



United States  
Department of  
Agriculture



# NRCS Environmental Evaluation

Natural  
Resources  
Conservation  
Service

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## Agenda

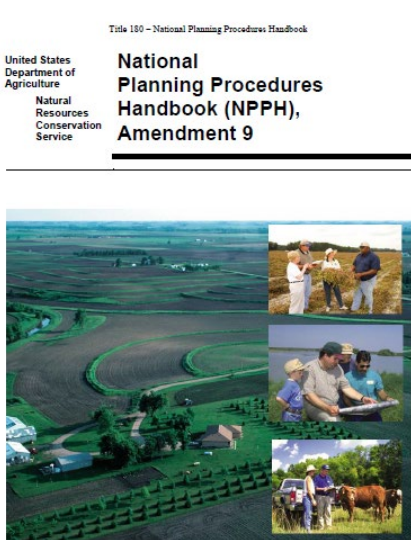
- National Environmental Policy Act
- Federal Actions
- Responsible Federal Official
- Finding of No Significant Effects
- Completing the Environmental Evaluation (CPA-52) for the Alliance to Advance Climate-Smart Agriculture pilot
- Finding of No Significant Effects
- Additional Resources



## National Environmental Policy Act

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970.

NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions.



Title 180 - National Planning Procedures Handbook

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### National Planning Procedures Handbook (NPPH), Amendment 9

(H\_180\_600 - NPPH, 1st Ed., Amend 9, Dec. 2021)

Title 180 - National Planning Procedures Handbook

addressing resource concerns by increasing the level of planning and implementation over time and ultimately achieving planned goals.

#### 600.1 References

A. Public Laws - (Numerous Federal laws or regulations effect actions or activities relating to natural resource management. Some laws pertain only where public lands are part of the planning area and others are inclusive of all Federal action, regardless of ownership. Information is available from a number of sources. Examples include but are not limited to the following:

- (1) Public Law 95-341, the American Indian Religious Freedom Act of 1978
- (2) Public Law 96-95, the Archaeological Resources Protection Act of 1979
- (3) Public Law 95-95, the Clean Air Act
- (4) Public Law 100-4, the Clean Water Act
- (5) Public Law 101-508, the Coastal Zone Management Act
- (6) Public Law 104-231, the Electronic Freedom of Information Act Amendments of 1996
- (7) Public Law 93-205, the Endangered Species Act of 1973
- (8) Public Law 97-98, the Farmland Protection Policy Act of 1981
- (9) Public Law 107-17, the Farm Security and Rural Investment Act of 2002
- (10) Public Law 104-127, the Federal Agriculture Improvement and Reform Act of 1996
- (11) Public Law 101-624, the Food, Agriculture, Conservation, and Trade Act of 1990 (FACTA)
- (12) Public Law 110-234, the Food, Conservation, and Energy Act of 2008
- (13) Public Law 99-198, the Food Security Act of 1985 (FSA) as Amended
- (14) Public Law 89-487, the Freedom of Information Act of 1966
- (15) Public Law 99-570, the Freedom of Information Reform Act of 1986
- (16) Public Law 95-265, the Magnuson-Stevens Fishery Conservation and Management Act
- (17) 16 U.S.C. Sections 703-712, the Migratory Bird Treaty Act of 1918
- (18) Public Law 91-190, the National Environmental Policy Act of 1969 (NEPA)
- (19) Public Law 98-465, the National Historic Preservation Act of 1966 (NHPA), Amended 2006
- (20) Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990
- (21) 54 Stat. Section 250, the Protection of Bald and Golden Eagles Act of 1990
- (22) Public Law 93-502, the Privacy Act of 1974
- (23) 39 Stat. Section 1121, the Rivers and Harbors Act of 1899
- (24) Public Law 95-192, the Soil and Water Resources Conservation Act of 1977
- (25) Public Law 106-229, the U.S. Electronic Signatures in Global and National Commerce Act (ESIGN) of 2000
- (26) Public Law 90-542, the Wild and Scenic Rivers Act of 1968
- (27) Public Law 115-334, Agriculture Improvement Act of 2018

B. Executive Orders - Official documents, numbered consecutively, through which the President of the United States manages the operation of the Federal Government.

- (1) Executive Order 12898, Environmental Justice
- (2) Executive Order 11988, Floodplain Management, May 1977
- (3) Executive Order 11990, Protection of Wetlands
- (4) Executive Order 13007, Indian Sacred Sites
- (5) Executive Order 13089, Coral Reef Protection
- (6) Executive Order 13112, Invasive Species
- (7) Executive Order 13175, Consultation and Coordination With Indian Tribal Governments
- (8) Executive Order 13392, Improving Agencies' Disclosure of Information

(H\_180\_600 - NPPH, 1st Ed., Amend 9, Dec. 2021)

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## Federal Actions

- What is a federal action?
- What activities/actions are exempt?

## Responsible Federal Official

The NRCS Chief is the RFO for compliance with NEPA regarding proposed legislation, programs, legislative reports, regulations, and program EIS's.

NRCS State Conservationists (STC) or their designee are the RFO for compliance with the provisions of NEPA in other NRCS-assisted actions.

## Finding of No Significant Impact (FONSI)

"Finding of No Significant Impact" is a document in which the Federal agency briefly presents the reasons why an action will not have a significant effect on the human environment, and an EIS, therefore, will not be prepared.



October 17, 2023

Dear Ms. Riley:

A Finding of No Significant Impact (FONSI) was signed by USDA NRCS on August 26, 2022 for Partnerships for Climate-Smart Commodities. A copy of the Programmatic Environmental Assessment for Partnerships for Climate-Smart Commodities is available at [www.usda.gov/climate-smart-commodities](http://www.usda.gov/climate-smart-commodities). The overall impacts of the finding opportunity were considered in the Programmatic EA.

After review at the programmatic level, USDA has determined that in general, no additional cultural resources or environmental review is needed for the following practices in your project. Award Identifying Number: NR233A750004G102:

CDA 102 Comprehensive Nutrient Management  
218 Conservation Crop Rotation  
229 Residue and Tillage Management, No-Till  
340 Cover Crop  
345 Residue and Tillage Management, Reduced Till  
440 Brigition Weed Management  
218 Prescribed Grazing  
580 Nutrient Management  
592 Food Management

However, site specific review will be needed if any of the following conditions are true:

1. Field has not been cropped within the last year or 4 of the past 7 years.
2. A change of land use will occur as a result of activities occurring under the producer beneficiary contract.
3. Practices other than those listed above are included in the producer beneficiary contract.
4. Construction or activities below the plow zone will occur under the producer beneficiary contract.

If during technical assistance to enroll producers, there is new information or changed circumstances identified in the project that was not considered in the programmatic review, a site specific review will be required. Circumstances may include the following, which is not necessarily a comprehensive list:

- significant effects on public health or safety;
- significant effects on unique characteristics of the geographic area such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas;
- highly controversial effects on the quality of the human environment;
- highly uncertain effects, including potential unique or unknown risks on the human environment;
- activities or conservation practices that establish a potential precedent for future actions with significant impacts;

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## Finding of No Significant Impact (FONSI)

### Environmental review not needed for

- CPA 102 CNMP
- 328 Conservation Crop Rotation
- 329 Residue and Tillage Management, No-Till
- 340 Cover Crop
- 345 Residue and Tillage Management, Reduced Till
- 449 Irrigation Water Management
- 528 Prescribed Grazing
- 590 Nutrient Management
- 592 Feed Management

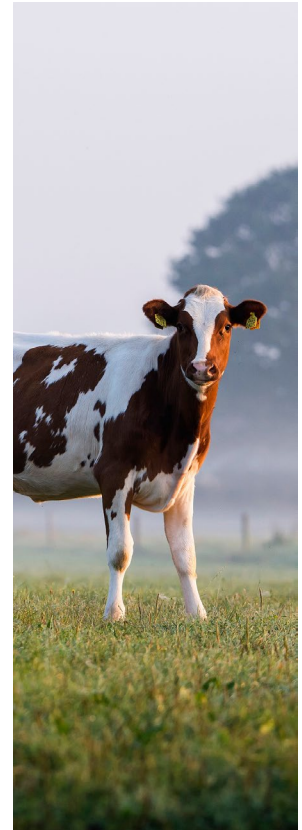
### EE review needed if:

- Field has not been cropped within the last year or 4 of the past 7 years.
- A change of land use will occur as a result of activities occurring under the producer beneficiary contract.
- Practices other than those listed above are included in the producer beneficiary contract.
- Construction or activities below the plow zone will occur under the producer beneficiary contract.

## Finding of No Significant Impact (FONSI)

### Environmental Review (EE) needed for

- 381 Silvopasture
- 390 Riparian Herbaceous Cover
- 391 Riparian Forest Buffer
- 512 Pasture and Hay Planting
- 612 Tree/Shrub Establishment





## Environmental Evaluation

- The EE integrates environmental concerns throughout the planning, installation, and operation of NRCS-assisted projects.
- The EE applies to all assistance provided by NRCS.
- NRCS evaluates environmental concerns.
- Findings of the EE process are documented on the Environmental Evaluation CPA- 52 form.

ENVIRONMENTAL EVALUATION WORKSHEET		A. Client Name:	
D. Client's Objective(s) (purpose):		B. Conservation Plan ID # (as applicable): Program Authority (optional):	
E. Need for Action:		C. Identification # (farm, tract, field #, etc. as required):	
H. Alternatives			
No Action	Alternative 1	Alternative 2	
<input type="checkbox"/> if RMS	<input type="checkbox"/> if RMS	<input type="checkbox"/> if RMS	<input type="checkbox"/> if RMS
Resource Concerns			
In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process (see FOTG Section 3 - Resource Concerns List and Planning Criteria for guidance).			
F. Resource Concerns and Existing Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	L. Effects of Alternatives		
	No Action	Alternative 1	Alternative 2
Amount, Status, Description (Document both short and long term impacts)	Amount, Status, Description (Document both short and long term impacts)	Amount, Status, Description (Document both short and long term impacts)	Amount, Status, Description (Document both short and long term impacts)
	<input type="checkbox"/> if does NOT meet PC	<input type="checkbox"/> if does NOT meet PC	<input type="checkbox"/> if does NOT meet PC
<b>SOIL</b>			
	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC	<input type="checkbox"/> NOT meet PC

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## Extraordinary Circumstances

- Cannot cause significant effects on public health or safety.
- Cannot significantly affect unique characteristics of the geographic area, such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas.
- The effects cannot be highly controversial.
- Cannot have highly uncertain effects, including potential unique or unknown risks on the human environment.
- Cannot include activities or conservation practices that establish a potential precedent for future actions with significant impacts.
- Cannot be expected to have potentially significant environmental impacts to the quality of the human environment either individually or cumulatively over time

## Extraordinary Circumstances

- Cannot cause or promote the introduction of invasive species
- Have a significant adverse effect on special environmental concerns such as:
  - Endangered and threatened species
  - Environmental justice
  - Wetlands
  - Waters of the United States
  - Wild and scenic rivers
  - Air quality
  - Migratory birds
  - Bald and golden eagles.

G. Special Environmental Concerns (Document existing/benchmark conditions)	J. Impacts to Special Environmental Concerns			
	No Action		Alternative 1	
	Document all impacts (Attach Guide Sheets as applicable)	if does NOT meet PC	Document all impacts (Attach Guide Sheets as applicable)	if needs further action
• Clean Air Act <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Clean Water Act / Waters of the U.S. <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Coastal Zone Management <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Coral Reefs <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Cultural Resources / Historic Properties <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Endangered and Threatened Species <i>Guide Sheet</i>	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>
• Environmental Justice <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Essential Fish Habitat <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Floodplain Management <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Invasive Species <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>
• Migratory Birds/Bald and Golden Eagle Protection Act <i>Guide Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>

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## Projects Requiring a CPA-52

- 381 Silvopasture
- 390 Riparian Herbaceous Cover
- 391 Riparian Forest Buffer
- 512 Pasture and Hay Planting
- 612 Tree/Shrub Establishment
- Filter Strip

*\*Formal Review Required*

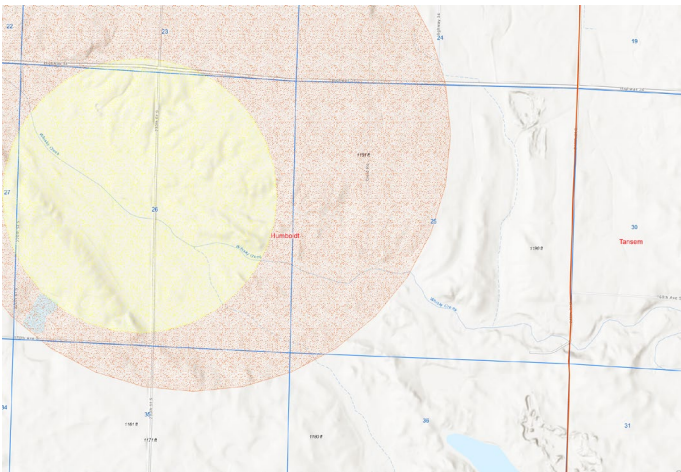
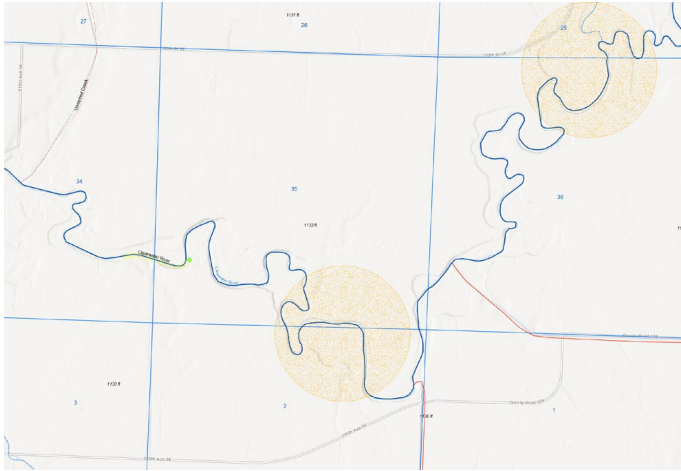
*\*Under normal circumstances these practices have a potential to affect special environmental concerns.*

ENVIRONMENTAL EVALUATION WORKSHEET		A. Client Name:		
D. Client's Objective(s) (purpose):		B. Conservation Plan ID # (as applicable): Program Authority (optional):		
E. Need for Action:		C. Identification # (farm, tract, field #, etc. as required):		
<b>Resource Concerns</b>				
In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process (see FOTG Section 3 - Resource Concerns List and 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 (Document both short and long term impacts)	Amount, Status, Description (Document both short and long term impacts)	Amount, Status, Description (Document both short and long term impacts)	
<b>SOIL</b>				
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
<b>WATER</b>				
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC
	NOT meet PC	NOT meet PC	NOT meet PC	NOT meet PC

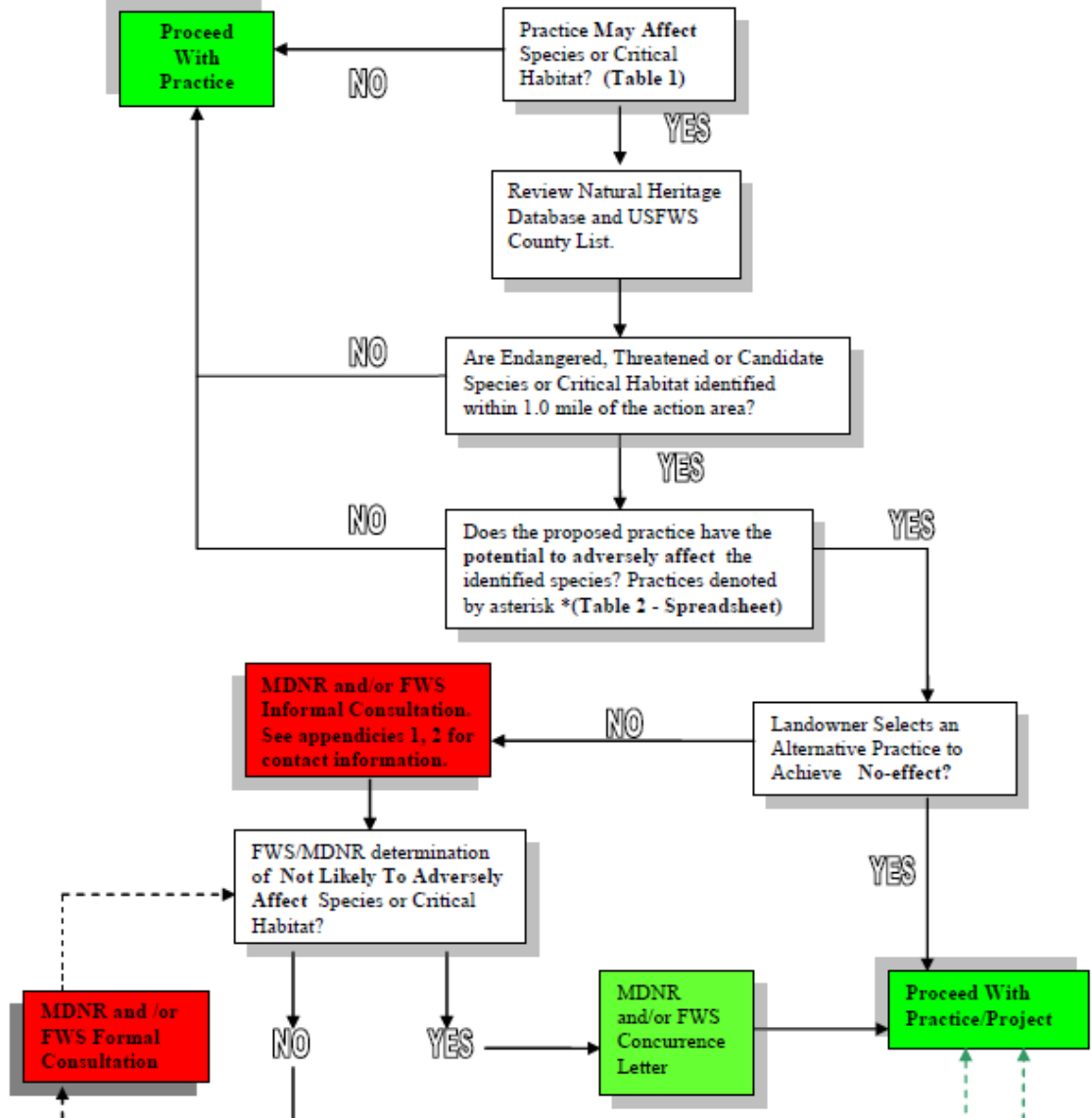
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Conservation Practice	Cultural Resources Review	T and E Species (May Affect)
<b>Silvopasture</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in areas not previously disturbed	Exempt
<b>Riparian Herbaceous Cover</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in previously undisturbed areas or exceeds the depth of prior disturbance.	Exempt
<b>Riparian Forest Buffer</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in previously undisturbed areas or exceeds the depth of prior disturbance.	<b>May Affect</b>
<b>Filter Strip</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in previously undisturbed areas or exceeds the depth of prior disturbance.	Exempt
<b>Tree/Shrub Establishment</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in previously undisturbed areas or exceeds the depth of prior disturbance.	<b>May Affect</b>
<b>Pasture and Hay Planting</b>	Exempt when implemented within areas of previous disturbance and does not exceed the existing depth of disturbance. Non-Exempt when implemented in previously undisturbed areas or exceeds the depth of prior disturbance.	<b>May Affect</b>

## T and E Species Reviews



## MN-NRCS Non-Project Consideration - Federal and State Endangered Species Acts



## T and E Species Reviews

- MNDNR Natural Heritage Database Review
- Identify critical habitat or listed species within 1 mile
- Review table 2 to determine if the practice may affect the identified species or critical habitat.
- Evaluate the feasibility of selecting other practices that will achieve a no-effect determination.
- If the practice may affect and we cannot select other alternatives, then we must consult with USFWS or MNDNR.
- The 52 gets signed and sent in?

*CLIMATE SMART COMMODITIES has a contracted entity who will do the consultation.*

## Resources and References



### [Quick You Tube.](#)

- **MN NRCS CPA- 52:** [Minnesota | Field Office Technical Guide | NRCS - USDA](#)
- **MN NRCS Threatened and Endangered Species:** [Minnesota | Field Office Technical Guide | NRCS – USDA](#)
- **MN NRCS Cultural Resources Procedures:** [Minnesota | Field Office Technical Guide | NRCS – USDA](#)
- **Science and Technology Environmental Evaluation Webinar Series**
  - Environmental Evaluation Series No. 1: [Primer on NRCS Environmental Compliance](#)
  - Environmental Evaluation Series No. 2: [Documenting the Environmental Evaluation on the NRCS CPA-52 Environmental Evaluation Worksheet](#)

Section 1 - General Resource References	▼
Section 2 - Natural and Cultural Resources Information	▲
Cultural Resources	
Ecological Sciences Job Approval Authority	▼
Climate Resources and Data	▼
<b>NRCS-CPA-52</b>	
Soils - Statewide Official Data & County Reports	▼
Threatened and Endangered Species	▼
Ecological Site Descriptions	▼
Section 3 - Resource Concerns and Planning Criteria	▼
Section 4 - Practice Standards and Supporting Documents	▼
Section 5 - Conservation Effects	▼



## Discussion/Questions

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