

Welcome

Welcome to the National Environmental Policy Act also known as NEPA (*nee-pa*) Introduction Course on Farmland provided by the Florida Department of Transportation's (FDOT's) Office of Environmental Management. The purpose of this course is to provide instruction in on Farmland evaluation as described in Part 2, Chapter 6 of the PD&E Manual.

Lesson 1: Procedure

Lesson 1 covers the procedure for a farmland evaluation and coordination with the National Resources Conservation Service (NRCS) under the Farmland Protection Policy Act.

Farmland Protection Policy Act (FPPA)

The Farmland Protection Policy Act, also known as the FPPA, was passed by congress in 1981, in order to minimize the conversion of farmland to nonagricultural uses by federal programs. Farmlands are defined in 7 CFR § 658.2(a) as prime and unique lands, or farmland that is determined by the appropriate state or unit of local government to be farmland of statewide or local importance. The lands do not have to currently be in use as croplands, but can be forest land, pastureland, cropland or other land. The lands cannot be water or urban built-up land.

Farmland Protection Policy Act (FPPA) [cont.]

The requirements of the FPPA only apply to projects completed by a federal agency or with federal funds or assistance. As a result state projects, such as State Environmental Impact Reports and Non Major State Actions, and projects completed with no federal assistance are not subject to the provisions of the Act. All projects subject to the requirements of the FPPA require coordination with the NRCS as covered later in this course.

Efficient Transportation Decision Making Process (ETDM) Screening

The farmland evaluation begins with determining if a project is subject to the provisions of the FPPA . Projects which have been screened through the Efficient Transportation Decision Making Process, also known as ETDM, will provide preliminary information about the project's potential involvement with Farmland.

Efficient Transportation Decision Making Process (ETDM) Screening [cont.]

The Preliminary Environmental Discussion or PED (say PE-D), prepared by the District, The Environmental Technical Advisory Team or ETAT, (*say E-TAT*) comments from ETDM provide a baseline of information to begin with in developing the scope of the project. It is important to note that the NRCS comments may specifically state that farmlands are affected on the project.

Projects Excluded from Evaluation

If a project falls within one of the following categories, coordination is not required with NRCS . These include project activities not subject to the provisions of FPPA , such as, Federal permitting and licensing, projects planned and completed without the assistance, financial or technical, of a federal agency, projects beyond the planning stage or constructed prior to August 4, 1984, projects construction within an existing ROW acquired on or before August 4, 1984, and small acreages.

Projects Excluded from Evaluation [cont.]

Additionally, projects situated entirely within an urbanized area are excluded from coordination. More exclusions are listed in the FPPA manual located on NRCS's website. This link can be found on the resources page for this CBT.

Projects Excluded from Evaluation [cont.]

Small acreages are identified as acreages of 10 acres or less per linear mile or 3 areas where there is a project for an existing bridge or interchange, where a statewide, local, or tribal land evaluation site assessment system has been

approved by the State Conservationist. Acreage includes both direct and indirect conversions. These exemptions are to encourage improvements to existing highways, instead of new construction. See the FPPA Manual for additional exceptions.

Projects Requiring Coordination with NRCS

All projects which are located in non-urbanized areas require coordination with NRCS . Also coordination with NRCS is required, if the comprehensive land use maps show agricultural land use adjacent to the project corridor. It is important to note that the land use designation on the maps takes precedence over actual land use, for example lands currently being used for agricultural purposes but shown on the map as non-agricultural are considered as non-agricultural.

Urbanized Areas

Urbanized areas are defined by the U.S. Census as geographical areas with 50,000 or more people. The urbanized areas listed here were obtained from the U.S. Census Bureau 2010 Urbanized Areas data. All projects located entirely within the boundaries of these areas without designated farmlands adjacent to the corridor are excluded from coordination with NRCS.

Coordination with NRCS

Coordination with NRCS is accomplished through the completion of a form. Two forms are available for use on projects, Form NRCS-CPA-106 is used for corridor type projects and form AD-1006 is used for all other projects. The majority of FDOT projects will use form NRCS-CPA-106 as this form is used for linear projects. Here is a copy of the form. Form AD-1006 would be used for parking areas, buildings, rest areas and similar projects. Here is a copy of that form.

Completion of the Form

The districts complete parts 1 and 3 of the form. Part 1 consists of project information, such as, name of the project, type of projects and federal agency involved. Part 3 consists of information related to the amount of acreage which is to be converted, and total acres in the corridor. Part 2, Chapter 6 of the PD&E manual discusses form NRCS-CPA-106, however it is important to note that form AD-1006 is similar with only a few variations in the form.

Completion of the Form

If needed, additional information for completing the form can be found on the NRCS website, the NRCS web soil survey, and in Part 523 – FPPA Manual, Subpart A. After the form is completed it is then forwarded to the NRCS State Soil Scientist.

Initial Evaluation

Once NRCS receives the form they then complete parts 2, 4 and 5. Part 2, will contain information about the type of farmland and the area, Part 4 will contain acreage information related to each alternative, and Part 5 will contain a value rating of between 0 and 100, with the higher the rating the greater the impact to farmland. They may also mark No in Part 2 to indicate that the project has no involvement with farmland. NRCS will then return the form to the district.

Second Evaluation

If involvement with farmlands was identified by NRCS, then the District completes Parts 6 and 7. Part 6 contains corridor-type site assessment criteria to assess the impact of each specific design alternative within a project corridor alignment. Title 7 CFR § 658.5 provides an explanation of the assessment and scoring criteria.

Second Evaluation [cont.]

The total points for each corridor are determined and the total number of points indicated determines the level of significance given to the farmland involvement. A copy of the completed form is returned to NRCS after parts 6 and 7 have been completed by the District.

Second Evaluation [cont.]

No further protection consideration for farmland involvement is required for corridors receiving a total score of less than 160 points need not be given any further protection consideration for farmland involvement. Corridors receiving a total score of 160 points or more require stronger consideration for protection of farmland.

Farmland Considerations

For corridors receiving a total score of greater than 160 points, the district may consider options for the protection of the farmlands. The avoidance of the protected farmlands; alternative corridors and designs that would minimize the conversion of the farmlands and meet the purpose and need but convert fewer acres of farmland or farmland that has a relative lower value; siting requirements of the project purpose and need and the extent to which an alternative site fails to satisfy the siting requirements as well as the originally selected site.

Farmland Considerations [cont.]

For corridor type projects the alternative with the lowest number of points should be selected, however, in the event that this alternative is not selected the Environmental Document should provide documentation and discussion as to the reason.

Farmland Considerations [cont.]

The final decision on which alternative to select must be made with the consideration of other environmental issues under NEPA. NRCS recommendations are considered in this evaluation and documentation is provided for the alternative that is selected.

Golden Gate Estates

This project is located in District 1, and is an off system bridge project within the Golden Gates Estates subdivision. The purpose of this project is to provide operational and safety improvements within Golden Gate Estates by the addition of bridge crossings and roadway enhancements, including a sidewalk along the corridors

Golden Gate Estates [cont.]

8th Street NE and 16th Street NE are north-south corridors approximately 3.2 miles in length. 47th Avenue NE is an approximately 3 miles, east/west corridor. We will look at this project only as it relates to the Farmland evaluation.

Golden Gate Estates Preliminary Engineering Discussion

During the programming screen the Preliminary Environmental Discussion identified the project as having a minimal degree of effect for farmland based on a 100-ft buffer. Note that even though this project appears to have 3 alternatives, the three bridges are being considered together as one project.

Golden Gate Estates NRCS Comments

When the project was reviewed by the ETAT (say E-TAT) the NRCS responded with a Farmland Degree of Effect of Minimal, and that a FPPA form may be required for this project. The NRCS also noted that the acres of Farmlands of Unique Importance in the preliminary environmental discussion were incorrect and provided correct numbers in the response.

Golden Gate Estates NRCS Comments [cont.]

As an example for 8th Street NE, NRCS commented that there is a combined 64.3 acres of Important Farmland Soils (43.2 acres of Local Importance and 21.1 acres of Unique Importance) comprising 80.3% of the 100-foot buffer of Alternative #1. NRCS noted that no agricultural use is present; in addition, land in the area is designated for residential uses.

Golden Gate Estates NRCS Comments [cont.]

NRCS added that despite the fact that this area is in a large lot subdivision, environmental assessments must be prepared for actions which may adversely affect such unique geographic characteristics as prime farmlands. They also stated that further coordination was required. Farmlands Soils of Unique and Local Importance comprise 80.4% (64.3 acres) of the 100-foot buffer of Alternative #1.

Golden Gate Estates NRCS Comments [cont.]

While Alternative #1 is located immediately outside of the Bonita Springs-Naples Urbanized Area, the Collier County Future Land Use Map indicates that the area surrounding the project will remain designated as Residential Estates Subdistrict. Therefore, a Summary DOE of Minimal has been assigned to the Farmlands issue. Each of the alternatives received a similar response with corrected acres of important farmland.

NRCS Coordination

During the PD&E phase, the form NRCS-CPA-106 would be completed for this project since coordination with NRCS was determined to be required. The district would complete Parts 1 and 3 and the form would be forwarded to NRCS for completion of parts 2, 4 and 5.

NRCS Coordination [cont.]

The form would then be returned to the district for completion of Parts 6 and 7 which include the scoring of the alternatives in order to facilitate the selection of a recommended alternative.

Lesson 2: Documentation (PPT Slide 19)

Lesson 2 provides the guidance on the documentation that is required in the Environmental Document for farmlands involvement.

Projects Excluded from Coordination with NRCS

Projects which are excluded from coordination with NRCS should follow either the Type 1 or Type 2 Categorical Exclusions.

Projects Excluded from Coordination with NRCS [cont.]

For Type 1 Categorical Exclusions provide a statement in the project file that the provisions of the FPPA do not apply and documentation of the reason, for example, no farmlands are involved, no federal assistance, projects will be completed with the existing right of way.

Projects Excluded from Coordination with NRCS [cont.] (

For Type 2 Categorical exclusions it is sufficient to mark "NoInv" on the Type 2 CE Determination Form.

Projects Excluded from Coordination with NRCS [cont.]

If the then the environmental document (Environmental Impact Statement or Environmental Assessment) will have a standard statement that "This project is not subject to the provisions of the Farmland Protection Policy Act of 1981." and documentation of the reason why it is not applicable. If the projects are located completely in an urbanized area, then the environmental document will have the appropriate standard statement as shown.

Projects Requiring Coordination with NRCS Projects with No Farmland Involvement

Projects which require coordination with NRCS, but have no Farmland involvement: For a Type 2 CE, mark the box "NoInv" and provide references to the coordination documents (Form NRCS-CPA-106 or Form AD-1006) in the documentation and include the form in the project file.

Projects Requiring Coordination with NRCS Projects with No Farmland Involvement

For EAs and EISs, provide the appropriate standard statement based on if the area is located within an urbanized area.

Projects Requiring Coordination with NRCS Projects with No Farmland Involvement [cont.]

For an EA or EIS in an urbanized area the statement should be “Through coordination with the Natural Resources Conservation Service, it has been determined that the project area which is located in the urbanized area of (Name of urban area) does not meet the definition of farmland as defined in 7 CFR § 658. Therefore, the provisions of the Farmland Protection Policy Act of 1981 do not apply to this project.”

Projects Requiring Coordination with NRCS Projects with No Farmland Involvement [cont.]

For an EA or EIS in a non-urbanized area the statement should be “Through coordination with the Natural Resources Conservation Service, it has been determined that no farmland as defined in 7 CFR § 658 are located in the project vicinity.”

Projects Requiring Coordination with NRCS Projects with Farmland Involvement

Projects which require coordination with NRCS and have involvement with Farmlands should:

Provide discussion in the environmental document of the quantification of farmland involvement, detail the coordination with the NRCS, discuss the viable alternative corridors, and discuss the project impacts and potential mitigation.

Projects Requiring Coordination with NRCS Projects with Farmland Involvement [cont.]

The Environmental Document must also document the assessment and coordination processes and provide the rationale for decisions made during the farmland evaluation. In addition, the Environmental Document should address any issues/concerns that may have been raised by the NRCS during the project’s ETDM Screening and address any comments received through project development, the public involvement process, or public hearing, as applicable.

Conclusion

This concludes the National Environmental Policy Act also known as NEPA (*nee-pa*) Introduction Course on Farmland. Please Select the Exam link to continue with the Exam.