

groups wanting to participate on a State Technical Committee within a specific State may submit to the State Conservationist of that particular State a request that explains their interest and outlines their credentials which they believe are relevant to becoming a member of the State Technical Committee. Decisions of the State Conservationist concerning membership on the committee are final and not appealable to any other individual or group within USDA.

§ 610.23 State Technical Committee meetings.

(a) The State Conservationist shall provide public notice of State Technical Committee meetings in which issues related to conservation programs will be considered.

(b) The State Conservationist shall publish a meeting notice no later than 14 calendar days prior to the meeting. Notification may exceed this 14-day minimum where State open meeting laws exist and provide for a longer notification period. This minimum 14-day notice requirement may be waived in the case of exceptional conditions. The State Conservationist shall publish this notice in at least one or more newspaper(s), including recommended Tribal publications, to attain statewide circulation. The State Conservationist, as Chairperson, schedules and conducts the meetings, although a meeting may be requested by any USDA agency as needed.

§ 610.24 Responsibilities of State Technical Committees.

(a) Each State Technical Committee established under this subpart shall meet on a regular basis, as determined by the State Conservationist, to provide information, analysis, and recommendations.

(b) The State Technical Committee shall provide, in writing to the implementing USDA program agency, recommendations, data, and technical analyses, which reflect the professional information and judgment of the State Technical Committee. Such information, analyses, and recommendations shall be provided in a manner that will assist in determining matters of fact, technical merit, or scientific question.

(c) The responsibilities of the State Technical Committee include making recommendations with respect to the technical matters such as:

(1) Guidelines for evaluating petitions by agricultural producers regarding new conservation practices and systems not already described in field office technical guides;

(2) Aspects of wetland protection, restoration, and mitigation requirements;

(3) Criteria to be used in evaluating bids for enrollment of environmentally-sensitive lands in the Conservation Reserve Program (16 U.S.C. 3831-3836);

(4) Guidelines for haying or grazing and the control of weeds to protect nesting wildlife on set-aside acreage;

(5) Highly erodible land exemptions and the appeals process as it pertains to technical issues and information;

(6) Wetland and highly erodible land conservation compliance exemptions and the appeals process;

(7) Methods to address common weed and pest problems, and programs to control weeds and pests found on acreage enrolled in the Conservation Reserve Program (16 U.S.C. 3831-3836);

(8) Guidelines for planting perennial cover for water quality and wildlife habitat improvement on set-aside lands;

(9) Criteria and priorities for state initiatives under the Environmental Quality Incentives Program (EQIP) (16 U.S.C. 3839aa), including:

(i) Criteria to prioritize applications from applicants with significant statewide resource concerns outside a priority area;

(ii) Eligible conservation practices for an EQIP priority area or for significant statewide resource concerns outside a priority area;

(iii) Criteria to be used in defining a large confined livestock operation under EQIP;

(iv) Suggestions on how often producers' EQIP applications are ranked and selected;

(v) Criteria to prioritize applications from applicants with significant statewide resource concerns outside a priority area; and

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(vi) Determination of cost share and incentive payment limits for participants subject to environmental requirements or with significant statewide resource concerns outside a priority area.

(10) The implementation of the Wildlife Habitat Incentives Program (WHIP) (16 U.S.C. 3836a);

(11) The technical merits of proposals submitted for the Farmland Protection Program (16 U.S.C. 3830);

(12) The development of a Wetland Reserve Program (WRP) (16 U.S.C. 3837) wetland restoration plan;

(13) Statewide program guidelines applicable to WRP easement compensation, restoration planning, priority ranking, and related policy matters, 7 CFR part 1467;

(14) Identification of any categories of wetland conversion activities and conditions which are routinely determined by NRCS to have minimal effect on wetland functions and values as described in 7 CFR part 12.

(15) Conservation techniques and measures related to achieving environmental justice needs; and

(16) Types or classes of wetland that are not eligible for mitigation exemption under the Wetland Conservation provisions of 7 CFR part 12.

(d) The implementing agency reserves the authority to accept or reject the Committee's recommendations; however, the implementing USDA agency shall give strong consideration to the Committee's suggestions.

§ 610.25 Specialized subcommittees.

In some situations, specialized subcommittees, made up of State Technical Committee members, may be needed to analyze and refine specific issues. The State Conservationist may assemble certain members to discuss, examine, and focus on a particular technical or programmatic topic. The subcommittee may seek public participation; however, it is not required to do so. Nevertheless, decisions resulting from these subcommittee sessions shall be made only in a general session of the State Technical Committee, where the public is notified and invited to attend.

7 CFR Ch. VI (1-1-08 Edition)

Subpart D—Conservation of Private Grazing Land

SOURCE: 67 FR 68497, Nov. 12, 2002, unless otherwise noted.

§ 610.31 Purpose and scope.

(a) This subpart sets forth the policies for the Conservation of Private Grazing Land (CPGL) Program, as authorized by Section 386 of the Federal Agriculture Improvement and Reform Act of 1996, (Pub. L. 104-127, April 4, 1996) 16 U.S.C. 2005b. Under the CPGL Program, NRCS will provide technical assistance to landowners and managers who request assistance based on locally-established priorities and resource concerns. The purpose of the CPGL Program is to provide technical assistance to private grazing land owners and managers to voluntarily conserve or enhance grazing land resources to meet ecological, economic, and social demands.

(b) The term "private grazing land" means private, State-owned, tribally owned, and any other non-federally owned rangeland, pastureland, grazed forestland, hayland, and other lands used for grazing.

(c) The NRCS Chief may implement the CPGL Program in any of the 50 States, the District of Columbia, Commonwealth of Puerto Rico, Guam, the U.S. Virgin Islands, and American Samoa. NRCS will provide assistance in cooperation with conservation districts, or directly to a landowner or operator.

§ 610.32 Technical assistance furnished.

(a) Provide technical assistance to grazing-land owners and managers to plan and implement resource conservation on grazing land. The objective of planning on grazing land is to assist landowners and managers in understanding the basic ecological principles associated with managing their land. This objective can be met by implementing a plan that meets the needs of the resources (soil, water, air, plants, and animals) and management objectives of the owner or manager. NRCS may provide assistance, at the request of the private grazing-land owner or manager to: