

CHAPTER 28 FARMLANDS

TABLE OF CONTENTS

28-1	OVERVIEW	28-1
28-2	PROCEDURE.....	28-2
28-2.1	Determination of Projects Excluded From Farmland Evaluation	28-2
28-2.2	Documentation of Projects Excluded From Farmland Evaluation	28-4
28-2.3	Determination of Projects Not Excluded From Farmland Evaluation .	28-5
28-2.4	Completion of the Farmland Evaluation Form (AD-1006)	28-5
28-2.4.1	Initial Evaluation - Completion of Parts I and III	28-5
28-2.4.2	Actions Taken After Completion of Parts I and III	28-6
28-2.4.3	Second Evaluation - Completion of Parts VI and VII.....	28-7
28-2.4.4	Actions Taken After Completion of Parts VI and VII	28-9
28-2.5	Documentation of Projects Not Excluded From Farmland Evaluation	28-10
28-2.5.1	Type 2 Categorical Exclusions With No Farmland Involvement	28-10
28-2.5.2	Urbanized Areas With No Farmland Involvement	28-10
28-2.5.3	Non-Urbanized Areas With No Farmland Involvement	28-10
28-2.5.4	Projects With Farmland Involvement	28-11
28-3	REFERENCES.....	28-11

LIST OF FIGURES

FIGURE 28.1	Farmland Assessment Process.....	28-12
FIGURE 28.2	Farmland Conversion Impact Rating Sheet	28-13

28. FARMLANDS

28-1 OVERVIEW

The farmlands assessment process is charted in **Figure 28.1**. This process results from requirements in the **Farmland Protection Policy Act (FPPA) of 1984**. It has been refined for Federal-aid highway projects by a **letter of agreement dated January 9, 1985**, between the Federal Highway Administration (FHWA), Florida Division and the Soil Conservation Service (SCS), Gainesville office, and a letter dated **November 1, 1999** from NRCS State Soil Scientist to the FDOT. Please note that the former Soil Conservation Service (SCS), after broadening their conservation goals and objectives, was renamed the Natural Resources Conservation Service (NRCS).

Before project development potential issues with farmlands may be identified during the Planning or Programming Phase (**Part 1, Chapter 2** of the **PD&E Manual** and **Chapter 5** of the **Efficient Transportation Decision Making (ETDM) Manual**). Farmland evaluation for applicable projects takes place later at the stage of project development when right-of-way requirements have been conceptually defined.

By the agreements cited above, the farmland evaluation is required for all projects except Type 1 and Programmatic Categorical Exclusions (CEs), projects where local zoning takes precedence, specifically, bridge replacements, road widening, new roads, conversions less than one acre (Excluded Projects). Additionally, all Non-Major State Actions (NMSA) are exempt from the farmland evaluation. The evaluation consists of completing Parts I and III of **Form AD-1006** and sending the form to the State Soil Scientist with the NRCS.

If NRCS determines that the project does not involve farmland then the **Form AD-1006** will be sent back to the District to be placed in the project file and no further evaluation is required.

If NRCS determines that the project involves a farmland site, then NRCS will complete Parts II and IV and compile a total point score on Part V of **Form AD-1006** before it is sent back to the District. The District will then complete Part VI of the form and add the total points in Parts V and VI to determine the significance level of farmland involved.

Documentation in the Farmlands Section of a Type 2 CE, EA, or EIS includes:

1. Marking the "NI" box for Type 2 CE projects, or
2. Including a standard statement for excluded projects or

3. Including a standard statement for those projects subjected to the evaluation, in which it is determined that there is no farmland involvement, or
4. Including a discussion of the involvement and result of consultation with NRCS.

28-2 PROCEDURE

The Class of Action (**Part 1, Chapter 2** of the **PD&E Manual** and **Chapter 5** of the **ETDM Planning and Programming Manual**) was determined during the final stages of the Programming Screen. Once the PD&E process begins for EAs or EISs, the procedures outlined below are followed by the District to prepare the environmental document. They include:

1. A determination as to which projects are excluded from a Farmlands Evaluation (**Form AD 1006**),
2. Documentation of projects excluded from the Evaluation,
3. Completion of the Evaluation for non-excluded projects, and
4. Documentation of non-excluded projects.

For Type 2 CEs, the above outlined procedures need to be followed prior to submittal to FHWA for document approval. The above outlined procedures are also followed for SEIRs.

28-2.1 Determination of Projects Excluded From Farmland Evaluation

Involvement with Farmlands may initially be identified from information included in the **Final Programming Screen Summary Report**. A good starting point is to review Environmental Technical Advisory Team (ETAT) comments and degree of effect determinations for the “Farmlands” issue in the Final **Programming Screen Summary Report**. Comments by NRCS are especially important and may state specifically that the project may affect Farmlands. This information is preliminary and may be useful in determining the scope of the PD&E study.

Farmlands evaluation during PD&E may require coordination with the NRCS.

The following project categories will **not** require coordination with the NRCS:

1. Type 1 and Programmatic CEs

2. Excluded Projects in **Section 28-1** (projects where local zoning takes precedence, specifically, bridge replacement, road widening, new roads and conversions less than one acre).
3. Non-Major State Actions
4. Projects situated ENTIRELY within urbanized areas with approved comprehensive land use maps which have boundaries approved by FHWA **with no farmlands** located adjacent to the project corridor. These maps are located in the District's planning section and include the following urbanized areas:

Pensacola	Jacksonville	Ft. Walton Beach
Tallahassee	Lakeland	Gainesville
Bonita Springs-Naples	Lady Lake	Panama City
Ocala	Kissimmee	Port St. Lucie
Winter Haven	Deltona	Brooksville (includes Spring Hill)
North Port-Punta Gorda	Titusville	Vero Beach-Sebastian
Daytona Beach-Port Orange		Orlando
St. Augustine		Zephyrhills
Tampa-St.Petersburg (includes Clearwater)		Leesburg-Eustis
Cape Coral (includes Ft. Myers)		Palm Bay-Melbourne
Sarasota-Bradenton		Miami (includes Boca Raton, Delray Beach, Ft. Lauderdale, Hialeah, Hollywood, Pompano Beach, West Palm Beach)

If the comprehensive land use maps show agricultural land use adjacent to the project corridor coordination with NRCS is required, refer to **Section 28-2.3**. Note that the land use designation on the maps takes precedence over actual land use (i.e., lands currently being used for agricultural purposes but shown on the map as non-agricultural are considered as non-agricultural).

28-2.2 Documentation of Projects Excluded From Farmland Evaluation

Projects do not involve farmland if they fall within the four categories listed in **Section 28-2.1**. Documentation is still required in the applicable environmental document:

1. Type 1 and Programmatic Categorical Exclusions

A record in the project file citing the **Letter of Agreement** between FHWA and NRCS, dated January 9, 1985, is sufficient documentation.

2. Environmental Assessments and Environmental Impact Statements

The following standard statements will be used for:

a. Excluded Projects

"Through coordination with the Natural Resources Conservation Service, it has been determined that the provisions of the Farmland Protection Policy Act of 1984 do not apply to this project."

b. Urbanized areas approved by FHWA

"Through coordination with the Natural Resources Conservation Service, it has been determined that the project area which is located in the urbanized area of (Name of urban area) does not meet the definition of farmland as defined in 7 CFR 658. Therefore, the provisions of the Farmland Protection Policy Act of 1984 do not apply to this project."

3. Type 2 Categorical Exclusions

For bridge replacement projects i.e., excluded and urbanized areas involving Type 2 CEs, a standard statement is not required. It is sufficient to mark the box "NI" for no involvement for category A.4 on the **Environmental Impacts Checklist for Type 2 Categorical Exclusions** in the **Project Development Summary Report (PDSR)**.

4. State Environmental Impact Statements

For SEIRs, a standard statement is not required. It is sufficient to mark the box "NoInv" for no involvement for category 5.C.9 on the SEIR.

28-2.3 Determination of Projects Not Excluded From Farmland Evaluation

The following projects require the completion of the *Farmland Evaluation Form (Form AD-1006)* as specified in **Section 28-2.4**, and coordination with the NRCS.

1. Projects situated ENTIRELY within urbanized areas with maps which have boundaries approved by FHWA **with designated farmlands** adjacent to the project corridor. These maps are located in each District's planning section and include those listed in **Section 28-2.1**.
2. All non-urbanized areas.

These areas may have been identified during the Programming Screen; however it is recommended that the maps be reviewed at the stage of project development when right-of-way requirements have been conceptually defined.

28-2.4 Completion of the Farmland Evaluation Form (AD-1006)

The *Farmland Evaluation Form*, which can be obtained from the NRCS State Soil Scientist (**Section 28-2.4.2**), is shown in **Figure 28.2**. This task is to be completed at the stage of project development when alternative right-of-way requirements have been conceptually defined.

28-2.4.1 Initial Evaluation - Completion of Parts I and III

The initial evaluation consists of completing Parts I and III of *Form AD-1006* as described below.

PART I

Name Of Project:

Provide the Financial Project number and local name of the project (e.g., 79060-1514, SR-7, Volusia Avenue).

Proposed Land Use:

Identify the primary land uses shown on the proposed county land-use map adjacent to the project area (e.g., residential, agriculture).

Date Of Land Evaluation Request:

Provide the month, day, and year when Parts I and III are completed.

Federal Agency Involved:

Enter: Federal Highway Administration, or other lead Federal Agency.

County and State:

Enter: County and State (Florida) where project is located.

PART III

A. Total Acres To Be Converted Directly:

Provide an estimate of the number of acres of additional right-of-way required for each project alternative.

B. Total Acres To Be Converted Indirectly:

Provide the estimated number of acres for each alternative that would be unusable for farmland due to access restriction.

C. Total Acres In Site:

Provide an estimate of the total number of acres of existing plus additional right-of-way required for each alternative.

28-2.4.2 Actions Taken After Completion of Parts I and III

Upon completion of Parts I and III, the District will send this form and a project location map (preferably shapefiles of project boundaries and alternatives) to:

State Soil Scientist
Natural Resources Conservation Service
P.O. Box 141510
Gainesville, FL 32614-1510
(352) 338-9536

Forms may be mailed or emailed, but email communication is preferred by the current State Soil Scientist. The Soil Scientist's email address can be obtained by calling the phone number above.

The District will receive the Form back from NRCS within a period of 45 days. NRCS will either complete Parts II, IV, and V (Part V will contain a value rating of between 0 and 100 with the higher the rating the greater the impact) or mark a NO in Part II indicating that no farmlands are involved.

If no farmland involvement is indicated on the form and the project is located in an urbanized area or non-urbanized area then provide the appropriate documentation as shown in **Sections 28-2.5.1** and **28-2.5.2** respectively.

If farmland involvement is indicated on the form then refer to **Section 28-2.4.3** below for completion of Part VI of the form.

28-2.4.3 Second Evaluation - Completion of Parts VI and VII

PART VI

Part VI contains the site assessment criteria to be completed by the District. These criteria are to be used to assess the impact of each specific site or design alternative within a project corridor alignment to farmlands coupled with the rating score provided by NRCS in Part V of the form.

The criteria to be assessed are taken directly from **7 CFR 658**. Scores to be entered by the District will range from 0 to some maximum; the higher the number, the greater the magnitude of the project's influence on the criteria.

Note that the term "site" used in the directions for assessing the criteria means the farmland that would be converted by the proposed action.

The following directions restate the criteria as on the form and provide an interpretation of the criteria as they relate to the scores to be entered on the form.

- 1. Area In Nonurban Use:** How much land is non-urban use within a radius of 1.0 mile from where the project is intended?

Greater than 90%	-----	15 points
90-20%	-----	1 to 14 points
Less than 20%	-----	0 points

- 2. Perimeter In Nonurban Use:** How much of the perimeter of the site borders on land in non-urban use?

Greater than 90%	-----	10 points
90-20%	-----	1 to 9 points
Less than 20%	-----	0 points

- 3. Percent Of Site Being Farmed:** How much of site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?

Greater than 90%	-----	20 points
90-20%	-----	1 to 19 points

Less than 20% ----- 0 points

4. **Protection Provided By State and Local Government:** Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected ----- 20 points
Site is not protected ----- 0 points

5. **Distance From Urban Built-up Area:** Leave Blank. This is not assessed for highway projects.

6. **Distance To Urban Support Services:** Leave Blank. This is not assessed for highway projects.

7. **Size Of Present Farm Unit Compared To Average:** Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each State. Data are from the latest available census of agriculture, acreage of farm units in operation with \$1,000 or more in sales).

As large or larger ----- 10 points
Below average ----- deduct 1 point for each 5% below
the average, down to 0 points if
50% or more below average
Average ----- 0 to 9 points

8. **Creation Of Nonfarmable Farmland:** If this site is chosen for the project, how much of the remaining land on the farm will become nonfarmable because of interference with land patterns?

Acreage equal to or more than 25% of the total ----- 25 points
Acreage equal to between 5 to 25% of the total ----- 1 to 24 points
Acreage equal to or less than 5% of the total ----- 0 points

9. **Availability Of Farm Support Services:** Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities, and farmers markets?

All required services are available ----- 5 points
Some required services are available ----- 1 to 4 points
No required services are available ----- 0 points

10. **On-Farm Investments:** Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and

vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

- High amount of on-farm investment ----- 20 points
- Moderate amount of on-farm investment ----- 1 to 19 points
- No on-farm investment ----- 0 points

11. Effects Of Conversion On Farm Support Services: Would the project at this site, by converting farmland to non-agricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining area?

- Substantial reduction of demand for support services ----- 25 points
- Some reduction in demand for support services ----- 1 to 24 points
- No significant reduction of demand for support services ----- 0 points

12. Compatibility With Existing Agricultural Use: Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to non-agricultural use?

- Proposed project is incompatible ----- 10 points
- Proposed project is tolerable ----- 1 to 9 points
- Proposed project is fully compatible ----- 0 points

Upon completion of all 12 blocks, add all the points and write the total in the row with the heading **TOTAL SITE ASSESSMENT POINTS**.

PART VII

Relative Value Of Farmland (From Part V):

Enter the relative value of farmland to be converted indicated in Part V.

Total Site Assessment:

Enter the total site assessment points from Part VI.

28-2.4.4 Actions Taken After Completion of Parts VI and VII

The total number of points indicated in Part VII is used to determine the level of significance given minimized farmland involvement as stated below:

1. Sites receiving a total score of less than 160 points shall be given minimal level of consideration for protection and no additional sites are to be evaluated.
2. Sites receiving a total score of 160 points or more shall be given stronger consideration for protection. The following must be considered:
 - a. Use of existing structures or land that is not farmland.
 - b. Alternative sites, locations, and designs that would serve the proposed purpose but convert either fewer acres of farmland or other farmland that has a relative lower value.

28-2.5 Documentation of Projects Not Excluded From Farmland Evaluation

By mutual agreement between FHWA and NRCS, documentation of the assessment of farmland in an EA or EIS will be in the form of standard statements, except where farmlands are involved. Depending on the involvement, the following standard statements or documentation is to be in the environmental document.

28-2.5.1 Type 2 Categorical Exclusions With No Farmland Involvement

For Type 2 CEs with no farmland involvement for either urbanized or non-urbanized areas, mark the box "NI" for no involvement for category A. 4 on the ***Summary of Environmental Impacts Checklist for Type 2 Categorical Exclusions*** in the ***PDSR***.

28-2.5.2 SEIR With No Farmland Involvement

For SEIRs, a standard statement is not required. It is sufficient to mark the box "NoInv" for no involvement for category 5.C.9 on the SEIR.

28-2.5.3 Urbanized Areas With No Farmland Involvement

The following standard statement will be written in the EA or EIS as follows:

"Through coordination with the Natural Resources Conservation Service, it has been determined that the project area which is located in the urbanized area of (Name of urban area) does not meet the definition of farmland as defined in 7 CFR 658. Therefore, the provisions of the Farmland Protection Policy Act of 1984 do not apply to this project."

28-2.5.4 Non - Urbanized Areas With No Farmland Involvement

The following standard statement will be written in the EA or EIS as follows:

"Through coordination with the Natural Resources Conservation Service, it has been determined that no farmlands as defined by 7 CFR 658 are located in the project vicinity."

28-2.5.5 Projects With Farmland Involvement

The following information is to be discussed in the Farmland section of the environmental document:

1. A quantification farmland involvement
2. Coordination with NRCS
3. Viable alternative sites
4. Project impacts and mitigation

The environmental document must provide the rationale for decisions made during the farmland evaluation and resolve any issues/concerns that may have been raised by the ETAT during the project's Programming Screen/Advance Notification.

28-3 REFERENCES

1. Letter of Agreement, January 9, 1985. Federal Highway Administration and the Natural Resources Conservation Service.
2. 7 CFR 658.
3. Letter of Agreement, November 1, 1999. Natural Resources Conservation Services and Central Environmental Management Office.
4. Florida Department of Transportation, Efficient Transportation Decision Making (ETDM) Planning and Programming Manual.

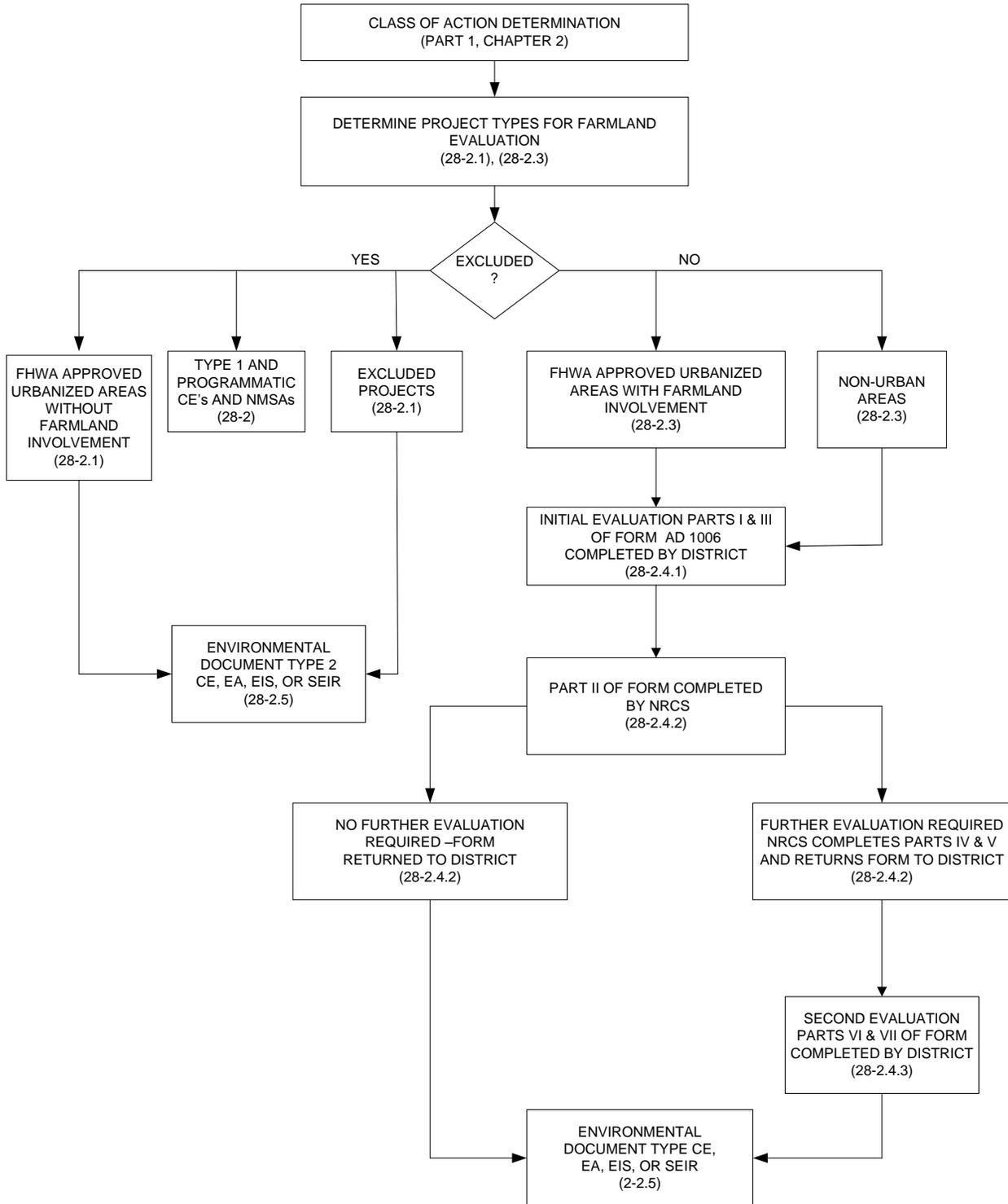


FIGURE 28.1 Farmland Assessment Process

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
PART II (To be completed by NRCS)		Date Request Received By NRCS			
Does the site contain prime, unique, statewide or local important farmland (If no, the FPPA does not apply – do not complete additional parts of this form.)		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land in Govt. Jurisdiction Acres %	Amount of Farmland as Defined in FPPA Acres %			
Name of Land Evaluation System Used	Name of Local Site Assessment System	Date Land Evaluation Returned by NRCS			
		Alternative Site Rating			
PART III (To be completed by Federal Agency)		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland In County Or Local Government Unit To Be Converted					
D. Percentage Of Farmland In Government Jurisdiction With Same Or Higher Relative					
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)					
PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))		Maximum Points			
1. Area In Non-urban Use					
2. Perimeter In Non-urban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Governments					
5. Distance From Urban Built-up Area					
6. Distance To Urban Support Services					
7. Size of Present Farm Unit Compared To Average					
8. Creation Of Non-farmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or a local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected :		Date of Selection :		Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Reason for Selection:

(See Instructions on Following Page)

Form AD-1006(10-83)

FIGURE 28.2 Farmland Conversion Impact Rating Sheet (continued)

STEPS IN PROCESSING THE FARMLAND CONVERSION IMPACT RATING FORM

- Step 1** Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to non-agricultural uses, will initially complete Parts I and III of the form.
- Step 2** The Federal agency will make 4 copies of the form. Three copies will be submitted to the local NRCS, formerly SCS, field office, along with three copies of the maps indicating locations of site. The Federal agency will keep one copy for its files.
- Step 3** NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.
- Step 4** NRCS will complete Parts II, IV and V of the form, in cases where farmland will be converted.
- Step 5** NRCS will return two copies to the Federal agency involved in the project. NRCS will keep one copy for its files.
- Step 6** The Federal agency involved in the proposed project will complete Parts VI and VII of the form.
- Step 7** The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.
- Step 8** Once the Federal agency has made a final decision on the project, the Federal Agency should submit a copy of the AD-1006 to the NRCS field office. The form should indicate the final decision of the agency.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

- Part I :** In completing the "County And State" questions list all the local governments that are responsible for local land controls where the site(s) are to be evaluated.
- Part III :** In completing item B (Total Acres To Be Converted Indirectly), include the following :
1. Acres not being converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
 2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.
- Part VI :**
1. Do not complete Part VI if a local site assessment is used.
 2. Assign the maximum points for each site assessment criterion as shown in 7 CFR Part 658.59(b). In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will be weighted zero; however, criterion #8 will be weighted a maximum of 25 points, and criterion #11 a maximum of 25 points.
 3. Individual Federal agencies, at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total weight points at 160.
 4. In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.
- Part VII :** In computing the "Total Site Assessment Points", where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: If the Site Assessment maximum is 200 points; and alternative Site "A" is rated 180 points :

$$\begin{array}{l} \text{Total points assigned Site A} = 180 \times 160 = 144 \text{ points for Site "A".} \\ \text{Maximum points possible} \quad \quad \quad 200 \end{array}$$

FIGURE 28.2 Farmland Conversion Impact Rating Sheet (concluded)