

# Reclamation Manual

## Directives and Standards

<b>Subject:</b>	Irrigation Suitability Land Classification for New Projects or Operating Projects
<b>Purpose:</b>	Establishes requirements for irrigation suitability land classification procedures associated with various Bureau of Reclamation activities for the benefit of ensuring that such activities are conducted in accordance with applicable authorities.
<b>Authority:</b>	Reclamation Act of 1902 (32 Stat 388); Fact Finders Act of 1924, Subsection D (43 Stat. 702, 43 U.S.C. 462); Omnibus Adjustment Act of May 25, 1926 (44 Stat. 636); Reclamation Project Act of 1939, Section 8 (53 Stat. 1192, 43 U.S.C. 485g); Reclamation Reform Act of 1982 (96 Stat. 1261, 43 U.S.C. 390, <i>et seq.</i> ); and the Acreage Limitation Rules and Regulations (43 CFR 426).
<b>Approving Official:</b>	Director, Policy and Administration
<b>Contact:</b>	Reclamation Law Administration Division, 84-55000

1. **Introduction.** Irrigation suitability land classification (land classification) investigations are an integral part of planning for new Bureau of Reclamation projects that include an irrigation purpose. Land classification establishes the extent and degree of economic suitability of lands for sustained irrigation farming and serves as a basic factor for selecting lands to be included for irrigation service in Reclamation projects. These investigations contribute information used in determining project feasibility, project design and construction, proper land and water use, and project repayment requirements. Land classification and reclassification considerations may also be conducted during the project development period and on operating projects.
2. **Applicability.** This Directive and Standard (D&S) applies to all irrigation suitability land classification performed as part of investigations and planning for new Reclamation projects, or new blocks, units, or divisions of a project, that include an irrigation purpose, as well as irrigation suitability land classification and/or reclassification requested by water user organizations on operating projects or required by contract.
3. **Responsibilities.** Responsibilities of Reclamation management for land classification activities are established in Reclamation Manual (RM) Policy, *Determination of Irrigation Suitability of Proposed Project Lands, and Identification of Lands That May Receive Project Irrigation Water on Operating Projects*, PEC P12 (PEC P12).
4. **Definitions.** The definitions provided in Paragraph 3 of PEC P12 apply wherever the defined terms are used herein.
5. **Procedures.** This section outlines required procedures for land classification and reclassification. Guidance, including detailed procedures that can be utilized to perform

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land classification and reclassification activities that will conform to the requirements of these procedures, is available in *Reclamation Technical Guidelines for Irrigation Suitability Land Classification (Guidelines)*.

### A. **Procedures for Land Classification Activities Supporting New Project**

**Authorization and Construction.** Land classification investigations provide supporting data for the authorization and construction of new Reclamation projects with an irrigation purpose. Secretarial concurrence with Reclamation's land classification must be obtained prior to project construction. On large projects constructed in blocks, units, or divisions, Secretarial concurrence may be sought for each individual block, unit, or division. The requirements for classification as stated in this section also apply to those lands to be provided project irrigation water for commercial irrigation under the Distribution Systems Loan Act (Pub. L. 84-130), and the Small Reclamation Projects Act, as amended (Pub. L. 84-984; 43 U.S.C. 422a, *et seq.*).

- (1) **Preparing and Using Specifications to Perform Land Classification.** Land classifications will be conducted utilizing project-specific specifications prepared prior to classification activities, which array the primary land factors (i.e., characteristics of soil, topography, and drainage) into ranges, which have similar economic significance in relation to irrigation suitability. The specifications will represent land factors that are expected to prevail under project conditions and ensure comparability of classification within a particular project area.
- (2) **Requirements for the Land Classification Report.** A comprehensive land classification report (report) will be prepared that compiles and summarizes basic methods, data, and information used to determine land classes, including soil profile descriptions, chemical and soils laboratory data, field logs, graphic presentation of land class delineations, drainage conditions, and economic analysis. The report will include land classification maps or reference to the map numbers. A field review(s) of the project area will be performed during report preparation to verify the accuracy of the classifications and report. The review(s) will be documented and included in the report.
- (3) **Submission of Land Classification Information for Approval and Concurrence.** Regional directors will provide the Commissioner with a memorandum to request approval of land classification determinations, which require Secretarial concurrence, at least 60 days before the anticipated start of construction. The memorandum requesting approval will include the desired date for receipt of the approval and a land classification report as stated in Paragraph 5.A.(2) above, as well as the following information: the arable area that is requested for approval (summarized by acreage of land classification types), documentation of soil constituent assessments, quotations from language in the authorizing legislation and project feasibility reports that accurately

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describe the project service area, and any other information pertinent to approval. The Commissioner will evaluate the request and, if acceptable, approve the land classification investigation and submit a request to the Secretary for concurrence with his/her approval.

- B. Procedures for Land Classification and Reclassification Activities Following Project Construction.** This section applies to land classification and reclassification activities during the project development period and on operating projects.
- (1) **Land Classification during the Project Development Period Prior to Commencement of Operation.** On newly constructed projects there may be an interim period after construction before a repayment contract is executed, referred to as the development period. The official irrigable acreage determination for contract purposes is made after project construction is completed so as to include final, as-built conditions including on-farm irrigation development and actual constructed project features. There may be minor differences between irrigable acreage described and approved during processes described in Paragraph 5.A. and those finalized at the end of the development period.
    - (a) Regional directors will submit a memorandum to the Commissioner that provides a complete and final description of the irrigable land within the project boundary.
    - (b) The memorandum will include a discussion of differences between the irrigable lands approved during actions described in Paragraph 5.A.(3) and the final, official irrigable lands including as-built conditions.
  - (2) **Land Classification and Reclassification on Operating Projects.** As stated in Paragraph 8, PEC P12, water user organizations may request to have project lands classified or reclassified. Any classification or reclassifications performed in response to a water user request, or as required by a contract, will be performed in accordance with this paragraph.
    - (a) Classification or reclassification of lands must be initiated by specific request of the water user organization or as required by contract. The request will include an accurate listing of lands to be classified or reclassified and reasons for the request.
    - (b) Area managers in whose area the lands are located will process requests for classification or reclassification or initiate the action required by contract. For requests made by districts, area managers will make a preliminary determination of whether the request is justified and provide the regional director and the water user organization a recommendation, by memorandum, to proceed or not proceed with the request. The regional

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director will approve or deny each request for undertaking land classification or reclassification.

- (c) No lands will be classified or reclassified more often than at 5-year intervals.
  - (d) Regional directors may approve a request to assign an arable designation using data gathered from administrative, checklist-type, or other streamlined land classification methods if the following three conditions are all met:
    - (i) the size of the parcel is 500 acres or less,
    - (ii) the parcel is contiguous to and part of an existing irrigated farm tract, and
    - (iii) the parcel has a current 5-year history of irrigation. This method of classification or reclassification may be utilized for up to the cumulative total of the lesser of 500 acres or 10 percent of the irrigable acreage served by the water user organization. See the *Guidelines* for additional information on administrative, checklist-type, and other streamlined classification methods.
  - (e) The amount Reclamation will charge the requesting water user organization for performing the type of classification or reclassification work under in Paragraph 5.B.(2)(a) above will be determined according to 43 CFR 426.11(d)(3) or as specified by contract. The water user organization will be required to pay any of the estimated costs of the classification or reclassification investigation applicable to it in advance. Upon completion of the classification or reclassification, the total actual Reclamation costs will be determined and the water user organization will pay any additional amount or be refunded any excess. The results of the classification or reclassification will be binding on the requesting district and Reclamation.
- (3) **Land Classification or Reclassification to Add Lands to or Remove Lands From Irrigation Service.** Water user organizations may request Reclamation's land classification or reclassification to add lands to or remove lands from eligibility for irrigation service. However, if the purpose of the request is only to remove lands from commercial irrigation service, then an administrative removal of the lands from irrigable status is all that is required, rather than a reclassification from arable or irrigable to non-arable. In no way will repayment or other payment obligations due to the United States be reduced as a result of the removal of lands unless specifically approved by Congress.

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### C. Land Classification for Class 1 Equivalency Determinations.

- (1) **Requests for Determinations.** Districts may request class 1 equivalency determinations.<sup>1</sup> Such determinations establish for the district the acreage of land with lower productive potential (classes 2, 3, and 4) that would be equivalent in productive potential to the class 1 lands in the local agricultural economic setting. Once the determination is made, landholders who are subject to the discretionary provisions of the Reclamation Reform Act of 1982 in that district and have classes 2, 3, or 4 lands will have the right to increased acreage entitlement by utilizing class 1 equivalency factors. Additional information related to the Reclamation Reform Act of 1982 can be found in RM D&S, *RRA (Reclamation Reform Act of 1982) Reference Manual*, PEC 02-02.
- (2) **Classification for Equivalency.** Adequate land classification is essential for the class 1 equivalency factor determinations and the associated determination of individual acreage entitlement. Classification performed for purposes of equivalency will conform to Paragraph 5.B.(2).
- (3) **Payment for Studies Other than Land Classification Performed for Class 1 Equivalency Determinations.** The costs for all studies needed for class 1 equivalency determinations, other than land classification, will be paid by the water user organization.<sup>2</sup>

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<sup>1</sup>Section 207 of the Reclamation Reform Act of 1982 (RRA) (Pub. L. 97-293, 96 Stat. 1266) and Section 11 of the Acreage Limitation Rules and Regulations (43 CFR 426).

<sup>2</sup>Acreage Limitation Rules and Regulations, 43 CFR Part 426.11(e).

## RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: \_\_\_\_\_

Release No. \_\_\_\_\_

Ensure all employees needing this information are provided a copy of this release.

### Reclamation Manual Release Number and Subject

### Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

### Filing instructions

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Filed by: \_\_\_\_\_

Date: \_\_\_\_\_