

ENVIRONMENTAL EVALUATION WORKSHEET

A. Client Name:

B. Conservation Plan ID # (as applicable):
Program Authority (optional):

C. Identification # (farm, tract, field #, etc as required):

D. Client's Objective(s) (purpose):

E. Need for Action:	H. Alternatives					
	No Action √ if RMS <input type="checkbox"/>		Alternative 1 √ if RMS <input type="checkbox"/>		Alternative 2 √ if RMS <input type="checkbox"/>	

Resource Concerns

In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process.
(See FOTG Section III - Resource Planning Criteria for guidance).

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. Effects of Alternatives					
	No Action		Alternative 1		Alternative 2	
	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC
SOIL: EROSION		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
SOIL: SOIL QUALITY DEGRADATION		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
WATER: EXCESS / INSUFFICIENT WATER		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
WATER: WATER QUALITY DEGRADATION		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. (continued)					
	No Action		Alternative 1		Alternative 2	
	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	√ if does NOT meet PC
AIR: AIR QUALITY IMPACTS						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
PLANTS: DEGRADED PLANT CONDITION						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ANIMALS: INADEQUATE HABITAT FOR FISH AND WILDLIFE						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ANIMALS: LIVESTOCK PRODUCTION LIMITATION						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ENERGY: INEFFICIENT ENERGY USE						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
HUMAN: ECONOMIC AND SOCIAL CONSIDERATIONS						

Special Environmental Concerns: Environmental Laws, Executive Orders, policies, etc.

In Section "G" complete and attach Environmental Procedures Guide Sheets for documentation as applicable. Items with a "•" may require a federal permit or consultation/coordination between the lead agency and another government agency. In these cases, effects may need to be determined in consultation with another agency. Planning and practice implementation may proceed for practices not involved in consultation.

G. Special Environmental Concerns (Document existing/ benchmark conditions)	J. Impacts to Special Environmental Concerns					
	No Action		Alternative 1		Alternative 2	
	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	√ if needs further action
•Clean Air Act <i>Guide Sheet FS1 FS-2</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Clean Water Act / Waters of the U.S. <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Coastal Zone Management <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Coral Reefs <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Cultural Resources / Historic Properties <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Endangered and Threatened Species <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Environmental Justice <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Essential Fish Habitat <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Floodplain Management <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Invasive Species <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Migratory Birds/Bald and Golden Eagle Protection Act <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Natural Areas <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Prime and Unique Farmlands <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Riparian Area <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Scenic Beauty <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

<ul style="list-style-type: none"> Wetlands <i>Guide Sheet</i> <i>Fact Sheet</i> 		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>																											
<ul style="list-style-type: none"> Wild and Scenic Rivers <i>Guide Sheet</i> <i>Fact Sheet</i> 		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>																											
K. Other Agencies and Broad Public Concerns	<i>No Action</i>		<i>Alternative 1</i>		<i>Alternative 2</i>																												
Easements, Permissions, Public Review, or Permits Required and Agencies Consulted.																																	
Cumulative Effects Narrative (Describe the cumulative impacts considered, including past, present and known future actions regardless of who performed the actions)																																	
L. Mitigation (Record actions to avoid, minimize, and compensate)																																	
M. Preferred Alternative	preferred alternative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																											
	Supporting reason																																
N. Context (Record context of alternatives analysis)																																	
The significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.																																	
O. Determination of Significance or Extraordinary Circumstances																																	
<p>Intensity: Refers to the severity of impact. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.</p> <p>If you answer ANY of the below questions "yes" then contact the State Environmental Liaison as there may be extraordinary circumstances and significance issues to consider and a site specific NEPA analysis may be required.</p>																																	
<table border="0"> <tr> <td>Yes</td> <td>No</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Is the preferred alternative expected to cause significant effects on public health or safety?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Is the preferred alternative expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Are the effects of the preferred alternative on the quality of the human environment likely to be highly controversial?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Does the preferred alternative have highly uncertain effects or involve unique or unknown risks on the human environment?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Does the preferred alternative establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Is the preferred alternative known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Will the preferred alternative likely have a significant adverse effect on ANY of the special environmental concerns? Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>• Will the preferred alternative threaten a violation of Federal, State, or local law or requirements for the protection of the environment?</td> </tr> </table>							Yes	No		<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative expected to cause significant effects on public health or safety?	<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?	<input type="checkbox"/>	<input type="checkbox"/>	• Are the effects of the preferred alternative on the quality of the human environment likely to be highly controversial?	<input type="checkbox"/>	<input type="checkbox"/>	• Does the preferred alternative have highly uncertain effects or involve unique or unknown risks on the human environment?	<input type="checkbox"/>	<input type="checkbox"/>	• Does the preferred alternative establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?	<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?	<input type="checkbox"/>	<input type="checkbox"/>	• Will the preferred alternative likely have a significant adverse effect on ANY of the special environmental concerns? Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.	<input type="checkbox"/>	<input type="checkbox"/>	• Will the preferred alternative threaten a violation of Federal, State, or local law or requirements for the protection of the environment?
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P. To the best of my knowledge, the data shown on this form is accurate and complete:																																	
In the case where a non-NRCS person (e.g. a TSP) assists with planning they are to sign the first signature block and then NRCS is to sign the second block to verify the informations accuracy.																																	
<input type="text"/> Signature (TSP if applicable)		<input type="text"/> Title		<input type="text"/> Date																													
<input type="text"/> Signature (NRCS)		<input type="text"/> Title		<input type="text"/> Date																													
If preferred alternative is not a federal action where NRCS has control or responsibility and this NRCS-CPA-52 is shared with someone other than the client then indicate to whom this is being provided.																																	
<input type="text"/>																																	

The following sections are to be completed by the Responsible Federal Official (RFO)

NRCS is the RFO if the action is subject to NRCS control and responsibility (e.g., actions financed, funded, assisted, conducted, regulated, or approved by NRCS). These actions do not include situations in which NRCS is only providing technical assistance because NRCS cannot control what the client ultimately does with that assistance and situations where NRCS is making a technical determination (such as Farm Bill HEL or wetland determinations) not associated with the planning process.

Q. NEPA Compliance Finding (check one)

The preferred alternative:		Action required
<input type="checkbox"/>	1) is not a federal action where the agency has control or responsibility.	Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	2) is a federal action ALL of which is categorically excluded from further environmental analysis AND there are no extraordinary circumstances as identified in Section "O" .	Document in "R.2" below. No additional analysis is required
<input type="checkbox"/>	3) is a federal action that has been sufficiently analyzed in an existing Agency state, regional, or national NEPA document and there are no predicted <u>significant adverse environmental effects or extraordinary circumstances</u> .	Document in "R.1" below. No additional analysis is required.
<input type="checkbox"/>	4) is a federal action that has been sufficiently analyzed in another Federal agency's NEPA document (EA or EIS) that addresses the proposed NRCS action and its' effects and has been formally adopted by NRCS . NRCS is required to prepare and publish its own Finding of No Significant Impact for an EA or Record of Decision for an EIS when adopting another agency's EA or EIS document. (Note: This box is not applicable to FSA)	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	5) is a federal action that has NOT been sufficiently analyzed or may involve predicted significant adverse environmental effects or extraordinary circumstances and may require an EA or EIS.	Contact the State Environmental Liaison. Further NEPA analysis required.

R. Rationale Supporting the Finding

R.1 Findings Documentation	
R.2 Applicable Categorical Exclusion(s) (more than one may apply)	
7 CFR Part 650 <i>Compliance With NEPA</i> , subpart 650.6 <i>Categorical Exclusions</i> states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. See NECH 610.116.	

I have considered the effects of the alternatives on the Resource Concerns, Economic and Social Considerations, Special Environmental Concerns, and Extraordinary Circumstances as defined by Agency regulation and policy and based on that made the finding indicated above.

S. Signature of Responsible Federal Official:

Signature

Title

Date

Additional notes

Instructions for Completing the Environmental Evaluation Worksheet (Form NRCS-CPA-52)

INTRODUCTION

The Environmental Evaluation (EE) is "the part of planning that inventories and estimates the potential effects on the human environment of alternative solutions to resource problems". (7 CFR 650.4 and GM 190 Part 410.4(D).) This form provides for the documentation of that part of the planning process, and was designed to assist the conservation planner with compliance requirements for applicable Federal laws, regulations, Executive Orders, and policy. The form also provides a framework for documenting compliance with applicable State, Tribal and local requirements.

NRCS is required to conduct an EE on all actions to determine if there is a need for an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The EE process results in a "Finding" or conclusion (see guidance for "Q" below) that, either further NEPA analysis is required (EA or EIS) or that no EA or EIS is required because: 1) There is no federal action; 2) The action is categorically excluded; or 3) There is an existing NRCS or NRCS-adopted NEPA document that has sufficiently analyzed the effects of this action. The EE applies to all assistance provided by NRCS (7 CFR 650.5 and GM 190, Part 410.5). The NRCS-CPA-52 form is used by NRCS to document the results of the evaluation and show compliance with NRCS regulations implementing NEPA at 7 CFR Part 650.

A copy of the NRCS-CPA-52, including supporting documentation such as Special Environmental Concerns Evaluation Procedure Guide Sheets, must be included in the administrative file. **Do not hesitate to attach additional documents if needed to meet environmental evaluation requirements.**

COMPLETING THE NRCS-CPA-52

A. Client Name

B. Conservation Plan ID # (as applicable)

Program Authority (optional): Identifying the program authority (EQIP, WRP, etc.) can help lead the planner to the appropriate NRCS NEPA document the planner may tier to as addressed later in section "R. Rationale Supporting the Finding".

C. Identification #: Record any other relevant client identification # (farm, tract, field #, etc.).

D. Client's Objective(s) (purpose): (Record results from planning step 2.) Briefly summarize the client's stated objective(s) [synonymous to "Purpose" under NEPA]. Refer to Step 2 of the NRCS planning process found in the NPPH, Part 600.22 for help, if needed. "Purpose" refers to a goal or desired future condition being pursued in the process of meeting the "Need", such as keeping the operation economically viable or meeting TMDL requirements. Clearly articulated purposes become the decision factors used to decide between the action alternatives.

E. Need for Action: (Record results from planning step 1.) Describe the underlying need being met. Why is the action being proposed? What is the root cause of the existing problem or opportunity. The underlying need will define and shape the alternatives and potentially justify the expenditure of federal funds; therefore it is important to accurately articulate the need(s) based on the identified resource concerns and the landowner objectives. All alternatives should clearly address an underlying need(s). In conservation planning, a "need" is usually a required improvement in the condition of a natural resource(s), such as when the quality of runoff water from a farm does not meet State standards, or inadequate forage supply and/or grazing strategies are resulting in poor livestock performance. Use information from Steps 3 and 4 of the Conservation Planning Process to help define the need. Identify here which Resource Concerns need to be addressed in the plan.

F. Resource Concerns and Existing / Benchmark Conditions:

Resource Concerns (Record results from planning steps 3 and 4.) Record the resource concerns that have been identified through the scoping and Resources Inventory and Analysis processes. Use the Resource Planning Criteria and Measurement and Assessment Tools in Section III of the FOTG to identify Resource Concerns present and compare the potential environmental effects of alternatives. Include all resource concerns that apply, adding additional sheets as necessary.

Documenting Existing/Benchmark Conditions (Record results from planning step 4.) Analyze the existing (benchmark) conditions for each relevant concern. Record the amount, kind, status, location and method of measurement for each identified concern. For example, if soil erosion were identified as a resource concern, the recorded benchmark might be "64 ac sheet & rill @ 6T/ac/yr, field 3, RUSLE 2." The benchmark is the baseline from which the change in resource condition under the no action and other alternatives is measured. Without it, there is no context for the degree of change.

Human - Economic and Social Considerations Below are some examples for what to consider when addressing the Human - Economic and Social Considerations.

Land use:

- Is the present land use suitable for the proposed alternative?
- Will land use change after practice(s) installation?
- How will a change affect the operation? (e.g., Feed and Forage Balance Sheet)
- Will the action affect resources on which people depend for subsistence, employment or recreation?
- Will land be taken in or out of production?

Capital:

- Does the producer have the funds or ability to obtain the funds needed to implement the proposed alternative?
- What are the impacts of the cost of the initial investment for this alternative?
- What are the impacts of any additional annual costs for Operation and Maintenance?
- What possible impact does implementing this alternative have on the client's future eligibility for farm programs?

Labor:

- Does the client understand the amount and kind of labor needed to implement, operate and maintain the proposed practice(s)?
- Does the client have the skills and time to carry out the conservation practice(s) or will they have to hire someone?

Management level:

- Does the client understand the inputs needed to manage the practice(s) and the client's responsibility in obtaining these inputs?
- Does the client understand their responsibility to maintain practice(s) as planned and implemented?
- Is it necessary for the client to obtain additional education, or hire a technical consultant, to operate and/or maintain the practice(s)?

Profitability:

- Profitability describes the relative benefits and costs of the farm or ranch operation, and is often measured in dollars. An activity is profitable if the benefits are greater than the costs.
- Is the proposed alternative needed and feasible?
- Do the benefits of improving the current operation outweigh the installation and maintenance costs (positive benefit/cost ratio)?
- Is there a reasonable expectation of long-term profitability/benefits for the operation if implemented?
- Will crop, livestock, or wildlife yield increase/decrease?

Risk:

- What is the potential for monetary loss, physical injury, or damage to resources or the environment?
- Will the proposed alternative aid/risk client participation in USDA programs?
- Is there flexibility in modifying the conservation plan at a future date?
- What issues are involved with the timing of installation and maintenance?
- What are the cash flow requirements of this alternative?
- What, if any, are the hazards involved?

Public Health and Safety:

- What effect (both positive or negative) will the action have on the client and community with regard to public health and safety?
- Are there any hazards associated with no action or any of the alternatives about which the client should be informed?

G. Special Environmental Concerns (Record results from planning steps 3 and 4.)

Under each Special Environmental Concern, document the current status or condition of the concern. Record the amount, kind, status, location, and method of measurement or source of information for each special resource concern. For example, if endangered species habitat is present, under Endangered and Threatened Species, the recorded benchmark condition is "64 ac, I-bat habitat-roosting cover, field 3, FOTG-2." If it is determined that no floodplains exist within the affected planning area, document the fact and cite the source. The benchmark condition would read "not present, FEMA flood map #xxx."

For guidance in addressing special environmental concerns, see NECH Subpart B and the Special Environmental Concern Evaluation Procedure Guide Sheets and Fact Sheets. Document any additional State and/or local special environmental concerns in "K. Other Agencies and Broad Public Concerns". Attach additional documentation if needed.

H. Alternatives (Record results from Planning step 5.)

Describe Alternatives Briefly summarize the practice/system of practices being proposed. The no action alternative is required. Alternatives should be formulated to meet the underlying need. Note that the no action alternative may not meet the underlying need and is still required to be evaluated and compared to other alternatives (see below). To the extent possible, the alternatives should also prevent additional problems from occurring and take advantage of available opportunities. *If there are unresolved conflicts concerning alternative uses of resources, appropriate alternatives that meet the underlying need must be developed.*

"No Action": Include a brief summary of the activities that would be implemented in the absence of USDA assistance (financial or technical). Unless a change in management direction or intensity will be undertaken, record effects of existing activities. The "No Action" alternative requires the same level of analysis as other alternatives. It should answer the question of what impacts are likely to occur (or what the predicted future condition of the identified resource concerns might be) under the landowner's current and planned management strategies without implementation of a federally assisted action.

"Alternatives 1,2,etc.": List here the practices or system of practices being proposed for each alternative. Indicate if the alternative meets RMS criteria based on your State's requirements. One or more other alternatives may be evaluated to aid in the decision-making process or at the request of the client. It is beneficial for one alternative to contain the practices that NRCS has determined best address all of the identified resource concerns (RMS alternative) so the client can consider potential future conservation actions. Use additional sheets if necessary.

It is important to quantify to the extent feasible the differences between each alternative, including the "No Action" alternative. See "Helpful Tips" in the NECH, Part 610.67 for guidance on narrowing the scope of your analysis when considering alternatives.

I. Effects of Alternatives (Record results from planning step 6.)

Under "Amount, Status, Description," record the effect of each alternative on the concerns listed, quantifying where possible. *Consider and document both short-term and long-term consequences for all foreseeable direct, indirect, and cumulative effects (described below).* If a change to the concern is predicted, then estimate the amount. Professional judgment should be used where Planning Criteria or other tools are not available.

Resource Concerns Use your State's eFOTG Section III Planning Criteria to identify the established threshold levels for resource concerns. Professional judgment should be used where Planning Criteria or other tools are not available. Place a check in the "NOT meet PC" box for each resource concern to indicate when FOTG Section III Planning Criteria will not be met (i.e., where additional measures are needed to meet PC).

Analyze effects based on the combined effect of all practices on the resource concern. For example, if one proposed practice may impact the water quality of an adjacent stream, but another proposed practice such as a buffer may reduce or eliminate the impact, the overall effect is the one that should be recorded here. As mentioned above, one or more "Other Alternative(s)" may be evaluated to aid in the decision-making process or at the request of the client. Use additional sheets if necessary.

"No Action": Record the impacts that are likely to occur (or what the predicted future condition of the identified resource concerns might be) under the landowner's planned management strategies without implementation of a federally assisted action. Address impacts to each identified resource concern, quantifying where possible. If this information is found elsewhere in the conservation plan, simply provide a summary here.

"Alternatives 1,2, etc.": Record the impacts that are likely to occur under each alternative scenario. Document impacts to each identified resource concern, quantifying where possible. If this information is found elsewhere in the conservation plan, simply provide a summary here. Include both short and long-term consequences in the analysis.

Categories of Effects to Consider- There are three categories of effects that must be considered when predicting short- and long-term effects of an alternative on resource concerns:

Direct effects are caused by the alternative and occur at the same time and place.

Indirect effects are caused by the alternative and are later in time or farther removed in distance, but are still reasonably foreseeable (e.g., "downstream" effects).

Cumulative effects are those that result from all past, present, and reasonably foreseeable future actions. They can result from individually minor but collectively significant actions taking place over a period of time. Cumulative effects are most appropriately analyzed on a watershed or area-wide level.

Cumulative impacts ideally consider "...all actions in the area of potential effect, REGARDLESS of what agency (Federal or non-Federal) or person undertakes such other actions." (CEQ 1508.7)

The NECH, Part 610.70, "Effects Analysis," provides important information on describing effects so that an adequate analysis can be made and appropriate mitigation measures included when the proposed alternative has adverse effects. (See also Section L.)

J. Impacts to Special Environmental Concerns (Record results from planning step 6.)

Briefly describe the status and/or description of effects on all identified Special Environmental Concerns, and include supporting data as needed. Document the degree of change in amount/condition, using the same protocols and units of measure used to determine the benchmark condition. *It is important to consider and document both short-term and long-term consequences for all foreseeable direct, indirect, and cumulative effects on these resource concerns.*

Place a check in the "needs further action" box when effects have not been fully determined or when additional procedural action is needed, such as the need for a permit or completing required consultation with regulatory agencies. Where consultation with another federal agency is required (e.g., USFWS or NMFS) to determine potential environmental effects, follow established State protocols or contact the appropriate NRCS State Specialist for guidance. Neither the NEPA Finding in Section "Q" nor practice implementation should occur until all required consultations and coordination with the appropriate agency have been completed and all necessary permits provided. Planning and practice implementation may continue for practices not involved in required consultation/coordination efforts only if they are not connected to, or dependent on, the other action.

Complete applicable Evaluation Procedure Guide Sheets or other state specific documentation as needed and include them in the client's administrative file. If the Special Environmental Concern is not present in the project area then there is no need to attach the Guide Sheet. Completion of Guide Sheets is not mandatory, but appropriate documentation must be provided. Check your own States' guidance for compliance and planning requirements.

- K. Other Agencies and Broad Public Concerns:** List any necessary easements, permissions, or permits (e.g., Clean Water Act, Endangered Species Act, wetland mitigation easements, state or county permits) required to implement the alternatives. *Remember that identifying needed permits for ALL alternatives may be an important decision criteria between alternatives and should be considered during the planning process.*

Relay public concerns related to land-use, demographics, landscape characteristics, or other Federal, Tribal, State, and local laws/regulations. Document the impacts of each alternative on these issues. Responses will impact the selection of an alternative as well as issues surrounding "significance."

Document contact and communications with USFWS, NOAA-NMFS, Corps, EPA, SWCD's, NRCS State Office, State/Tribal/local environmental agencies, etc., and others consulted, including public participation activities. The NECH provides important information on public participation requirements.

Cumulative Effects. (See NECH Exhibit 610.126) A cumulative impact is defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (40 CFR 1508.70). Cumulative effects include the direct and indirect effects of a project together with the effects from reasonably foreseeable future actions of others. For a project to be reasonably foreseeable, it must have advanced far enough in the planning process that its implementation is likely. Reasonably foreseeable future actions are not speculative, are likely to occur based on reliable resources and are typically characterized in planning documents. Add additional pages as needed.

- L. Mitigation:** Include here any mitigation measures that are NOT already incorporated in the alternatives that will offset any adverse impacts. This may include conditions included in required permits. Briefly describe or reference all mitigation measures to be applied for each alternative. Mitigation actions for the preferred (selected) alternative must be included in the conservation plan, designs, and specifications.

As referenced in CEQ regulations (40 CFR 1508.20) and NECH (Part 610.71), mitigation includes:

- Avoiding the impacts altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree of magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating impact over time by preservation/maintenance operations during action life.
- Compensating for the impact by replacing or providing substitute resources or environments.

- M. Preferred Alternative:** (Record results from planning step 7.)

Record the alternative to be implemented and indicate why it was chosen. Ultimately, the client will decide what actions will occur on their land, but NRCS funding or assistance may not always be appropriate for that action. For NRCS assistance to proceed, the alternative must clearly address the underlying need(s) as identified in "E". The Objective(s) (Purpose) stated in "D" serves as the decision factors between alternatives.

- N. Context:** Record the context used in the alternatives analysis. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

- O. Determination of Significance or Extraordinary Circumstances:** NRCS evaluates each action using its list of special environmental concerns along with the significance factors to determine whether an action has extraordinary circumstances. Action(s) that have potential for significant impacts on the human environment cannot be categorically excluded. Thus, in the absence of any extraordinary circumstances the actions can proceed without the preparation of an environmental assessment (EA) or environmental impact statement (EIS). Where extraordinary circumstances are determined to exist, the categorical exclusion will not apply.

Categorical Exclusions (CE): Before documenting the use of a categorical exclusion, it is important to read Section 610.46 of the NECH. This section provides a list of all categorical exclusions that apply to actions as well as more detailed considerations and requirements for their use. For an action to be categorically excluded, there must be appropriate documentation on the NRCS-CPA-52 indicating that the proposed action does not meet any of the criteria for "significance," as discussed above. These criteria are also known as "extraordinary circumstances" when discussing categorical exclusions. *If any part of a proposed plan involves actions that are NOT on the list of allowable categorical exclusions, the entire plan is not eligible for a categorical exclusion.*

To complete the determination on the NRCS-CPA-52, check "yes" or "no" for each of the questions. If you are not sure about the answer, contact your State Environmental Liaison for assistance. The NRCS-CPA-52 must provide evidence to conclude that the activity will not result in extraordinary circumstances or significant adverse environmental effects on the quality of the human environment, either individually or cumulatively. If any of the extraordinary circumstances are found to apply to the proposed action, then you should determine whether the proposal can be modified to mitigate the adverse effects and prevent the extraordinary circumstances. If this can be done and the client agrees to any necessary change(s) in the proposed action to avoid significant adverse impacts, then the proposed action is to be modified and implemented. If the proposed action cannot be modified or the client refuses to accept a proposed change, then Item 5 in Section "Q" must be checked for the NRCS NEPA Compliance Finding to indicate that additional analysis and documentation is needed.

Part "P" is completed by the planner and Parts "Q" thru "S" must be completed by the Responsible Federal Official (RFO).

If NRCS is providing planning assistance for another federal agency, then the NRCS planner must sign Section "P" as the planner. The RFO for the lead agency (e.g., FSA for CRP) will complete everything below the planner's signature. For NRCS the State Conservationist is the RFO, but they may delegate that authority to a designated agency representative. Normally, the authority to serve as RFO is delegated to an Area or Field Office employee for farm bill program agreements. Check with your State Office or State Directives if you have questions.

- P. Signature (planner):** The individual completing Parts "A" thru "O" of the NRCS-CPA-52 must sign and date to indicate they have used the best available information. This may or may not be the same person as the agency representative. In cases where the planner is not an NRCS employee, they must sign in the first signature area and then the NRCS will sign in the second signature area to confirm and validate the information as the responsible agency. When NRCS plans on behalf of another agency, NRCS need sign only as the planner and then the lead agency RFO will complete the rest of the NRCS-CPA-52.
- Q. NEPA Compliance Finding (check one):** This finding will determine the appropriate NEPA action required. Instructions below correspond to the option numbers in Section "Q" of the Form. In Section "R" document the rationale for your Finding.
- 1) Federal actions do NOT include situations in which NRCS (or any other federal agency) provides technical assistance (CTA) only. The agency cannot control what the client ultimately does with that assistance. Non-Federal actions include, but are not limited to:
 - NRCS providing HEL or wetland conservation determinations.
 - NRCS providing technical designs where there is **no** federal financial assistance.
 - NRCS providing planning assistance or other technical assistance and information to individuals, organizations, States, or local governments where there is no federal financial assistance or other control of the decision or action.

- 2) CE actions are a category of actions that do not individually or cumulatively have a significant effect on the human environment; therefore, neither an environmental assessment nor an environmental impact statement is required. First determine whether the proposed action is a categorically excluded action as identified in NRCS or USDA regulations implementing NEPA. (USDA and NRCS categorical exclusions are listed in the NECH, Part 610.46.) Note that there may be overarching or CE-specific side boards that must be met in order to apply a CE. If the proposed action is listed as a CE action, then assess whether there are any applicable extraordinary circumstances that would prevent the action from being eligible as a CE. Check this box only if the action is categorically excluded **AND** there are no EXTRAORDINARY CIRCUMSTANCES associated with the proposed action. (See NECH Exhibit 610.116, "How to Use NRCS's Categorical Exclusions.")
- 3) Check this box if there is an existing NRCS NEPA document that has sufficiently analyzed the action being proposed. A number of NRCS National Programmatic NEPA documents have analyzed effects of many practices planned under nationwide conservation programs. There may also be Regional, State, or area wide Programmatic NEPA documents that can be referred to. For information about "Tiering" to existing NRCS NEPA documents see the NECH Part 610.81.

Keep in mind that Programmatic EA's and EIS's are not site-specific so they do not attempt to describe every possible type of effect resulting from actions that could be taken. Thus, you must use your knowledge of site-specific conditions to decide if additional analysis is needed. Network diagrams illustrating general effects of conservation practices are associated with national or State EA's or EIS's. These diagrams may help in analyzing effects of practices. If the planner believes the site-specific impacts are outside the range of effects described in the programmatic EA or EIS, this box may not be checked.

Copies of NRCS national programmatic NEPA documents may be viewed on NRCS' Environmental Compliance web page.

- 4) It is possible to tier to NEPA documents prepared by other Federal agencies if those documents have been formally adopted by NRCS as outlined in the NECH 610.83 and CEQ regulations 40 CFR1506.3. NRCS must have prepared and published the agency's own Finding of No Significant Impact (FONSI) for an EA or Record of Decision for an EIS in order for a NEPA document to be "adopted". For information about "Tiering" to NEPA documents see the NECH Section 610.81.
- 5) If 1), 2), 3), or 4) do not apply, the action may cause a significant effect on the quality of the human environment and an EA or EIS may be required. Additional analysis may be required to comply with NEPA. Contact the State Environmental Liaison or equivalent for guidance on completing this analysis and provide them with a copy of the NRCS-CPA-52 and supporting documentation.

R. Rationale Supporting the Finding: Explain the reasons for making the "Finding" in "Q".

If "Q 1)" was selected, explain why the action is NOT a federal action subject to NRCS regulations implementing NEPA.

If "Q 2)" was selected, document the categorical exclusion(s) applicable to the entirety of the proposed action and indicate that there are no extraordinary circumstances.

If "Q 3)" was selected, identify any applicable NRCS NEPA document. Record the citation of the NRCS NEPA document you are tiering to.

If "Q 4)" was selected, identify any applicable NRCS NEPA document that was officially adopted from another agency. Record the citation of the NRCS adopted NEPA document you are tiering to.

If "Q 5)" was selected, document your analysis and provide this information (NRCS-CPA-52 and supporting documents) to your State Environmental Liaison or equivalent.

S. Signature of Responsible Federal Official (RFO): The appropriate agency RFO must sign and date. The RFO should wait to make the finding until all consultations, permits, etc., are finalized. This signature certifies that the proposed action/plan complies with all NRCS policies implementing NEPA and all other applicable Federal, State, Tribal and local laws/Executive Orders.

CLEAN AIR ACT
NECH 610.21
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this
Guide Sheet review: Alternative 1
 Alternative 2 Other

NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality permitting and regulatory requirements are different for each state. In each step, if more information is needed or there is a question as to whether there are air quality requirements that need to be met, the planner or client should contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what air quality regulatory requirement must be met prior to implementing the planned action or activity.

STEP 1.

Is the action(s) expected to increase the emission rate of any regulated air pollutant?

NOTE: The definition of a “regulated air pollutant” differs depending on the air quality regulations in effect for a given site. For a federal definition of “regulated air pollutant,” please refer to the 40 CFR 70.2. Other definitions for “regulated air pollutant” found in state or local air quality regulations may be different. *States should tailor this question to the State air quality regulations and definitions since those will include any Federal requirements.*

- No **If "No,"** it is likely that no permitting or authorization is necessary to implement the proposed action or alternative. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used** and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the planned action or activity. **Go to step 3.**
- Yes **If “Yes,” go to Step 2.**

STEP 2.

Can the action(s) be modified to eliminate or reduce the increase in emission rate of the regulated air pollutants?

NOTE: This Step is to prompt the planner to review the planned action or activity to see if there is an opportunity to either eliminate the emission rate increase (possibly remove a permitting requirement) or reduce the emission rate increase (possibly move to less stringent permitting).

- No **If "No,"** it is likely that permitting or authorization from the appropriate air quality regulatory agency will be required prior to implementing the planned action or activity. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used** and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the proposed action or alternative. **Go to Step 3.**
- Yes **If “Yes,”** modify the proposed action or alternative and **repeat Step 1.**

CLEAN AIR ACT (continued)

STEP 3.

Is the action(s) expected to result in a decrease in the emission rate of any criteria air pollutant for which the area in which the site is located in an EPA designated nonattainment area for that criteria air pollutant?

NOTE: For an explanation of criteria air pollutants and nonattainment areas, refer to Section 610.21 of the NECH. Further information regarding nonattainment areas can also be found on the U.S. EPA nonattainment area Web page.

- No **If "No," go to Step 4.**
- Yes **If "Yes,"** the opportunity for obtaining nonattainment pollutant emission credits may exist. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used** and advise the client of that potential opportunity. If the client is interested in registering nonattainment pollutant emission credits, advise him/her to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine if and how credits can be documented and/or registered for potential sale. **Go to Step 4.**

STEP 4.

Is the action(s) subject to any other federal (i.g., New Source Performance Standards, National Emissions Standards for Hazardous Air Pollutants, etc.), State, or local air quality regulation (including odor, fugitive dust, or outdoor burning)?

NOTE: Refer to Section 610.21 of the NECH for a further discussion of air quality regulations.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes,"** additional permits, authorizations, or controls may be needed before implementing the proposed action or alternative. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used** and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what requirements must be met prior to implementing the proposed action or alternative.

Notes:

Clean Air Act - Criteria Pollutants

CLEAN AIR ACT – Criteria Pollutants

“Criteria pollutants” are considered excessive concentrations of particulate matter and ozone in the atmosphere that adversely impact human health.

What is it?

Criteria pollutants are those contaminants in the atmosphere for which U.S. EPA has used health-based criteria to establish National Ambient Air Quality Standards (NAAQS). The U.S. EPA has currently promulgated NAAQS for six criteria air pollutants, but the primary criteria pollutants of concern for agriculture are particulate matter and ozone.

Why is it important?

The NAAQS are intended to represent the maximum concentration of a particular pollutant in the ambient air that will not adversely impact public health or welfare, which includes aesthetic, economic, and other non-health effects. Areas that are designated as nonattainment, meaning that concentrations of a criteria pollutant are not in compliance with the NAAQS, are subject to greater regulatory scrutiny than areas that are in compliance with the NAAQS (i.e., attainment areas). Sources that are considered to contribute to an area’s nonattainment status will be subject to more stringent control and permitting requirements. Requirements for each nonattainment area vary and are tailored to the specific needs of the nonattainment area.

What is required?

Ozone is not typically emitted directly from air pollutant emission sources. Rather, it is formed in the atmosphere by chemical reactions. As such, emissions of oxides of nitrogen (NO_x) and volatile organic compounds (VOCs) are regulated as precursors to ozone formation instead. Particulate matter may be either emitted directly (dust and smoke are examples of directly-emitted particulate matter) or formed in the atmosphere from other pollutants, such as ammonia, NO_x, VOCs, and sulfur dioxide (SO₂). Agriculture does not produce significant amounts of SO₂, so reducing emissions of directly-emitted particulate matter, NO_x, ammonia, and VOCs from agricultural sources will help to mitigate agriculture’s contribution to concentrations of particulate matter and ozone in the ambient air.

See the "*Agricultural Air Quality Conservation Measures Reference Guide for Cropping Systems and General Land Management*" for information about NRCS conservation practices and other activities that can be used to address air resource concerns.

Criteria Pollutants at a Glance

Problems/Indicators – Nonattainment area for ozone and/or particulate matter	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Dust emissions • Poor smoke management • Wind erosion • Ammonia release • VOC emissions • NO_x emissions 	<ul style="list-style-type: none"> • Dust control, windbreaks • Proper smoke management • Maintain surface residue/cover • Proper manure management • Proper nutrient management • Assist landowner with required permits

Clean Air Act - Regional Visibility Degradation

CLEAN AIR ACT – Regional Visibility Degradation

The Clean Air Act recognizes the issue of “regional visibility degradation” as excessive concentrations of particulate matter and other pollutants in the atmosphere cause regional visibility degradation in national parks and other “Class I areas”.

What is it?

Regional visibility degradation occurs when concentrations of particulate matter, oxides of nitrogen (NO_x), and sulfur dioxide (SO₂) in the atmosphere hinder the ability to view distant objects or vistas. Of these, the primary visibility-degrading pollutants of concern for agriculture are particulate matter and NO_x.

Why is it important?

Class I areas are areas of national or regional natural, scenic, recreational, or historic value that are given special protection under the Clean Air Act. One of these special protections is preservation of the visibility of scenic vistas within the Class I areas. EPA has developed the Regional Haze Rule that directs states to establish goals for improving visibility in national parks and wilderness areas. States are required to develop long-term strategies for reducing emissions of air pollutants that cause visibility impairment. The goals and requirements vary by state and by Class I area.

What is required?

Reducing agricultural emissions that contribute to increased concentrations of particulate matter and NO_x in the air, especially from sources near a Class I area, will help mitigate agriculture’s contribution to regional haze issues. These emissions include directly-emitted particulate matter (dust and smoke are examples) and NO_x. Additionally, emissions of ammonia and volatile organic compounds (VOCs), as well as NO_x, can contribute to fine particulate matter formation in the atmosphere. Many common NRCS practices can be used to address agriculture’s contribution to regional visibility degradation by reducing emissions of these pollutants.

Regional Visibility Degradation at a Glance

Problems/Indicators – Regional haze and poor visibility of scenic areas	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Dust emissions • Poor smoke management • Wind erosion • NO_x emissions • Ammonia emissions • VOC emissions 	<ul style="list-style-type: none"> • Dust control, windbreaks • Proper smoke management • Maintain surface residue/cover • Proper maintenance and operation of combustion sources • Proper nutrient and manure management • Reductions in pesticide use

**CLEAN WATER ACT/WATERS of the U.S.
NECH 610.22**

Evaluation Procedure Guide Sheet

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

Client/Plan Information:

NOTE: This guide sheet should be tailored to meet the specific needs of individual State and local regulatory and permitting requirements. It is important for each State to coordinate with their individual State and Federal regulatory agencies to tailor State-specific protocols in order to prevent significant delays in processing permit applications.

Complete both sections of this guide sheet to address Federal as well as State-administered regulatory requirements of the Clean Water Act (CWA).

SECTION I

Federally Administered Regulatory Program - Section 404 of the CWA

STEP 1.

Will the action(s) involve or likely result in the discharge or placement of dredged or fill material or other pollutants into areas that could be considered to be waters of the United States (Including, but not limited to wetlands, lakes, streams, channels, and other water conveyances, including some small ditches)? *More detailed information regarding waters of the United States and Federal permitting programs under CWA is found in the NECH 610.22.*

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Is the action(s) an activity exempt from section 404 regulations (40 CFR Part 232)?

Note: the exemption should be verified with the local U.S. Army Corps of Engineers (Corps) district.

- No **If "No," go to Step 3.**
- Yes **If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used to verify the exemption applies and proceed with Section II below.**

STEP 3.

Can the action(s) be modified to avoid the discharge of dredged or fill material or other pollutants into waters of the United States?

- No **If "No," go to Step 4.**
- Yes **If "Yes," modify the action to avoid discharge. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.**

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 4.

Has the client obtained a section 404 permit (individual, regional, or nationwide) or a determination of an exemption from the appropriate Corps office?

- No **If "No,"** determine if the client has applied for a permit. If a permit has not been applied for, the client will need to do so. If a permit has been applied for, document this, and continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. **Continue planning, but a permit is required prior to implementation. Complete Section II below.**
- Yes **If "Yes,"** document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and complete Section II below. The final plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit, such as amount or location of fills or discharges of pollutants should be coordinated with the Corps. **Complete Section II below.**

Notes:

SECTION II

State Administered Regulatory Programs, Sections 303(d) and 402 of CWA

STEP 1

Is the proposed action or alternative located in proximity to waters listed by the State as "impaired" under Section 303(d) of the CWA?

- No **If "No,"** document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.
- Yes **If "Yes,"** insure consistency with any existing water quality or associated watershed action plans that have been established by the State for that stream segment. Even if TMDLs have not been established by the State for that stream segment, ensure that the action will not contribute to further degradation of that stream segment. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.**

STEP 2

Will the proposed action or alternative likely result in point-source discharges from developments, construction sites, or other areas of soil disturbance, or sewer discharges [e.g. projects involving stormwater ponds or point-source pollution, including concentrated animal feeding operations (CAFOs) for which comprehensive nutrient management plans (CNMPs) are being developed]? *Section 402 of the CWA requires a permit for these activities through the National Pollutant Discharge Elimination System (NPDES) program which the States administer.*

- No **If "No,"** document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- Yes **If "Yes,"** go to Step 3.

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 3

Has the client obtained a NPDES permit or a determination of an exemption from the appropriate EPA or State-regulatory office?

- No **If “No,”** determine if the client has applied for any necessary permits. If a permit has not been applied for, the client will need to do so. If they have applied, document this and continue the planning process in consultation with the client and the regulatory agency. Continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. **Continue planning, but a permit is required prior to implementation.**
- Yes **If “Yes,” document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.** The final NRCS conservation plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit should be coordinated with the appropriate State regulatory agency.

Notes:



Clean Water Act/Waters of U.S.

CLEAN WATER ACT AND WATERS OF THE U.S.

The Federal Water Pollution Control Act of 1972 is today known as the Clean Water Act (CWA). The U.S. Army Corps of Engineers (Corps) and the States administer the various sections of the CWA with the oversight of the Environmental Protection Agency (EPA).

What is it?

The CWA established several programs to regulate and reduce discharges of pollutants into waters of the United States (including wetlands). Although the list of pollutants is long, those most frequently associated with the term include fill material, sediment, excess nutrients, and harmful bacteria. Waters of the United States include the territorial seas and most rivers, streams, sloughs, lakes, impoundments, playas, mudflats, and wetlands. This may include many ponds, intermittent and some ephemeral streams, and other small drainage ways. The EPA and/or the Corps and in some cases the State determine the extent of “waters of the United States” based on the regulatory definition found at 40 CFR 230.3(s).

Why is it important?

Section 404 of the CWA is the section that most often affects NRCS activities, although consideration must also be given to Sections 401, 402, and 303. Close coordination throughout the planning process can prevent significant delays in processing the permit application.

Section 404: Regulates the discharge of dredged or fill material into waters of the U.S. is prohibited unless the action is exempted or is authorized by a permit issue by the Corps or by the State.

Section 401: Requires that before a 404 permit can be issued for an activity, the State (or Tribe) must certify that the activity will not violate State water quality standards (Section 401 State Water Quality Certification).

Section 402: Establishes the National Pollutant Discharge Elimination System (NPDES) Program, which the States also administer. This requires a permit for sewer discharges and storm water discharges from developments, construction sites, or other areas of soil disturbance.

Section 303: Requires States, territories, and Tribes to identify “impaired waters” and to establish total maximum daily loads (TMDLs).

What is required?

To effectively fulfill our CWA Section 404 responsibilities and to prevent project delays, coordination with the Corps, EPA and/or appropriate State agencies is essential. The landowner is responsible for obtaining appropriate permits prior to project implementation, though NRCS often assists to expedite the coordination process. Along with ensuring that the landowner obtains appropriate permits, NRCS should also consider impacts of proposed actions on streams included on States’ 303(d) lists and plan accordingly.

Clean Water Act and Waters of the U.S. at a Glance

Problems/Indicators – Potential discharges of pollutants into waters of the U.S.	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Ground disturbing activities near U.S. Waters • Riparian activities • In-stream/aquatic activities • Wetland conversions/alterations/land clearing • Sediment disposal near streams 	<ul style="list-style-type: none"> • Maintaining adequate surface cover/residue • Facilitate permitting process with landowner • Proper nutrient and pest management • Adding mitigation measures to specifications

COASTAL ZONE MANAGEMENT AREAS
NECH 610.23
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: <input type="checkbox"/> Alternative 1 <input type="checkbox"/> Alternative 2 <input type="checkbox"/> Other

STEP 1.

Is the action(s) in an officially designated "Coastal Zone Management Area"?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Program (as required by Section 307 of the Coastal Zone Management Act)?

- No **If "No," go to Step 3.**
- Yes **If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning.**

STEP 3.

Is NRCS providing financial assistance or otherwise controlling the action?

- No **If "No," NRCS should provide the landowner with relevant information regarding any local and State compliance requirements and protocols (permitting, etc) in special management areas as appropriate to comply with local Coastal Zone Management Programs. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," the NRCS District Conservationist or an NRCS State Office employee must contact the State's Coastal Zone Program Office before the action is implemented to discuss possible modifications to the proposed action. NRCS may not provide assistance if the proposed action or alternative would result in a violation of a State's Coastal Zone Management Plan. NRCS shall provide a consistency determination to the State agency no later than 90 days before final approval of the activity. When concurrence is received from the State, document the agreed to items and reference or attach them to the NRCS-CPA-52.**

Notes:



Coastal Zone Management Areas

COASTAL ZONE MANAGEMENT AREAS (CZMAs)

Coastal zone management areas are areas (CZMAs) located within or near the officially designated "coastal zone" of a State. The National Oceanic and Atmospheric Administration's (NOAA's) Office of Coastal Zone Management approves coastal programs, and not all coastal States have a CZMA.

What is it?

CZMAs are: 1) coastal waters and adjacent shorelines, including the lands or waters inside and under those zones, and; 2) areas that strongly influence adjacent coastal zones of the 35 States that have coastal zone management programs. Examples include "transitional" and intertidal areas, such as salt marshes, freshwater wetlands, and beaches, and also connecting waters, harbors, and estuarine areas, such as bays, shallows, and marshes, as well as those waters adjacent to the shorelines, including but not limited to sounds, bays, lagoons, bayous, ponds, and the estuaries themselves. CZMAs can extend seaward to the outer limit of the United States territorial sea (generally 200 miles). Inland, the coastal area extends only to the extent necessary to control land uses that have a direct and significant impact (effect) on coastal waters.

Why is it important?

Section 307 of the Coastal Zone Management Act specifies that actions or activities within the coastal zone implemented by a Federal agency or on behalf of or through a Federal agency must be consistent with the State's coastal zone management plan. Therefore, NRCS planning must be consistent with the State's coastal plan and be in concert with the goals, tenets, and objectives of that plan.

What is required?

A current registry of CZMAs in each state should be kept in the Technical Guide. Guidance on nonpoint source pollution matters in the coastal zone is contained in EPA's "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters" (EPA 840-B-92-002), issued in response to the Coastal Zone Act Reauthorization Amendments (CZARA) of 1990.

Coastal Zone Management Areas U.S. at a Glance

Problems/Indicators – Proposed action is inconsistent with State's coastal zone management plan	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> •Soil Erosion (short and/or long term) •CAFO contaminates (or other point sources) •Improper nutrient and/or pesticide application •Improper livestock grazing management •Improper irrigation water management 	<ul style="list-style-type: none"> •Residue Management •Cover Crops •Comprehensive Nutrient Management Plan •NPDES permit •Irrigation Water Management •Prescribed Grazing

CORAL REEFS
NECH 610.24
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review:	<input type="checkbox"/> Alternative 1	<input type="checkbox"/> Alternative 2	<input type="checkbox"/> Other
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STEP 1.

Are coral reefs or associated water bodies (e.g. embayment areas) present in or near the planning area?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Is there a potential for the action(s) to degrade the conditions of the coral reef ecosystem? (Refer to U.S. coral Reef Task Force Web site for local action strategies in your area.)

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Can the action(s) be modified to reduce or avoid degradation to the coral reef ecosystem?

- No **If "No," identify the component(s) of the system which will cause the potential impacts. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.**
- Yes **If "Yes," modify the action or alternative and repeat Step 2.**

STEP 4.

Is NRCS providing financial assistance or otherwise controlling the action(s)?

- No **If "No," and degradation of the reefs is unavoidable, provide the client with information regarding the current status of U.S. coral reefs and the documented causes of degradation (including sedimentation and nutrient runoff), and the beneficial aspects of maintaining coral reefs.**
- Yes **If "Yes," the significance of the impacts must be determined. An Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Contact your State Office for assistance.**

Notes:



Coral Reefs

CORAL REEFS

The term “Coral reefs” is defined as the species, habitats, and other natural resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., Federal, State, territorial, or commonwealth waters), including reef systems in the South Atlantic, Caribbean, Gulf of Mexico, and Pacific Ocean. Coral reefs are also waters of the U.S. as defined in the Clean Water Act and are subject to Section 404 permit requirements.

What is it?

Coral reefs are among the most diverse and valuable ecosystems on Earth. They are particularly vulnerable to harmful environmental changes, particularly those resulting from human activities. One of the primary threats to U.S. coral reefs is pollution from land-based sources, including runoff of nutrients and sediments from watersheds adjacent to near-shore coral reef ecosystems. Present estimates are that 10 percent of all coral reefs are degraded beyond recovery; 30 percent are in critical condition and may die within 10 to 20 years, and if current conditions continue unabated another 30 percent may perish completely by 2050.

Why is it important?

Executive Order (E.O.) 13089, Coral Reef Protection, was issued in 1998 in recognition of the importance of conserving coral reef ecosystems. The E.O. created a Coral Reef Task Force whose membership is comprised of 11 Federal agencies, including the Secretary of Agriculture. The E.O. policy states that agencies will utilize their programs and authorities to protect and enhance the conditions of such ecosystems and, to the extent permitted by law, ensure that any actions authorized, funded, or carried out by the agency will not degrade these ecosystems.

What is required?

Maintaining current information regarding Local Action Strategies that identify priority actions needed to reduce key threats to valuable coral reef resources is very helpful. Florida, Hawaii, Guam, the U.S. Virgin Islands, American Samoa, Puerto Rico, and the Commonwealth of the Northern Mariana Islands created specific local action strategies for select locally relevant threats. NRCS should ensure that proposed actions consider impacts to coral reefs and, as appropriate, include conservation considerations that would enhance this valuable resource.

Coral Reefs at a Glance

Problems/Indicators	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Soil Erosion (short and/or long term) • CAFO contaminates (or other point sources) • Improper nutrient and/or pesticide application • Improper livestock grazing management • Improper irrigation water management 	<ul style="list-style-type: none"> • Residue Management • Cover Crops • Comprehensive Nutrient Management Plan • NPDES permit • Irrigation Water Management • Prescribed Grazing

CULTURAL RESOURCES / HISTORIC PROPERTIES
NECH 610.25
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

NOTE: This guidesheet provides general guidance to field planners and managers. States may need to tailor this Evaluation Procedure Guide Sheet to reflect State Level Agreements (SLAs) with SHPOs or Tribal consultation protocols or operating procedures pertinent to your State or other State-specific protocols that reflect the terms of the current National Programmatic Agreement among NRCS, the Advisory Council on Historic Preservation, and the National Conference of SHPOs. For additional information regarding compliance with Section 106 of the NHPA and NRCS cultural resource policy refer to Title 420, General Manual (GM), Part 401, Cultural Resources; for current operating procedures see Title 190, National Cultural Resource Procedures Handbook (NCRPH), Part 601.

NOTE regarding consultations: When dealing with undertakings with the potential to affect cultural resources or historic properties, it is important to follow NRCS policy and the regulations that implement Section 106 and complete consultation with mandatory (SHPOs, THPOs, federally recognized Tribes, and native Hawaiians) and identified consulting parties during the course of planning. This consultation is not documented on this guide sheet but would occur with Steps 2, 3, 4, and 6 and these must be conducted in accordance with NRCS State Office operating procedures to ensure appropriate oversight by Cultural Resources Specialists who meet the Secretary of Interior's Qualification Standards.

STEP 1.

Is the action(s) funded in whole or part or under the control of NRCS? **To make this determination, answer the following:**

- Is technical assistance carried out by or on behalf of NRCS? No Yes Unknown
- Is it carried out with NRCS financial assistance? No Yes Unknown
- Does it require Federal approval with NRCS as the lead federal agency (permit, license, approval, etc.)? No Yes Unknown
- Is it a joint project with another Federal, State, or local entity with NRCS functioning as lead federal agency? No Yes Unknown

- **If all of your responses are "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- **If any responses are "Yes," go to Step 2.**
- **If "Unknown," consult with your State Cultural Resources Coordinator or Specialist (CRC or CRS) to determine if this is an action/undertaking that requires review and then complete Step 1.**

STEP 2.

Is the action(s) identified as an "undertaking" (as defined in the 190-NCRPH and 420-GM) with the potential to cause effects to cultural resources/historic properties?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Has the undertaking's Area of Potential Effect (APE) been determined? **NOTE:** Include all areas to be altered or affected, directly or indirectly: access and haul roads, equipment lots, borrow areas, surface grading areas, locations for disposition of sediment, streambank stabilization areas, building removal and relocation sites, disposition of removed concrete, as well as the area of the actual conservation practice. Consultation is essential during determination of the APE so that all historic properties (buildings, structures, sites, landscapes, objects, and properties of cultural or religious importance to American Indian tribal governments and native Hawaiians) are included.

- No **If "No," or "Unknown," consult with your state specific protocols or the CRC or CRS to determine the APE.**
- Unknown **determine the APE.**
- Yes **If "Yes," go to Step 4.**

CULTURAL RESOURCES (continued)

STEP 4.

Have the appropriate records (National, State and local registers and lists) been checked or interviews conducted to determine whether any known cultural or historic resources are within or in close proximity to the proposed APE or project area? **Note:** This record checking does not substitute for mandatory consultation with SHPO, THPO, Tribes, and other identified consulting parties.

- | | | | | | | |
|--|--------------------------|----|--------------------------|-----|--------------------------|---------|
| National Register of Historic Places? | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | <input type="checkbox"/> | Unknown |
| State Register of Historic Places? | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | <input type="checkbox"/> | Unknown |
| The SHPO's statewide inventory or data base? | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | <input type="checkbox"/> | Unknown |
| Local/county historical society or commission lists? | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | <input type="checkbox"/> | Unknown |
| Client knowledge of existing artifacts, historic structures, or cultural features? | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | <input type="checkbox"/> | Unknown |

- **If any responses are "No" or "Unknown," work with your CRC or CRS** to be sure these files are checked (sometimes the SHPO will let only the CRS or CRC review the files). Follow all other operating procedures as required by NRCS policy and procedures, SLA, and Tribal consultation protocols or operating procedures, as appropriate.
- **If all responses are "Yes," and NRCS providing technical assistance only,** then use any known information, notify the landowner of any potential affects, and provide recommendations for consideration. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.** If NRCS is providing more than technical assistance **go to Step 5.**

STEP 5.

Did Step 4 reveal the existence of any known or potential cultural resources in the APE, or were any cultural resource indicators observed during the field inspection of the APE? **NOTE:** Field inspections or cultural resource survey will need to be conducted by qualified personnel in your state. Check with your State Cultural Resources Specialist to determine qualification criteria.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," contact the CRC or CRS. Do NOT proceed with finalizing project design or project implementation until the final CRS response is received. Go to Step 6.**

STEP 6.

Can the proposed actions or alternatives be modified to avoid effects on the known cultural resources?

- No **If "No," go to Step 7.**
- Yes **If "Yes," modify the planned actions or activities and proceed according to CRS guidance and document this on the NRCS-CPA-52, or notes section below and continue with planning.**

STEP 7.

Has consultation with appropriate and interested parties been completed and documented? **NOTE:** The field planner completing the NRCS-CPA-52 generally does not do the consultation unless it is the CRS or CRC. Refer to the appropriate specialist for the documentation information.

- No **If "No" refer to State CRC or CRS** for further consultation and recommendations to the State Conservationist.
- Yes **If "Yes," and all necessary historic preservation activities of identification, evaluation, and treatment have been completed, document any consultation and proceed with planning.**

Notes:

Cultural Resources

Cultural Resources

In 1966, Congress passed the National Historic Preservation Act (NHPA) which directed all Federal agencies to establish a preservation program based on the framework outlined in the NHPA, as amended. It also required all Federal Agencies to take into account the effects of their undertakings on historic properties. NRCS has established policy, procedural references and guidance to comply with NHPA and several related authorities, including the American Indian Religious Freedom Act (42 U.S.C. Section 1996); Native American Graves Protection and Repatriation Act (25 U.S.C. Sections 3001-3013); Executive Order (EO) 13175, Consultation and Coordination with Indian Tribal Governments (2000); EO 13007, Indian Sacred Sites (1996); and a range of Executive Orders, Presidential memoranda, and secretarial memoranda. NRCS policy and procedures are found in the General Manual 420 Part 401 and the National Cultural Resources Procedures Handbook 190 Part 601.

What is it?

The term “cultural resources” as used by NRCS is broader than those resources encompassed by the term “historic properties” as defined by the NHPA (16 U.S.C. Section 470 et seq.) and regulations for compliance with section 106 of the NHPA (36 CFR Part 800). Under NHPA, historic properties include any prehistoric or historic district, site, building, structure, or object listed in or eligible for listing in the National Register of Historic Places (NRHP) maintained by the Secretary of the Interior. They also include all records, artifacts, and physical remains associated with the NRHP-eligible historic properties. They may consist of the traces of the past activities and accomplishments of people. The term “historic property” also includes properties of religious and cultural importance to an Indian Tribe (including Native Alaskan Villages) or Native Hawaiian organization that meet NRHP criteria. As more broadly used, the term “cultural resources,” covers a wider range of resources than “historic properties,” such as sacred sites, archaeological sites not eligible for the National Register of Historic Places, and archaeological collections.

Why is it important?

As NRCS employees, by completing our NHPA responsibilities, we become part of a historic preservation partnership and stewards of our national heritage. NRCS employees make recommendations to their State Conservationists who, working with National Headquarters management and specialists and consulting parties, make the final agency decisions. NRCS staff and field employees must meet educational and experience requirements (the Secretary of Interior’s personnel standards for historic preservation) and only make recommendations. The NRCS Chief makes the final decisions with recommendations from the NRCS Senior Policy Official (Deputy for Science and Technology), and the Federal Preservation Officer (National Cultural Resources Specialist) and the state management teams make the final decisions. Under Section 106 of the NHPA, NRCS is required to consider the effects of our undertakings on historic properties in consultation with specific parties. Consultation with State Historic Preservation Officers (SHPO), Tribal Historic Preservation Officers (THPO), federally recognized Indian tribes, and Native Hawaiian Organizations, as appropriate, as well as other interested parties, is required. When an agency action may alter, directly or indirectly, the characteristics that qualify a historic property for inclusion in the NRHP in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association, (an adverse effect) NRCS is also required to consult to formulate appropriate measures to mitigate potential adverse impacts.

Cultural Resources (continued)

What is required?

Several Federal, State, and local laws are designed to preserve and protect cultural resources through review processes that include consultation and collaboration with mandatory consulting partners. The most important of these authorities is the National Historic Preservation Act of 1966 (NHPA). Under Section 106 of the NHPA and implementing regulations (at 36 CFR Part 800), and other legislation, Federal agencies, including NRCS, are required to preserve, protect and take into account cultural resources during project and program planning. These review processes mandate consultation and collaboration with several preservation partners and stakeholders including State Historic Preservation Officers (SHPOs), Federally recognized American Indian tribes and their Tribal Historic Preservation Officers (THPOs), Native Hawaiian Organizations (NHOs), and other interested parties, including but not limited to local and county governments and neighbors.

NRCS also considers cultural resources in its conservation planning for the same reason it protects the natural resources — the soil, water, air, plants and animals. Keeping natural resources in balance helps provide the basis for a healthy and profitable farm environment; keeping cultural resources provides the basis for understanding our human past. The stewardship of these nonrenewable resources is an important link in the conservation ethic that underlies the NRCS mission.

NRCS must consult with concerned parties (see above) to ensure that historic preservation issues and the views of the public are fully considered and the outcomes of consultation are documented. Review your State level applicable agreement(s).

Cultural Resources at a Glance

Problems/Indicators - Potential impacts to cultural resources and/or historic properties (“Undertakings”)	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Ground disturbing practices or other undertakings with the potential to affect historic properties • Watershed/Area-Wide/Complex projects • Proposed land-use changes/conversions • Construction discoveries 	<ul style="list-style-type: none"> • Complete cultural resources investigation for site, including seeking information from relevant sources, prior to conducting ground investigations • Initiate EARLY consultation with appropriate State/Tribal entity, as needed, and develop a Memorandum of Agreement for undertakings that adversely affect historic properties • Incorporate measures to avoid or minimize adverse effects, and/or mitigation measures to resolve adverse effects, as needed, in project design and specifications

**ENDANGERED AND THREATENED SPECIES
NECH 610.26**

Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Are protected species or their habitat present in the area of potential effect?

Note: protected species include federally listed, proposed, and candidate species, as well as State and Tribal species protected by law or regulation. In addition, if a species' listing or status changes before implementation, you must complete this review again.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," document the species and relevant benchmark data on NRCS-CPA-52, then proceed to the applicable section(s) listed below:**
- Section 1- Federally listed endangered or threatened species/habitats
 - Section 2- Federally proposed species/habitats
 - Section 3- Federal candidate species/habitats
 - Section 4- State/Tribal species/habitats

SECTION 1: Federally listed endangered or threatened species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on endangered or threatened species or their habitat?

- No effect **If "No effect," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- May affect **If "May affect," meaning that the action might affect endangered and threatened species or their habitat in some way, go to Step 2.**

Federally listed endangered or threatened species/habitats (continued)

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action(s)?

- No **If "No," and the effects are purely benign or beneficial,** continue with planning but ensure the client is aware endangered and threatened species or their habitat exists and conservation practices must be applied in a manner that avoids adverse effects. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- No **If "No," and there is a possibility of short-term or long-term adverse effects** then inform the client of NRCS's policy concerning endangered and threatened species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects or the client obtains a "take" permit from the FWS/NMFS. Refer the client to FWS/NMFS to address the client's responsibilities under Sections 9 & 10 of the ESA, for Federally listed species. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid adverse effects and proceed with planning.**
- Yes **If "Yes," and the action will be implemented according to an existing informal consultation, biological opinion, or 4(d) special rule, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," and the action cannot be modified to avoid the effect,** inform client that in order to proceed with the action NRCS must consult with FWS/NMFS. Contact your area or State biologist for consultation procedures. The action can only be implemented according to the terms of the consultation. **When consultation is complete, attach the consultation documents to NRCS-CPA-52 or reference them in the notes section below and proceed with planning.**

Notes for Federally listed endangered or threatened species/habitats:

SECTION 2: Federally proposed species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on proposed species or their habitat?

- No effect **If "No effect,"** additional evaluation is not needed concerning proposed species or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- May effect **If "May affect,"** meaning that the action might affect endangered and threatened species or proposed critical habitat in any way, **go to Step 2.**

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action?

- No **If "No," and the effects are purely benign or beneficial,** continue with planning but ensure the client is aware proposed species or their habitat exists and conservation practices must be applied in a manner as to avoid adverse effects. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- No **If "No," and there is a possibility of short-term or long-term adverse effects** then inform the client of NRCS's policy concerning proposed species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects, and to the extent practicable, provide long-term benefits to species and habitat. Should the client or landowner refuse to apply the recommended alternative conservation treatment, NRCS will inform the client and landowner of the NRCS policy and shall not provide assistance for the action or portion of the action affecting the proposed species.
- Yes **If "Yes," and the action will be implemented according to an existing conference report or conference opinion.** Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- Yes **If "Yes," and the action cannot be modified to avoid the effect,** inform client that the NRCS must conference with FWS/NMFS. Contact your area or State biologist for conference procedures. Further NRCS assistance can only be provided only if the client agrees to implement the conference recommendations to the extent practicable. **When the conference is complete, attach the conference documents to NRCS-CPA-52, or reference them in the notes section below, and proceed with planning.**

Notes for Federally proposed species/habitats:

SECTION 3: Federal candidate species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on candidate species or their habitat?

- No adverse effect **If “No adverse effect,”** additional evaluation is not needed concerning proposed species or proposed critical habitat. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- May adversely effect **If “May adversely affect,”** recommend alternative treatments that avoid or minimize the adverse effects and, to the extent practicable, provide long-term benefit to the species. **Document the effects of the selected alternative on the NRCS-CPA-52 and proceed with planning.**

Notes for Federally proposed species/habitats:

SECTION 4: State/Tribal species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the proposed action or alternative on State/Tribal species or their habitat?

- No adverse effect **If “No adverse effect,”** additional evaluation is not needed concerning State or Tribal species of concern. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- May adversely affect **If “May adversely affect,” go to Step 2.**

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action?

- No **If “No,” and there is a possibility of short-term or long-term adverse effects** then inform the client of NRCS's policy concerning State and Tribal species and the need to use alternative conservation treatments to avoid or minimize adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids or minimizes adverse effects to the extent practicable. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used.** If assistance is continued, document how the alternative conservation treatments avoid or minimize those adverse effects and proceed with planning.
- Yes **If “Yes,” and the action cannot be modified to avoid the adverse effect,** inform client that the NRCS must coordinate with State/Tribal government and receive concurrence on recommended alternatives. Contact your area or State biologist for coordination procedures. Further NRCS assistance will be provided only if the client agrees to implement a concurred upon alternative and obtains any required permits. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes for State/Tribal species/habitats:

Endangered & Threatened Species

ENDANGERED AND THREATENED SPECIES AND STATE/TRIBAL SPECIES OF CONCERN

Consistent with legal requirements of the Endangered Species Act of 1973 and NRCS policy regarding State and Tribal species of concern, NRCS is fully committed to supporting the conservation of formally designated Federal (including “candidate” and “proposed” species), State and Tribal species of concern.

What is it?

When Congress enacted the ESA in 1973, it made several findings regarding the disappearance of various plant and animal species of the United States, the importance of these species to the Nation and its people, and the obligation of the Federal Government to conserve to the extent practicable the various species of fish, wildlife, and plants facing extinction. NRCS policy (190-GM, Part 410) also requires consideration of impacts to species protected by State or Tribal laws or regulations.

Why is it important?

Section 7(a) of ESA requires NRCS, in consultation with and with the assistance of the Secretary of the Interior [US Fish and Wildlife Service (USFWS) and/or NOAA National Marine Fisheries Service (NMFS)], to advance the purposes of the act by implementing programs for the conservation of endangered and threatened species, and to ensure that NRCS actions and activities do not jeopardize the continued existence of threatened and endangered species or result in the destruction or adverse modification of the species' critical habitat. NRCS must also consult with State and/or Tribal entities when considering impacts to species of concern protected by State or Tribal laws or regulations.

What is required?

NRCS must make an initial effects determination for any endangered or threatened species, designated critical habitats, proposed species or habitats, candidate species, or State or Tribal species of concern protected by State or Tribal law or regulation present, or potentially present, within the project area. Once the effects determination has been completed, there may be a need to initiate consultation with the USFWS or NMFS that would result in the development of negotiated “reasonable and prudent measures” (RPMs) to mitigate potential negative impacts. Contact your State Biologist for more information.

E&T Species and State/Tribal Species of Concern at a Glance

Problems/Indicators – Potential negative impacts to Federal, State, and Tribal Species of Concern	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes/conversions • In-stream and upland restoration projects • Ground disturbing practices • Timing of project implementation 	<ul style="list-style-type: none"> • Mitigation to eliminate potential impacts during planning process • Consultation with USFWS and/or NMFS • Incorporate RPMs and conservation measures into project specifications • Establish monitoring protocols

ENVIRONMENTAL JUSTICE
NECH 610.27
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review:	<input type="checkbox"/> Alternative 1	<input type="checkbox"/> Alternative 2	<input type="checkbox"/> Other
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STEP 1.

In the area affected by the NRCS action, are there low-income populations, minority populations, Indian Tribes, or other specified populations that would experience disproportionately high and adverse human health impacts resulting from the proposed action or alternative?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**
- Unknown **If "Unknown,"** consult your State Environmental Specialist, or equivalent and Tribal Liaison for additional guidance, **and repeat Step 1.** **NOTE:** The USDA Departmental Regulation on Environmental Justice (DR 5600-002) provides detailed "determination procedures" for NEPA as well as non-NEPA activities and suggests social and economic effects for considerations.

STEP 2.

Is the action(s) the type that might have a disproportionately high and adverse environmental or human health effect on a low-income population, minority population, or Indian Tribe?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes,"** initiate Tribal consultation or community outreach to affected and interested parties that are categorized as low-income, minority, or as Indian Tribes. The purpose is to encourage participation and input on the proposed program or activity and any alternatives or mitigating options. Participation of these populations may require adaptive or innovative approaches to overcome linguistic, institutional, cultural, economic, historic, or other potential barriers to effective participation. If assistance is needed with this process, contact your State Public Affairs Specialist or Tribal Liaison. **Go to Step 3.**

STEP 3.

Considering the results of the outreach initiative together with other information gathered for the decision-making process, will the action(s) have a disproportionately high and adverse effect on the human health or the environment of the minority, low-income, or Indian populations?

- No **If "No," notify interested and affected parties of agency decision. Document on the NRCS-CPA-52, or notes section below, the finding and rationale.**
- Yes **If "Yes,"** consider the feasibility and appropriateness of the proposed alternatives and their effects and the possibility of developing additional alternatives or a mitigation alternative and **repeat Step 3.** **Document results of these early scoping sessions on the NRCS-CPA-52.** If it is determined that there remains a disproportionately high and adverse effect on human health or the environment, or the project or action carries a high degree of controversy then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Contact your State Office for assistance.

Notes:

Environmental Justice

ENVIRONMENTAL JUSTICE

Executive Order 12898, issued February 11, 1994, requires each Federal agency to make environmental justice a part of its mission. Agencies must identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations, low-income populations, and Indian Tribes.

What is it?

The term “environmental justice” means that, to the greatest extent practicable and permitted by law, all populations are provided the opportunity to comment before decisions are rendered on proposed Federal actions. Furthermore, the principles of environmental justice require that populations are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by, government programs and activities affecting human health or the environment.

Why is it important?

Environmental justice must be addressed throughout the U.S., its territories and possessions, the District of Columbia, and the Commonwealths of Puerto Rico and the Mariana Islands. These issues encompass a broad range of impacts covered by NEPA, including impacts on the natural or physical environment and related social, cultural, and economic impacts.

What is required?

The primary means to attain compliance with environmental justice considerations is: 1) Assessing the presence of environmental justice communities in a project area that may experience disproportionately high and adverse human health or environmental effects, and; 2) The inclusion of low-income, minority, Tribal, or other specified populations in the planning process. There may be a need to develop separate Government to Government consultations to address any environmental justice issues for Tribal Governments (contact your State American Indian Emphasis Program manager). The USDA Departmental Regulation (DR) 5600-002, Environmental Justice, provides detailed determination procedures for NEPA and non-NEPA activities and suggests social and economic effects to consider when assessing whether there are disproportionately high and adverse human health or environmental effects to environmental justice communities in a project area.

Environmental Justice at a Glance

Problems/Indicators	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes/conversions • Area-wide/watershed/complex projects • Projects involving broad scope of impacts – local/regional/national • Controversial projects • Disproportionately high and adverse human health or environmental effects 	<ul style="list-style-type: none"> •Collect demographic data from EPA, Census Bureau, other sources •Initiate early government-to-government consultation with Tribes, as necessary •Conduct public meeting(s) to facilitate outreach to EJ communities •Create Agreements, as needed

**ESSENTIAL FISH HABITAT
NECH 610.28
Evaluation Procedure Guide Sheet**

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Is the action(s) in an area designated as Essential Fish Habitat (EFH) or in an area where effects could indirectly or cumulatively affect EFH?

NOTE: Additional information regarding EFH Descriptions and Identification can be found on NMFS's website.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Will the action(s) result in short-term or long-term disruptions or alterations that may result in an "adverse effect" to EFH? [16 U.S.C. 1855(b)(2); Magnuson Stevens Act (MSA) Section 305(b)(2)]

- No **If "No," consultation with NMFS and further evaluation is not needed concerning EFH unless otherwise specified by the State Biologist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Can the action(s) be modified to avoid the potential adverse effect?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.**
- Yes **If "Yes," modify the action or activity and repeat Step 2.**

STEP 4.

Is NRCS providing assistance that would result in the funding, authorization, or undertaking of the action(s)? [MSA Section 305(b)]

- No **If "No," an alternative conservation system that avoids the adverse effect must be identified as the proposed action or NRCS must discontinue assistance. If assistance is terminated, indicate the circumstances in the Remarks section of the NRCS-CPA-52 or contact the NRCS State Office for assistance. (Title 190, General Manual, Part 410, Subpart A, Section 410.3)**
- Yes **If "Yes," inform the client that the NRCS District Conservationist or NRCS State Biologist must consult with NMFS before further action or activity can proceed [MSA, Section 305(b)(2)].**
Note: For specific information regarding consultation for EFH, see NMFS "Essential Fish Habitat Consultation Guidance," April 2004, available online.

Notes:



Essential Fish Habitat

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (Act) was originally enacted in 1976 and amended several times, the latest of which was 2006. It is the primary law governing marine fisheries management in the U.S. In 1996, the Act was amended to incorporate essential fish habitat (EFH) and rules were published in the Federal Register. It calls for heightened consideration of fish habitat in resource management decisions and direct action to stop or reverse the continued loss of fish habitats. The National Marine Fisheries Service (NMFS) implements and enforces the management measures through fisheries management plans.

What is it?

Essential fish habitats (EFHs) are areas identified as being vital for sustaining marine or anadromous fish populations. They include the waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. As amended in 1996, the Act requires Federal or State agencies proposing, funding, or undertaking actions that would adversely affect any EFH to devise measures for avoiding, mitigating, or offsetting the impact of the activity on the habitat.

Why is it important?

The Act requires cooperation among NMFS, the councils, fishing interests, Federal and State agencies, and others in achieving the EFH goals of habitat protection, conservation, and enhancement. NRCS must consult with NMFS regarding any action or proposed action that may adversely affect an EFH.

What is required?

Information on all EFH areas in each applicable state is located in Section II of the FOTG. NRCS must first assess whether a proposed action or alternative will result in short or long-term disruptions or alterations that may result in an “adverse effect” to EFH. If yes, NRCS may first consider if and how the action or alternative can be modified to mitigate potential adverse effects. If that is not possible, NRCS will have to consult with NMFS to determine measures to conserve such habitat. Following consultation, NRCS is responsible for detailing the measures that will be taken to mitigate any adverse effects to EFH and explain reasons for any actions inconsistent with the NMFS EFH recommendations.

Essential Fish Habitat at a Glance

Problems/Indicators – Potential negative impacts to Essential Fish Habitat	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes/conversions • In-stream and upland restoration projects • Ground disturbing practices • Timing of project implementation 	<ul style="list-style-type: none"> • Mitigation to eliminate potential impacts during planning process • Consultation with NMFS • Incorporate conservation measures into project specifications • Establish monitoring protocols

FLOODPLAIN MANAGEMENT
NECH 610.29
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review:	<input type="checkbox"/> Alternative 1	<input type="checkbox"/> Alternative 2	<input type="checkbox"/> Other
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NOTE: This Guide Sheet is intended for evaluation of "non-project" technical and financial assistance only (individual projects). For "project" assistance criteria (those assisting local sponsoring organizations), consult Title 190, General Manual, Part 410, Subpart B, Section 410.25.

STEP 1.

Is the project area in or near a 100-year floodplain?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.**
- Yes **If "Yes," go to Step 2.**
- Unknown **If "Unknown," review the HUD/FEMA flood insurance maps and other available data such as soils information relating to flood frequency. If still "Unknown", contact the appropriate field or hydraulic engineer. Repeat Step 1.**

STEP 2.

Is the planning area in the floodplain an agricultural area that has been used to produce food, fiber, feed, forage or oilseed for at least 3 of the last 5 years before the request for assistance?

- No **If "No," go to Step 4.**
- Yes **If "Yes," document the agricultural use history and go to Step 3.**

STEP 3.

Is the floodplain's agricultural production in accordance with official state or designated area water quality plans?

- No **If "No," advise the client of conservation practices or other measures that will bring the land into accordance with water quality plans and incorporate these into the conservation plan. Go to Step 4.**
- Yes **If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.**

STEP 4.

Over the short or long term, will the proposed action or alternative likely result in an increased flood hazard, incompatible development, or other adverse effect to the existing natural and beneficial values of the floodplain or lands adjacent or downstream?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," modify the action if possible to avoid adverse effects. Inform landuser of the hazards of locating actions in the floodplain and discuss alternative methods of achieving the objective and/or alternative locations outside the 100-year floodplain. If the action can be modified, describe the modification on the NRCS-CPA-52 and repeat 4. If the action cannot be modified to eliminate adverse effects, go to Step 5.**

FLOODPLAIN MANAGEMENT (continued)

STEP 5.

Is one or more of the alternative methods or locations practical?

- No **If "No,"** the District Conservationist will carefully evaluate and document the potential extent of the adverse effects and any increased flood risk before making a determination of whether to continue providing assistance. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6.**
- Yes **If "Yes," and the client agrees** to implement the alternative methods or locations outside the floodplain, **document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," and the client DOES NOT AGREE** to implement the alternative methods or locations, advise the client that NRCS may not continue to provide technical and/or financial assistance where there are practicable alternatives. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6.**

STEP 6.

Will assistance continue to be provided?

- No **If "No,"** provide written notification of the decision to terminate assistance to the client and the local conservation district, if one exists. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes,"** the district conservationist should **design or modify the proposed action or alternative to minimize the adverse effects to the extent possible. Circulate a written public notice** locally explaining why the action is proposed to be located in the 100-year floodplain. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:

Floodplain Management

FLOODPLAIN MANAGEMENT

Executive Order (EO) 11988, Floodplain Management, was signed by President Jimmy Carter on May 24, 1977. NRCS policy on floodplains (190-GM, Part 410, Subpart B, Section 410.25) reflects the requirement of the EO that decisions by Federal agencies must recognize that floodplains have unique and significant public values.

What is it?

Floodplains are defined as lowlands or relatively flat areas adjoining inland or coastal waters, including at a minimum areas subject to a chance of flooding of 1 percent or greater in any given year. The base floodplain is set equal to the 100-year floodplain (the 1-percent chance floodplain). The critical action floodplain is defined as the 500-year floodplain (the 0.2-percent chance floodplain) where certain facilities are present, such as a school, hospital, nursing home, utility, or a facility producing volatile, toxic, or water-reactive materials. Floodplains may be shown on maps produced by the Federal Emergency Management Agency (FEMA) and on NRCS watershed plans and floodplain management studies. Since alluvial soils are deposited by flood waters, NRCS Soil Survey information can also be useful to help identify potential floodplains with a flooding chance of 1-percent or greater in areas where FEMA floodplain maps are not available. Floodplains normally are adjacent to a defined stream channel and have soils interpretations of Flood Frequency classes from "Rare" to "Very Frequent". The hydrologic function of floodplains depends on periodic flooding, or on high groundwater conditions provided by high stream discharges. The "Rare" frequency class represents the range of the 100-year to 20-year floodplain (1 to 5 percent chance floodplain).

Why is it important?

The objectives of E.O. 11988 are to avoid, to the extent possible, the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development where there is a practical alternative.

What is required?

Through proper planning, floodplains can be managed to reduce the threat to human life, health and property in ways that are environmentally sensitive. Most floodplains contain areas with valuable assets that sustain and enhance human existence. Some of these assets are agricultural and forest, food and fiber, fish and wildlife, temporary floodwater storage, parks and recreation, and environmental values. NRCS provides leadership and takes actions where practicable to conserve, preserve, and restore existing natural and beneficial functions and values in base (100-year) floodplains as part of the technical and financial assistance program that it administers.

Floodplain Management at a Glance

Problems/Indicators – Potential negative impacts to Floodplains	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes/conversions in floodplain • Ground-disturbing project within floodplain • Infrastructure development in floodplain • Activities requiring a NPDES permit • Construction of flood walls, dikes, etc., for purpose of flood control 	<ul style="list-style-type: none"> • Consult HUD/FEMA flood insurance maps and/or other available floodplain data • Mitigation to eliminate potential impacts during planning process • Consultation with NOAA-NMFS and USFWS, as needed (EFH, ESA) • Incorporate conservation/mitigation measures into project specifications, as needed • Establish monitoring protocols

INVASIVE SPECIES

NECH 610.30

Evaluation Procedure Guide Sheet

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

Client/Plan Information:

NOTE: Executive Order 13112 states that "a Federal agency shall not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction and spread of invasive species in the U.S. or elsewhere." Remember that invasive species can include plants, fish, animals, insects, etc.

STEP 1.

Is the action(s) in an area where invasive species are known to occur or where risk of an invasion exists?

NOTE: Executive Order 13112 (1999) directs Federal agencies to "prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause."

No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Yes **If "Yes," go to Step 2.**

STEP 2.

Conduct an inventory of the invasive species and identify areas at risk for future invasions (Title 190, General Manual, Part 414, Subpart D, Section 414.30). Delineate these areas on the conservation plan map and document management considerations in the plan or assistance notes. Have all appropriate tools, techniques, management strategies, and risks for invasive species prevention, control, and management been considered in the planning process?

No **If "No," you must consider and include all appropriate factors relating to the existing and potential invasive species for the planning area and repeat Step 2.**

Yes **If "Yes," describe strategies, techniques, and reasons on NRCS-CPA-52 and go to Step 3.**

STEP 3.

Is the action(s) consistent with the Executive Order 13112, the national invasive species management plan, and any applicable State or local invasive species management plan?

No **If "No," modify the action and repeat Step 3.** If the client is unwilling to modify the proposed action, NRCS must discontinue assistance. **Document the circumstances on the NRCS-CPA-52, or notes section below, and in the case file.**

Yes **If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:



Invasive Species

INVASIVE SPECIES

Executive Order (E.O.) 13112, Invasive Species (February 3, 1999) directs Federal agencies to “prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause.” NRCS policy (190-GM, Part 414) is consistent with this EO and also requires that no actions be authorized, funded, or carried out that is believed to or is likely to cause or promote the introduction or spread of invasive species in the U.S. or elsewhere.

What is it?

The National Invasive Species Council (NISC) and Invasive Species Advisory Committee (ISAC) were formed to define how the objectives of the E.O. will be carried out. As defined in E.O. 13112, invasive species are species, not native to a particular ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health. Invasive species may include all terrestrial and aquatic life forms, including plants, animals, fungi, and microbial organisms. NRCS policy states that a plant species is considered “invasive” only when it occurs on the Federal or State-specific noxious weed list or a list developed by the State-specific Department of Agriculture with their partners and approved by the State Technical Committee which prohibits or cautions its use due to invasive qualities.

Why is it important?

Invasive species are reducing the economic productivity and ecological integrity of our Nation’s lands and waters. The rate of introduction of such species has risen markedly with costs to society growing commensurately. Invasive species harm native species and their habitats, degrade renewable resources, and diminish productive capacity of agricultural lands including cropland, forestlands, rangelands, and pasturelands. They negatively impact a wide variety of human activities and needs.

What is required?

Recognizing and addressing the presence of invasive species is an integral part of the conservation planning process and implementing NRCS policy and any existing county, State, or Federal regulations concerning noxious and/or invasive species. At a minimum, the conservation plan includes: 1) an inventory of invasive species; 2) a map outlining the affected areas; 3) Identification of control/restoration strategies, and; 4) analysis of their impacts.

Invasive Species at a Glance

Problems/Indicators – Presence of Invasive Species	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes/conversions without appropriate vegetative cover plan • Ground-disturbing projects (for agronomic or structural purposes) • Improper livestock grazing management • Restoration projects (upland and aquatic) without appropriate measures to ensure vegetative cover. 	<ul style="list-style-type: none"> • Critical Area Planting • Pasture and Hayland Planting • Prescribed Grazing • Streambank & Shoreline Protection • Restoration & Management of Rare & Declining Habitats • Integrated Pest management • Establish monitoring protocols

**MIGRATORY BIRDS, BALD AND GOLDEN
EAGLE PROTECTION ACT, NECH 610.31
Evaluation Procedure Guide Sheet**

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

NOTE: This guide sheet includes evaluation guidance for compliance with both the Migratory Birds Treaty Act, Executive Order 13186 (2001), and the Bald and Golden Eagle Protection Act. Both sections must be completed if eagles are identified within the area of potential effect.

SECTION I: MIGRATORY BIRDS TREATY ACT

In the lower 48 states, all species except the house sparrow, rock pigeon, common starling, and non-migratory game birds like pheasants, quail, grouse, and turkeys, are protected.

STEP 1.

Could the action(s) result in a take (intentionally or unintentionally) to any migratory bird, nest or egg? The term "**take**" means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR Section 10.12).

NOTE: The MBTA does not prohibit the destruction of a migratory bird nest alone (without birds or eggs) provided that no possession occurs during the destruction (USFWS, Migratory Bird Memorandum, MBPM-2, April, 2003).

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Is it the purpose of the action(s) to intentionally "take" a migratory bird or any part, nest or egg (such as, but not limited to: controlling depredation by a migratory bird, or removal of occupied nests of nuisance migratory birds)?

NOTE: Migratory game birds taken under state and Federal hunting regulations are exempt.

- No **If "No," go to Step 3.**
- Yes **If "Yes," document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Inform the client that they must obtain a permit from USFWS and any required state permit before the action is implemented.**

STEP 3.

Have adverse effects on migratory birds been mitigated (avoided, reduced, or minimized) to the maximum practicable extent?

- No **If "No," modify the action and repeat Step 1. If client is unwilling to modify the action then NRCS must discontinue assistance until issue has been resolved with USFWS.**
- Yes **If "Yes," document mitigation measures on the NRCS-CPA-52, or notes section below, and in the plan. Go to Step 4.**

MIGRATORY BIRDS TREATY ACT / BALD AND GOLDEN EAGLE PROTECTION ACT (continued)

STEP 4.

Will unintentional take of migratory birds, either individually or cumulatively, result in a measurable negative effect on a migratory birds population?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," additional principles, standards and practices shall be developed in coordination with USFWS to further lessen the amount of unintentional take (E.O. 13186(3)(e)(9)). Repeat Step 1 or indicate which of the following options is pursued by the client (pick one). Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below.**
 - The client will obtain a permit from USFWS before the action is implemented; OR
 - NRCS may need to terminate assistance. Contact the NRCS State Environmental Specialist or Wildlife Biologist.

Notes:

SECTION II: BALD & GOLDEN EAGLE PROTECTION ACT

STEP 1.

Will the action(s) result in the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import "of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit"? (The term "**take**" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under this act means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, injury to an eagle; a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.)

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Can the action(s) be modified to avoid the adverse effect? Refer to the National Bald Eagle Management Guidelines for measures that can be taken to avoid disturbing nesting bald eagles and their young.

- No **If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to avoid adverse effects prior to providing final designs or implementing the proposed action or alternative. No permit authorizes the sale, purchase, barter, trade, importation, or exportation of eagles, or their parts or feathers. The regulations governing eagle permits can be found in 50 CFR Part 22.**
- Yes **If "Yes," modify the alternative and repeat Step 1. If the client is unwilling to modify the action then NRCS may need to discontinue assistance. Contact the NRCS State environmental specialist or wildlife biologist for assistance. Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below.**

Notes:



Migratory Birds

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) of 1918, as amended, is the domestic law that affirms, or implements, the United States' commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource. Executive Order (E.O.) 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires NRCS to consider the impacts of planned actions on migratory bird populations and habitats for all planning activities. The Bald and Golden Eagle Protection Act of 1940, as amended (BGEPA), prohibits the take of bald and golden eagles and their nests.

What is it?

Migratory birds are essentially all wild birds found in the United States, except the house sparrow, starling, feral pigeon, and resident game birds, such as pheasant, grouse, quail, and wild turkeys. Resident game birds are managed separately by each State. A list of migratory birds is found in 50 CFR Part 10. There are also other requirements protecting certain migratory birds. The BGEPA provides protection to all Bald and Golden Eagles by prohibiting all commercial activities and some noncommercial activities involving bald or golden eagles, including their feathers or parts.

Why is it important?

The MBTA fully protects all migratory birds and their parts (including eggs, nests, and feathers). Thus, the act makes it unlawful, unless permitted by regulation, for anyone to kill, capture, collect, possess, buy, sell, trade, ship, import, or export any migratory bird, including feathers, parts, nests, or eggs. This prohibition applies to Federal agencies as well as private individuals. And, under the BGEPA, the "taking" of bald and golden eagles and their nests is prohibited. The definition of "take" under this law includes disturbance.

What is required?

MBTA, BGEPA, and E.O. 13186 require NRCS to consider the impacts of planned actions on migratory bird populations and habitats for all planning activities. This may require cooperation with the US Fish and Wildlife Service if the action will result in a measurable negative effect on migratory bird populations. If, for example, a proposed action can potentially kill or injure a migratory bird resulting in an intentional or unintentional "take" to the birds, nests, or eggs, conservation measures must be considered to mitigate adverse impacts.

Migratory Birds at a Glance

Problems/Indicators – Proposed action may adversely impact migratory birds	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> •Land use changes/conversions without appropriate vegetative cover plan •Ground-disturbing projects (for agronomic or structural purposes) •Land clearing or obstruction removal •Sod-busting •Forest harvest activities 	<ul style="list-style-type: none"> •Timing of practice installation/harvest •Prescribed Grazing/ timing of grazing •Cooperation with USFWS to establish conservation measures •Restoration & Management of Rare & Declining Habitats •Establish monitoring protocols

NATURAL AREAS
GM 190, Part 410.23
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review:	Alternative 1 <input type="checkbox"/>	Alternative 2 <input type="checkbox"/>	Other <input type="checkbox"/>
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Natural Areas are defined as land and water units where natural conditions are maintained. They may be areas designated on Federal government, non-federal government, or on private land. Designation may be provided under Federal regulations, by foundations or conservation organizations, or by private landowners that specify it as such (GM 190. Part 410.23).

STEP 1.

Are there any designated natural areas present in or near the planning area?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Will the action(s) affect the natural area?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Are the effects consistent with maintaining, protecting, and preserving the integrity of the natural characteristics?

- No **If "No," Inform the client about the effects of the proposed action or alternatives on the identified natural areas. You must also encourage the client to consult with concerned parties to arrive at a mutually satisfactory alternative [GM 190, Part 410.23(c)4]. Document the effects of the action and any communications with the client on the NRCS-CPA-52, or notes section below, and proceed with planning.**
- Yes **If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:



Natural Areas

Natural Areas

Natural Areas are defined as land and water units where natural conditions are maintained. They may be designated areas of Federal government, non-federal government, or private land. Designation may be provided under Federal regulations, by foundations or conservation organizations, or by private landowners that specify it as such (GM 190. Part 410.23).

What is it?

Designation may be formal, as provided under Federal regulations, or by foundations or conservation organizations specifically created to acquire and maintain natural areas. Designation may be informal in the case of private landowners that specify an area as a natural area and manage it accordingly.

Why is it important?

It is the policy of the NRCS to support the designation of appropriate natural areas and to recognize dedicated natural areas as a land use.

What is required?

Natural Resources Conservation Service (NRCS) employees who provide technical assistance to land users must inform them about the impact their decisions may have on adjacent or nearby natural areas. Land users will be encouraged to consult with concerned agencies, societies, and individuals to arrive at mutually satisfactory land use and treatment.

Natural Areas at a Glance

Problems/Indicators – Proposed Action is Inconsistent with NRCS Policy	
Potential Causes	Potential Solutions
• Client wants to spray herbicides along fence bordering neighbor’s natural area.	• Recommend planting a wildlife border on client’s side of fence.

PRIME AND UNIQUE FARMLANDS

NECH 610.32

Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Using the criteria found in the FPPA Rule (7 CFR Part 658.5), does the action(s) convert farmland to a nonagricultural use? **NOTE:** Conversion does not include construction of on-farm structures necessary for farm operations. Also, form AD-1006 entitled "Farmland Conversion Impact Rating" and form NRCS-CPA-106 entitled "Farmland Conversion Impact Rating for Corridor Type Projects" are used to document effects of proposed projects that may convert farmland. If you are uncertain about the effects on prime and unique farmlands in your planning area, consult the State Soil Scientist.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Are prime or unique farmlands or farmlands of statewide or local importance present in or near the area that will be affected by the action(s)?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Can the action(s) be modified to avoid adverse effects or conversion?

- No **If "No," document the adverse effects on the NRCS-CPA-52, or notes section below, and proceed with planning.**
- Yes **If "Yes," modify and repeat Step 1 or contact the State Soil Scientist for further assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:

Prime and Unique farmlands

PRIME AND UNIQUE FARMLANDS

Congress passed the Agriculture and Food Act of 1981 (Public law 97-98) which contained the Farmland Protection Policy Act (FPPA). The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance.

What is it?

Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary of Agriculture. It may include lands currently used to produce livestock and/or timber.

Unique farmland is land other than prime farmland that is used for production of specific high-value food and fiber crops, as determined by the Secretary. Examples of such crops include citrus, tree nuts, olives, cranberries, fruits, and vegetables.

Farmland that is of statewide or local importance other than prime or unique farmland is used for the production of food, feed, fiber, forage, or oilseed crops, as determined by the appropriate State or unit of local government agency or agencies, and that the Secretary of Agriculture determines should be considered the same as prime or unique farmland under FPPA.

Why is it important?

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency, including NRCS.

What is required?

NRCS must use the criteria provided in regulations found at 7 CFR Section 658.5 to identify and take into account the adverse effects of Federal programs on the protection of farmland. As well as evaluating and minimizing the effects of our own actions, NRCS must assist Federal agencies to consider alternative actions, as appropriate, that could lessen such adverse effects on farmland conversion to nonagricultural uses. NRCS uses a land evaluation and site assessment (LESA) system to establish a farmland conversion impact rating score. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level.

Prime and Unique Farmlands at a Glance

Problems/Indicators – Proposed farmland conversion	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Proposed land use changes/conversion of agricultural lands • Ground disturbing/land clearing activities • Construction of infrastructure projects • Urban development 	<ul style="list-style-type: none"> • Conduct LESA for conversion impact score • Share result with landowner or cooperating Federal agency proposing action (normally for NEPA analysis) • Offer alternatives (relocation) for consideration if adverse impacts to prime, unique, or locally important agricultural lands

RIPARIAN AREA
NECH 610.33
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Is a riparian area present in or near the planning area? (Definition can be found in Title 190, General Manual, Part 411.)

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Do the action(s) address maintenance or improvement of water quality, water quantity, and fish and wildlife benefits provided by the riparian area?

- No **If "No," revise the plan to maintain or improve water quality, water quantity, and fish and wildlife benefits. Document the benchmark conditions and effects on the NRCS-CPA-52, or notes section below, go to Step 3.**
- Yes **If "Yes," go to Step 3.**

STEP 3.

Do the action(s) conflict with the conservation values/functions of the riparian area?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," inform the client of the values and functions of riparian areas, including their contribution to floodplain function, stream bank stability and integrity, nutrient cycling, pollutant filtering, sediment retention, and biological diversity, and present alternatives that will resolve the conflict. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:

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Riparian Areas

RIPARIAN AREAS

NRCS policy (190-GM, Part 411) requires NRCS to integrate riparian area management into all plans and alternatives. Although Federal law does not specifically regulate riparian areas, portions of riparian areas, such as wetlands and other waters of the U.S. may be subject to Federal regulation under provisions of the Food Security Act, Clean Water Act, and State, Tribal, and local legislation.

What is it?

Riparian areas are ecotones (a transition area between two areas) that occur along streams, rivers, lakes, ponds, and wetlands. They are distinctively different from the surrounding lands because of unique soil and vegetative characteristics that are strongly influenced by free or unbound water in the soil. Riparian ecosystems occupy the transitional area between the terrestrial and aquatic ecosystems. Typical examples include floodplains, stream banks, and lakeshores. Riparian areas may exist within all land uses, such as cropland, hayland, pastureland, rangeland, and forestland.

Why is it important?

Although riparian areas constitute only a fraction of the total land area, they are generally more productive in terms of plant and animal species, diversity, and biomass. Riparian areas are vital components of the ecosystems in which they occur and are extremely important for flood attenuation, hydrologic function (water quantity, quality, and timing), and fish and wildlife diversity. NRCS policy requires conservation plans to maintain or improve water quality/quantity as well as provide fish and wildlife benefits. It also requires the development of alternatives when the client's objectives conflict with the conservation of these areas.

What is required?

Conservation planning in riparian areas requires special considerations. A resource problem within the riparian area may be the manifestation of upland management decisions. Planners working with riparian areas should consider soils, the present plant community, the site potential, geomorphology of both stream and the watershed, hydrologic regime, fish and wildlife needs, the management of the upland areas of the watershed, and the producer's objectives. For supplemental guidance relating to riparian areas, see NRCS/RCA Issue Brief 11. USDA-NRCS. August 1996.

Riparian Areas at a Glance

Problems/Indicators – Degraded riparian area (erosion, invasive species, etc.)	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Improper livestock grazing management • Presence of invasive species • Stream channel modifications • Stream channel aggradation or degradation • Structural modifications (diversions, ditches, dam, etc.) 	<ul style="list-style-type: none"> • Streambank and Shoreline Protection • Stream Crossing • Riparian Forest Buffers and/or Herbaceous Cover • Critical Area Planting • Fence • Prescribed Grazing • Integrated Pest Management

SCENIC BEAUTY
GM Title 190, Part 410.24
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Will the action(s) adversely affect the scenic quality of the general landscape or any specifically designated unique or valuable scenic landscape? (Consult Section II of the FOTG for a listing of any identified areas of scenic beauty.)

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 2.**

STEP 2.

Can the action(s) be modified to avoid the adverse effects on the scenic quality of the landscape? NOTE: NRCS must provide technical assistance with full consideration of alternative management and development systems that preserve scenic beauty or improve the landscape (GM 190, Part 410.24).

- No **If "No," consider any state or local requirements. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," modify the planned action or activity and repeat Step 1.**

Notes:

Scenic Beauty

Scenic Beauty

Scenic beauty can be defined as the viewer's positive perceived value of special, unique and memorable physical elements of a landscape.

What is it?

The landscape has a consistently definable appearance that can be described by the measurable visual elements of landform, water, vegetation, structures and sky. These visual elements provide a ready basis for describing the changing landscape as altered by human decisions. Management of the visual landscape is the process of manipulating the physical elements and functions of the landscape to achieve specific resource objectives. When all the elements are combined, patterns or images are formed that uniquely identify a landscape. Even though there are many different kinds of landscapes across the country, each landscape can portray a unique sense of place identifiable to everyone who lives there or passes through.

Why is it important?

A beautiful landscape scene has definable visual elements that combine to provide a high quality visual resource. A landscape with a high visual quality generates emotional impacts within the viewer's mind and links to sense of place and quality of life. Retaining a connection to a beautiful natural environment affects their well-being.

What is required?

The analysis, conservation and enhancement of scenic beauty is an important part of providing planning assistance. Emphasis should be given to conservation practices that protect and enhance the attractiveness of the landscape while increasing agricultural efficiency and productivity. Through proper planning, the visual characteristics of a scenic landscape can be protected, maintained and improved.

Landform refers to the shape of the land (topography, slope, and aspect) and seems to be the most noticeable element, particularly as it relates to the horizon. For example, the horizontal nature of crop landscapes makes them especially sensitive to the presence of vertical elements, such as streamside vegetation, shelterbelt trees, farmstead structures and utility poles. When agricultural activities, such as tree rows and fences are aligned with the topography, they emphasize and enhance landform. In flat or rolling areas, the horizon line is the most conspicuous landscape element.

Water can add to aesthetic quality, modify temperatures, serve as a buffer between use areas, and direct attention from undesirable views. Its characteristics are gurgling, rushing, spurting, falling, calm or placid. Its shape also adds value to the landscape.

Vegetation includes agricultural crops, which can vary widely in size, form, color, texture, and planting pattern. Shelterbelt and riparian trees are visually significant in landscapes where low crops or pastures are present. Row crops create visually strong lines to the viewer on the ground or from the air, so any curved pattern that is located among the straight lines will be prominent.

Structures evoke the most obvious and descriptive mental images of "countryside". Farmhouses, barns, silos, wooden fences, stone walls, windmills and two-lane roads are some of the agriculturally related structures that fulfill our romantic notion of countryside.

Scenic Beauty at a Glance

Problems/Indicators – Proposed Action is Inconsistent with NRCS Policy

Potential Causes	Potential Solutions
• Installation of Waste Storage Structure	• Plant trees to screen structure

**WETLANDS
NECH 610.34**

Evaluation Procedure Guide Sheet

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

Client/Plan Information:

This guide sheet addresses policy found in Title 190, General Manual, Part 410, Subpart B, Section 410.26. Use the Clean Water Act Guide Sheet for addressing wetland concerns relating to the Clean Water Act.

STEP 1.

Are wetlands present in or near the planning area?

NOTE: This includes **all** wetlands except those artificial wetlands created by irrigation water. Thus, areas determined as prior converted (PC) in accordance with the 1985 Food Security Act and nonirrigation induced artificial wetlands (AW), which retain wetland characteristics, are wetlands as they relate to the wetland protection policy.

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used.** (If the area could qualify as an "other water of the United States" such as lakes, streams, channels, or other impoundment or conveyances, a Clean Water Act Section 404 permit may be required from the Corps of Engineers. Refer to the Clean Water Act Guide sheet.)

- Yes **If "Yes," document the extent and location of wetlands and go to Step 2.**

STEP 2.

Will the action(s) impact any wetland areas (this includes changing wetland types when considering wetland restoration projects)?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

- Yes **If "Yes," assess the wetland functions and describe (on the NRCS-CPA-52) the effects of the proposed activity on the wetland area. If effects are solely beneficial, continue with planning. If adverse effects exist, go to Step 3.**

STEP 3.

Do practicable alternatives exist that avoid adverse impact to wetlands?

- No **If "No," go to step 4.**

- Yes **If "Yes," advise the client of the available alternatives. If the client chooses to implement the alternative that avoids adverse impact (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.**

WETLANDS (continued)

STEP 4.

Do other measures exist that will minimize adverse effects to wetlands?

- No **If "No," go to step 5.**
- Yes **If "Yes,"** advise the client of the minimization measures. If the client chooses to implement the minimization measures (including obtaining all necessary permits), **document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.** Otherwise, NRCS shall terminate all assistance for the project.

STEP 5.

Does the client wish to pursue an action that will result in adverse impacts to wetlands (where no practicable alternatives or minimization measures exist)?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes,"** advise that client of the need to compensate for the lost wetland acres and functions. NRCS may assist the client in the development of a mitigation plan. If the client chooses to implement the compensation measures (including obtaining all necessary permits), **document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.** Otherwise, NRCS shall terminate all assistance for the project.

Notes:

Wetlands

Wetlands

Executive Order (E.O.) 11990 requires that Federal agencies take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the beneficial functions of wetlands when “providing federally undertaken, financed or assisted construction and improvements.” NRCS policy for implementing the EO can be found at 190-GM, Part 410, Subpart B, Section 410.26. In addition, activities that impact wetlands often require a Clean Water Act, Section 404 permit from the Corps. Activities in wetlands that occur in the 100 or 500-yr floodplain are also subject to review under NRCS floodplain management policy (190-GM Section 510.25). Wetland compliance provisions of the Food Security Act, as amended, are found in the National Food Security Act Manual, as amended, and are not addressed by this Fact Sheet.

What is it?

Wetlands are defined differently within various Federal and State programs and for identification, delineation, and classification purposes. NRCS wetland protection policy defines wetlands as areas, natural or artificial, that have hydric soil, hydrophytic vegetation, and indicators of wetland hydrology. Generally, wetlands include swamps, marshes, bogs, many bottomland hardwood areas and similar areas.

Why is it important?

It is the policy of the NRCS to protect and promote wetland functions and values in all NRCS planning and application assistance. NRCS activities must comply with the NRCS policy for protection of wetlands including the provisions of E.O. 11990, Protection of Wetlands. Wetlands serve a variety of significant biological functions important to the food chain, general habitat and nesting, spawning, and rearing sites.

What is required?

Since wetlands are highly variable and can be dry for most of the year, wetland delineation training is important. If wetlands will be impacted by a proposed activity, NRCS will identify whether practicable alternatives exist that either enhance wetland functions and values, or avoid or minimize harm to wetlands. If such alternatives exist, the client will be given the opportunity to select one of those alternatives. If the client selects a practicable alternative, the NRCS may continue technical assistance for the conversion activity as well as the development of the mitigation plan. If a practicable alternative is not selected, NRCS may assist with the development of an acceptable mitigation plan, but no further financial or technical assistance for the wetland conversion activity may be provided.

Wetlands at a Glance

Problems/Indicators – Wetlands with impaired functions (hydrologic changes, mismanagement, etc.)	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Past or current draining • Removal of native vegetation • Presence of invasive species • Changes in local hydrology • Dredge and fill activities • Adjacent stream channel modifications • Pollution from point sources (e.g. CAFO) 	<ul style="list-style-type: none"> • Wetland Restoration • Tree/Shrub Establishment • Shallow Water Development & Management • Fish Passage • Incorporate 404 Permit conservation measures into planning design

WILD AND SCENIC RIVERS
NECH 610.35
Evaluation Procedure Guide Sheet

Client/Plan Information:

Check all that apply to this Guide Sheet review: Alternative 1 Alternative 2 Other

STEP 1.

Could the action(s) have an effect on the natural, cultural or recreational values of any nearby rivers?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," analyze the potential effects and develop alternatives, as necessary, that would mitigate potential adverse effects, then go to Step 2.**

STEP 2.

Is there a Federal or State designated Wild, Scenic, or Recreational River segment or a river listed in the Nationwide Rivers Inventory (NRI) in or near the planning area?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," and there is still potential for effect consult your State environmental liaison to assist with determining the nature and significance of the effect. Go to Step 3.**
NOTE: The State Office may request the administering federal or state agency (National Park Service in the case of NRI) to assist you in developing appropriate avoidance and mitigation measures.

STEP 3.

Could the proposed action or alternative have an adverse effect on the natural, cultural or recreational values of the wild, scenic, or recreational river segment that cannot be avoided or minimized?

- No **If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**
- Yes **If "Yes," go to Step 4.**

STEP 4.

Is NRCS providing financial assistance or otherwise controlling the action(s)?

- No **If "No," inform the client that a permit may be required for their activities and they should consult with the administering federal or state agency. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation.**
- Yes **If "Yes," consult with the administering federal or state agency to determine whether the proposed action could foreclose options to classify any portion of the river segment as wild, scenic or recreational and to develop avoidance or mitigation measures. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.**

Notes:



Wild and Scenic Rivers

WILD AND SCENIC RIVERS

The National Wild and Scenic Rivers Act of 1968 (Public Law 90-542) was created by Congress to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. A listing of designated streams and stream segments can be found on the National Park Service’s Wild and Scenic Rivers website.

What is it?

Rivers may be designated by Congress or, if certain requirements are met, the Secretary of the Interior. Each river is administered by either a federal or state agency. Designated segments need not include the entire river and may include tributaries. For federally administered rivers, the designated boundaries generally average one-quarter mile on either bank in the lower 48 states and one-half mile on rivers outside national parks in Alaska in order to protect river-related values. Rivers are classified as wild, scenic, or recreational.

Why is it important?

The designation of a river or river segment under the Wild and Scenic Rivers Act provides legal protections from adverse development and provides a mechanism for management of the river’s resources. In addition to the river segments designated as wild and scenic, many more segments are believed to possess one or more outstanding or remarkable natural or cultural values judged to be of more than local or regional significance. Under a 1979 Presidential directive, and related CEQ procedures, all Federal agencies must also seek to avoid or mitigate actions that would adversely affect one or more Nationwide Rivers Inventory (NRI) stream segments.

What is required?

Federal agencies must consider the values of these segments prior to taking actions that could exclude them from future wild, scenic, or recreational status. Generally, timber harvests and agricultural operations on privately owned lands are unaffected in wild, scenic, and recreational river designations. However, some activities may require permits or may be covered under special provisions of the management plan. The Federal river manager (each designated river has a manager) may assist and cooperate with States or local organizations, landowners, and individuals to plan, protect, and manage river resources. The assistance may include limited financial assistance.

Wild and Scenic Rivers at a Glance

Problems/Indicators – Proposed action may adversely impact a designated river or river segment	
Potential Causes	Potential Solutions
<ul style="list-style-type: none"> • Land use changes adjacent to river (segment) • Riparian modifications • Changes in local hydrology – adjacent wetland draining activities • Dredge and fill activities • Pollution from point sources (e.g. CAFO) 	<ul style="list-style-type: none"> • Wetland Restoration • Riparian Forested buffer and /or Herbaceous Cover • Forest Harvest Management • Prescribed Grazing Management • Consult with NPS to coordinate mitigation plan

RESOURCE CONSIDERATIONS (Optional)

Field Inventory Guide Sheet

Client/Plan Information:

Identify the resource concern(s) that need to be addressed and the assessment tool(s) used for the evaluation.

SOIL	Erosion <input type="checkbox"/> Sheet, Rill & Wind Erosion <input type="checkbox"/> Other: _____ <input type="checkbox"/> Concentrated flow <input type="checkbox"/> Other: _____ <input type="checkbox"/> Excessive bank erosion from streams, shorelines or water conveyance channels	
	Quality Degredation <input type="checkbox"/> Subsidence <input type="checkbox"/> Organic matter depletion <input type="checkbox"/> Other: _____ <input type="checkbox"/> Compaction <input type="checkbox"/> Concentration of salts or other chemicals <input type="checkbox"/> Other: _____	
Assessment tools, Problems & Notes: _____		
WATER	Excess / Insufficient Water <input type="checkbox"/> Excess (Ponding, flooding, seasonal high water table, seeps, and drifted snow) <input type="checkbox"/> Insufficient (Inefficient moisture management) <input type="checkbox"/> Insufficient (Inefficient use of irrigation water) <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	Quality Degradation <input type="checkbox"/> Excess nutrients in surface and ground waters <input type="checkbox"/> Pesticides transported to surface and ground waters <input type="checkbox"/> Excess pathogens and chemicals from manure, bio-solids or compost applications <input type="checkbox"/> Excessive salts in surface and ground waters <input type="checkbox"/> Petroleum, heavy metals, and other pollutants transported to receiving water sources <input type="checkbox"/> Excessive sediment in surface waters <input type="checkbox"/> Elevated water temperature <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
	Assessment tools, Problems & Notes: _____	
AIR	Quality Impacts <input type="checkbox"/> Emissions of Particulate Matter (PM) and PM Precursors <input type="checkbox"/> Emissions of Greenhouse Gases (GHGs) <input type="checkbox"/> Other: _____ <input type="checkbox"/> Emissions of Ozone Precursors <input type="checkbox"/> Other: _____ <input type="checkbox"/> Objectionable odors	
	Assessment tools, Problems & Notes: _____	
PLANTS	Degraded Plant Condition <input type="checkbox"/> Undesirable plant productivity and health <input type="checkbox"/> Wildfire hazard, excessive biomass accumulation <input type="checkbox"/> Inadequate structure and composition <input type="checkbox"/> Other: _____ <input type="checkbox"/> Excessive plant pest pressure <input type="checkbox"/> Other: _____	
	Assessment tools, Problems & Notes: _____	
ANIMALS	Inadequate Habitat for Fish and Wildlife <input type="checkbox"/> Habitat degradation <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	Livestock Production Limitation <input type="checkbox"/> Inadequate feed and forage <input type="checkbox"/> Inadequate livestock shelter <input type="checkbox"/> Inadequate livestock water <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
	Assessment tools, Problems & Notes: _____	
ENERGY	Inefficient Energy Use <input type="checkbox"/> Equipment and facilities <input type="checkbox"/> Other: _____ <input type="checkbox"/> Farming/ranching practices and field operations <input type="checkbox"/> Other: _____	
	Assessment tools, Problems & Notes: _____	