisory Assistance Grants 
10.432 Biomass Energy and Alcohol Fuel Loans
10.433 Regional Programs—Direct payments to individuals

Commodity Loans and Conservation Service
10.052 Cotton Production Stabilization—Direct payments to individuals
10.053 Dairy Indemnity Payments—Direct payments to individuals
10.054 Emergency Conservation Program—Direct payments to individuals
10.055 Feed Grain Production Stabilization—Direct payments to individuals
10.056 Storage Facilities and Equipment Loans—Direct payments to individuals
10.058 Wheat Production Stabilization—Direct payments to individuals
10.060 National Wool Act Payments—Direct payments to individuals
10.062 Water Bank Program—Direct payments to individuals
10.063 Appalachian Land Stabilization Program—Direct payments to individuals
10.064 Forestry Incentives Program—Direct payments to individuals
10.065 Rice Production Stabilization Program—Direct payments to individuals
10.066 Emergency Feed Program—Direct payments to individuals
10.067 Grain Reserve Program—Direct payments to individuals
10.068 Rural Clean Water Program—Direct payments to individuals

COFFEE ADMINISTRATION
10.069 National Wool Act Payments—Direct payments to individuals

Agricultural Research Service
CFDA No.
10.001 Basic and Applied Agriculture Research—Research, development, and demonstration that does not have a unique geographic focus, are not directly relevant to State and local government responsibilities, do not require an EIS, and do not expose the public to adverse exposure or hazard. These activities are National in scope and the results of research are beneficial to National goal.

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10.068 Rural Clean Water Program—Direct payments to individuals

COFFEE ADMINISTRATION
10.069 National Wool Act Payments—Direct payments to individuals
10.185 Perishable Agriculture
Commodities Act—Fees supported trust fund activity—non financial assistance—Investigation of complaints

Cooperative State Research Service
10.200 Special Research Grants—Basic Research grants in Food and Agricultural Sciences
10.201 Native Latex Research—Basic Research in the commercialization of Native Latex
10.202 Cooperative Forestry Research—Formula grants to support research, development and demonstration programs which are National in scope
10.203 Payments to Agricultural Experiment Stations under the Hatch Act—Formula grants to support Agricultural Research at State Agricultural Experiment Stations
10.205 Payments to 1890 Land-Grant—Formula grants to support Colleges and Tuskegee Institute—Agricultural Research at 1890 Land-Grant Colleges and Tuskegee Institute
10.206 Competitive Research Grants—Basic Research grants in the areas of Biological Nitrogen Fixation, Biological Stress on Plants, Photosynthesis, Genetic Mechanisms of Crop Improvement and human requirements for nutrients
10.207 Animal Health and Disease Research—Formula grants to support research, development, and demonstration programs which are National in scope
10.208 Alcohol Fuels Research Grants—Basic Research on evaluation, treatment, and conversion of biomass resources for the manufacture of ethyl alcohol

Economic Research Service
10.250 Economic Analysis and Research—Research, development and demonstration programs and direct financial assistance between the Federal government and non-governmental entities

Agriculture Cooperative Service
10.350 Technical assistance to Cooperatives—Applied research on cooperatives matters. Funding arrangements with cooperative and State universities.

Human Nutrition Information Service
10.375 Consumer Nutrition—Research development, and demonstration. Program has National focus, is not directly relevant to the responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public
10.375 Nutrition Guidance and Education Research—Research development, and demonstration. Program has National focus, is not directly relevant to the responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public
10.375 Food and Nutrition Information—Research, development and demonstration. Program consists of maintaining a library collection of materials on food and nutrition, lending materials to nongovernmental entities and government agencies, and developing bibliographic data base. No interpretation of information is provided. Program has a national focus, is not directly relevant to the governmental responsibilities of a state or local government, does not require an Environmental Impact Statement, and does not require unusual measures to limit the possibility of adverse exposure or hazard to the general public

Farmers Home Administration
10.404 Emergency Loans and Economic Emergency Loans—Emergency assistance to nongovernmental entities
10.406 Farm Operating Loans—Direct financial assistance between the Federal government and non-governmental entities
10.407 Farm Ownership Loans—Direct financial assistance between the Federal government and non-governmental entities
10.408 Grazing Association Loans—Direct financial assistance between the Federal government and non-governmental entities
10.410 Low to Moderate Income Housing Loans—Direct assistance to individuals
10.417 Very Low-income Housing Repair Loans and Grants—Grants to individuals

Federal Crop Insurance Corporation
10.421 Indian Land Acquisition Loans—Direct financial assistance between the Federal government and non-governmental entities
10.428 Economic Emergency Loans—Direct loan to individuals and other non-governmental entities

Food Safety and Inspection Service
10.477 Meat and Poultry Inspection—Foreign Commerce Inspection, no financial assistance

Food and Nutrition Service
10.551 Food Stamp Program (Coupons)—The Food Stamp Program is an entitlement program and benefits are provided directly to individuals

Forest Service
10.652 Research grants and Cooperative Agreements—Direct financial assistance between the federal government and a nongovernmental entity

Forest Service research activities as follows: Research, development, and demonstration programs or activities.

Fire and Atmospheric Sciences Research
Forest Insect and Disease Research Renewable Resources Evaluation Research Renewable Resources Economics Research Surface Environment and Mining Research Trees and Timber Management Research

Watershed Management Research Wildlife, Range, and Fish Habitat Research Forest Recreation Research Forest Products Utilization Research Forest Engineering Research National Forest Systems Activities as follows: Funds are distributed by formulas that are established by laws, and federal agencies have no authority to approve specific sites or projects where funds will be issued
10.653 Schools and Roads—Grants to States
10.656 School and Roads—Grants to Counties
10.657 School Funds—Grants to Arizona
10.668 Additional Lands—Grants to Minnesota

National Forest System Activities—Land management practices involved with the administration and protection of resources on National Forest System lands, which are not direct development

Negotiations of involved and sensitive land exchanges or purchases which would be endangered or hampered with premature release of appraisal figures, resulting in adverse effects of local land speculation

Programs with characteristics inappropriate for coverage. For example, assistance to educational institutions regarding fire prevention and soil and water conservation

Projects which are of small scale or size, are highly localized as to impacts, or display other characteristics which make review impractical

10.700 National Agriculture Library—No financial activity outside of Headquarters

10.800 Livestock and Poultry Market Supervision—Investigation of complaints—applied research in Market operations—funding arrangements with State universities

10.850 Rural Electrification Loans and Loan Guarantees to non-governmental entities

10.851 Rural Telephone Loans and Loan Guarantees—Non-governmental entities

10.852 Rural Telephone Bank Loans—Direct financial assistance between the Federal government and a non-governmental entity

10.900 Great Plans Conservation Program (GPCP)—Technical and financial assistance to individual land users

10.902 Soil and water conservation—assistance to individuals

10.903 Soil Surveys (Land Grant Universities only)—Soil survey research and the field collection of data is accomplished by Federal and Land Grant University personnel. Final decisions affecting the integrity of studies are based on National needs and technical criteria

10.905 Conservation Operations Plant Materials Centers—All operations are internal to the agency and plants developed are released through universities

10.907 Conservation Operations—snow surveys and water forecasting—Program is data collection program from multistate sample frame. Data deals with water content of snow pack in the western mountain States. Stream flows result in water being used in a number of States before reaching the ocean. Final decisions affecting the integrity of studies are based on National needs and technical criteria.

10.908 Inventory and monitoring—dissemination of technical information

10.910 Rural Abandoned Mine Program—Direct payment for specified use

10.950 Crop and Livestock Estimates—Federal statutory preemption precludes any State or local jurisdiction over this program, and the recommendation of State and local governments can have little or no bearing on Federal decisions in this area. Meaningful consultation would breach the confidentiality required by Federal statute (18 U.S.C. 1902) relating to the disclosure of crop information

10.950 Statistical Research and Service—Research, development and demonstration program, and direct financial assistance between the Federal government and a nongovernmental entity

John J. Franke, Jr.,
Assistant Secretary for Administration.
June 14, 1983.
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