

Environmental Evaluation Worksheet (NRCS-CPA-52)

Pennsylvania Supplemental Instructions

Attachment "A"
PA RESOURCE
CONCERNS

Attachment "B"
PA SPECIAL
ENVIR.
CONCERNS

Attachment "C"
CATEGORICALLY
EXCLUDED ACTIONS

GENERAL

- **Current version of the CPA-52 is required for all NRCS assistance with 1) conservation planning; 2) Farm Bill conservation programs; and 3) associated implementation activities.**
 - Current version of the CPA-52 is also required for all substantial modifications of prior versions of the Environmental Evaluation Worksheet (minor modifications do not require the use of the current version).
- **One CPA-52 per land unit** - Generally one CPA-52 is used per land unit. Land unit can be a tract, farm, field, landuse or other applicable designation and must be documented in Section C.
 - Revise, supplement and update CPA-52, including Findings, as needed.
 - Sometimes it may be advantageous to develop another CPA-52 for major revisions or special programs like the Conservation Stewardship Program.
 - It may also be advantageous to supplement specific sections, to address aspects related to specific programs.
- **Excel version encouraged** – the Excel version has dropdown menus and imbedded supplemental guidance that are quite valuable. However the form may be printed out and completed by hand if desired.
- **Pennsylvania - template encouraged** – the Pennsylvania CPA-52 template is pre-populated with the required Pennsylvania Resource Concerns (Attachment A) and Special Environmental Concerns (Attachment B) and also includes these Supplemental Instructions and other helpful guidance.
- **Supporting documentation required** - all information in the CPA-52, including "not applicable", must be supported; document in the worksheet itself, in the Guide Sheets (do not use the Cultural Resources, Endangered and Threatened Species, or Wetlands Guide Sheets), or elsewhere in the client case file.
- **All sections of the CPA-52 worksheet must be completed.**
- **Must be signed (hard copy)** – Sections P and S require signatures. A hardcopy of the signed CPA52 must be on-file. Electronic copies are optional, but encouraged.
- **Maintain in Case File** – official signature CPA-52's must be maintained as a hardcopy in the case file.
 - **Archive outdated CPA-52 or equivalent forms** – as a minimum, retain copies of outdated CPA-52s or equivalent worksheets that were used to support any financial assistance until at least one year after all contractual obligations of that assistance have been fulfilled.

SECTIONS

- C** **Identification** – in addition to identifying information, clearly note the land unit(s) that is covered by the CPA-52.
- G** **Alternatives** – when describing alternatives, reference the conservation plan for planned practices. There is no need to repeat information that is described elsewhere. If the No Action is essentially the same as the Existing/Benchmark Conditions, note that here also. Any alternative check-marked RMS must treat all identified resource concerns to the quality criteria level.

F / H Resource Concerns & Existing/Benchmark Conditions

1. **Resource Concerns** – all Pennsylvania Resource Concerns (Attachment A) must be evaluated for all conservation planning activities, all Farm Bill conservation programs and all associated implementation activities. The Pennsylvania CPA-52 template includes the required concerns. When needed, other Pennsylvania resource concerns applicable to the land unit should be added to the worksheet. For Watershed Programs and special projects such as dam removal, all applicable Pennsylvania Resource Concerns will be evaluated.
2. **Benchmark, No Action** and one or two **Alternatives** (including the planned action/preferred alternative) must be evaluated. If the preferred alternative is not to the RMS quality criteria, an RMS alternative should be offered to the client and its effects evaluated in the worksheet.
3. **Benchmark** - sensitive information may be omitted.
4. **No Action** – often the No Action alternative (future condition without NRCS assistance) is essentially the same as the Existing/Benchmark condition. In these cases, there is no need to complete the Existing/Benchmark narratives. Just note in Section G. Alternatives that the “Benchmark and No Action are the same”, and complete the No Action column based on the existing/benchmark conditions for each identified Resource Concern.
5. **Alternative 1 or 2** – The planned action/preferred alternative must be evaluated and documented (then check box in Section M, indicating it is the Preferred Alternative).
 - The planned action/preferred alternative can be either the RMS alternative or a progressive level of planning.
 - When programs or initiatives exist, the preferred alternative must meet the criteria of those programs or initiatives and be consistent with the program documents, such as the ranking forms. Such program or initiative criteria may be at the RMS Quality Criteria or progressive planning levels.
6. **Quality Criteria (QC)** – check the box if the Quality Criteria is NOT met.
 - If the quality criteria is met for a resource concern then it is sufficient to simply state “Meets QC”. Additional narrative is only required if more information is needed to adequately describe and document effects. Whether or not the Quality Criteria will be met may vary between alternatives (No Action; Planned Action; other Alternatives).
7. **Considerations when documenting effects:**
 - Key words and phrases to use in narratives when applicable include enhanced, reduced, improved, increased, meets QC. Use modifiers such as slightly, moderately, substantially.
 - If an Alternative action results in no effect, state **No Effect**.
 - If a resource concern does not apply, use **NA**.
 - Only use the term “significant” if applicable. When using the term “significant”, concurrence from a specialist and the Responsible Federal Official is required. Such language may indicate the need for a site specific National Environmental Policy Act (NEPA) analysis.
 - If documenting an RMS, Quality Criteria must be met for all identified resource concerns for the land unit.

I/J Special Environmental Concerns – all concerns must be addressed

1. **Supplemental Guidance** - refer to the Pennsylvania Supplemental Guidance for the Special Environmental Concerns (Attachment B)
2. **Special Environmental Concerns** (far left column) – cite the primary source(s) of information used for each special concern
3. **Guide Sheets** – use is optional. **Do not use the Guide Sheets for Cultural Resources, Endangered and Threatened Species, or Wetlands**; follow the NRCS-PA procedures for these items.
4. **Further Action Needed** - check the box when issues cannot be resolved prior to completing the CPA-52. In all cases, **the client must be informed that further action is needed.**
 - Check this box when detailed investigations, consultations or permits are needed that cannot be resolved quickly (e.g., issues related to Cultural Resources, Wetland, Endangered Species).
 - In particular, use this check-box for planned actions that the client is not ready to implement, but detailed investigations, consultations or permits are required and these investigations will be postponed until the client is ready to implement.

5. **Considerations when documenting status, compliance and effects:**

- Key words and phrases to use in narratives when applicable include enhanced, reduced, improved, increased. Use modifiers such as slightly, moderately and substantially.
- If an Alternative action is in compliance with the law, rule, executive order, state **In Compliance**
- If an Alternative action results in no effect, state **No Effect**.
- If a special environmental concern does not apply, use **NA**.
- Only use the term “significant” if applicable. When using the term “significant”, concurrence from a specialist and the Responsible Federal Official is required. Such language may indicate the need for a site specific National Environmental Policy Act (NEPA) analysis.

L **Mitigation** – generally only applies to wetlands, endangered and threatened species, cultural resources and other regulated resources that require mitigation to offset planned impacts. If none, state “none”.

N **Context** – list up to three; for most farm level actions, the context will be “local” and/or “10 or 12-digit watershed”. Also note “Chesapeake Bay” watershed, if applicable.

O **Determination of Significance or Extraordinary Circumstances** – answer these questions relative to the Preferred Alternative checked in section M. For most farm level actions, these items will generally be answered “no” since the planned actions will not be “significant” as defined under NEPA. However, if any of the planned actions may cause “significant” effects, or highly controversial or uncertain effects, or may violate the law, contact the NRCS State Environmental Liaison for guidance.

P **The information recorded above is based on the best available information**

Signature (planner) – this section must be signed and dated by the qualified individual who completed the CPA-52 through this section. Separate blocks are used by TSP (non-NRCS) or NRCS. The individual completing the worksheet must be **qualified** by completing required training and other **requirements**. Refer to Pennsylvania GM Supplement - Delegations of Authority (130-GM, Part 400.14 - PA Supplement 5) for requirements to be considered **qualified** to complete the CPA-52. Certified Conservation Planners are qualified to complete the worksheet and sign this section.

- **Signature/Title/Date (TSP, if applicable)** – all qualified non-NRCS planners must sign this line

In addition, **the designated Responsible Federal Official** (generally the District Conservationist at the Field Office level), **must sign and date the NRCS block to certify that a qualified non-NRCS planner completed the worksheet.**

- **Signature/Title/Date (NRCS)** – in all cases, **NRCS employee must sign as follows:**
 - Qualified NRCS planners must sign when the worksheet is completed by that planner.
 - RFO must sign when the worksheet is completed and signed by a non-NRCS individual (to certify that a qualified non-NRCS planner completed the worksheet).

Q- S **NEPA Finding/Rationale/Signature** - ONLY to be completed by the designated Responsible Federal Official (RFO) of the agency that administers the program. For NRCS, the designated agency RFO at the Field Office level is generally the District Conservationist (see S below).

- **Non-NRCS Programs** - NRCS does not complete this section for non-NRCS programs. The RFO of other agencies MAY or MAY NOT choose to complete this section at their discretion. Here are some NRCS and FSA administered programs. Note that GRP is jointly administered.

Agency Programs

NRCS AMA, CBWI, CSP, CTA, EQIP, EWP, FRPP, GLRI, GRP, HFRP, PL 83-566, WHIP, WRP
FSA CRP, CREP, DFN, ECP, GRP, Conservation Loan Program

- **Multiple Findings** – multiple Findings are possible for a land unit. For example, a Finding of “Not a Federal Action” for technical assistance only and a Finding of “Sufficiently analyzed in an agency NEPA document” for the portion to be implemented through EQIP or an FSA program.

Q NEPA Compliance Finding

1. **Not a federal action** – check this box if NRCS is only providing technical assistance and there is no NRCS financial assistance. Examples include conservation planning and designs under CTA and technical assistance for FSA programs.
2. **Categorically excluded** –see Attachment C for 21 categorically excluded activities that may apply to the planned action. Check this box if one or more categorical exclusions apply to the entire planned action/preferred alternative.
3. **Sufficiently analyzed in an existing published NEPA document** – check this box if the planned action is not categorically excluded and will be funded by a Farm Bill Program. Most NRCS and FSA programs (EQIP, CSP, AMA, GRP, FRPP, etc) have programmatic NEPA documents. In addition, check this box if a PL 83-566 watershed plan- environmental assessment or environmental impact statement covers the planned action.
4. **Other agency NEPA document formally adopted by NRCS** – none adopted for Pennsylvania at this time. Do not check.
5. **Federal Action NOT sufficiently analyzed - before checking this box, communicate with the NRCS-PA environmental contact listed on the NRCS-PA webpage at:**
http://www.pa.nrcs.usda.gov/technical/Environmental_Compliance/index.html

R. Findings Documentation – Use Section **R.1** for Findings 1, 3-5; Use Section **R.2** for Finding 2. Generally the following language or similar will suffice:

1. **Finding 1** - Not a federal action; state:
 - Technical assistance only; or
 - CTA planning only; or
 - Technical assistance for non-NRCS program (i.e., FSA program)
2. **Finding 2** – Categorically Excluded
 - Reference the specific number(s), (1)-(21), of the applicable Categorical Exclusion(s) from Attachment C. Use all categorical exclusions that apply. However, to use this finding **all** of the planned actions must be categorically excluded.
3. **Finding 3** - Sufficiently Analyzed in an existing NEPA document; state:
 - NRCS Programmatic NEPA document; or
 - Reference a specific NRCS Watershed Plan-EA or EIS
4. **Finding 4** - Other agency NEPA document – **DO NOT USE** (none adopted by NRCS-PA)
5. **Finding 5** – Not sufficiently analyzed (get assistance from NRCS State Environmental Liaison)

S Signature of RFO – this section must be signed and dated by the RFO for the agency that administers the program. The NRCS RFO is generally the District Conservationist at the Field Office level. Refer to Pennsylvania GM Supplement - Delegations of Authority (130-GM, Part 400.14 - PA Supplement 5).

Additional Notes – use to highlight/identify (if applicable):

- Outstanding issues, such as permits still needed
- Consultation with other agencies that is not completed
- Changes made or clarifications needed regarding revisions or updates to the CPA-52

ATTACHMENT A

Pennsylvania Resource Concerns for Sections F/H

The effects on all Resource Concerns from FOTG III-PA Quality Criteria must be evaluated for all conservation planning, all Farm Bill conservation programs and all associated implementation (watershed programs and special projects will use all applicable resource concerns). The following concerns are required for effects evaluation and are pre-populated in the Pennsylvania CPA-52 template. The PA template is available in FOTG, Section III-Planning and Environmental Compliance Information. Links are available on the NRCS-PA webpage at:
http://www.pa.nrcs.usda.gov/technical/Environmental_Combpliance/index.html

SOIL

Soil Erosion	<u>Sheet and Rill</u>
Soil Erosion	<u>Ephemeral Gully</u>
Soil Erosion	<u>Streambank</u>
Soil Erosion	<u>Other - other soil erosion concerns that need to be considered (if applicable) include <i>classic gully; irrigation induced; mass movement; and road/roadside/construction.</i></u>
Soil Condition	<u>Organic Matter Depletion</u>
Soil Condition	<u>Compaction</u>
Soil Condition	<u>Other - other soil condition concerns that need to be considered (if applicable) include <i>contaminants-salts and other chemicals, contaminants-animal waste and other organics, contaminants-commercial fertilizer, contaminants-residual pesticides; and damage from soil deposition.</i></u>

WATER

Water Quantity	<u>Excessive Subsurface Water</u>
Water Quantity	<u>Excessive Seepage</u>
Water Quantity	<u>Excessive Runoff, Flooding, or Ponding</u>
Water Quality	<u>Surface Water</u> <u>Harmful Levels of Pesticides</u>
Water Quality	<u>Groundwater</u> <u>Harmful Levels of Pesticides</u>
Water Quality	<u>Surface Water</u> <u>Excessive Nutrients & Organics</u>
Water Quality	<u>Groundwater</u> <u>Excessive Nutrients & Organics</u>
Water Quality	<u>Surface Water</u> <u>Excessive Suspended Sediment & Turbidity</u>
Water Quality	<u>Surface Water</u> <u>Harmful Temperature</u>
Water Quality	<u>Surface Water</u> <u>Harmful Levels of Pathogens</u>
Water Quality	<u>Groundwater</u> <u>Harmful Levels of Pathogens</u>
Water Quality	<u>Other – other water quality concerns that need to be considered (if applicable) include <i>surface/ground water-harmful levels of petroleum.</i></u>

AIR

Air Quality	<u>Particulate Matter < 2.5 micrometers (PM 2.5) – only required for EPA PM 2.5 non-attainment counties (not required for counties denoted as “in attainment” or “maintenance”) – for more information: http://www.epa.gov/reg3ardt/airquality/pm25nonattareas.htm</u>
Air Quality	<u>Excessive Ozone – only required for EPA 8 hr Ozone non-attainment counties (not required for counties denoted as “in attainment” or “maintenance”) – for more information: http://www.epa.gov/reg3ardt/airquality/ozone8hrmaintareas_2.htm</u>
Air Quality	<u>Chemical Drift</u>
Air Quality	<u>Objectionable Odors</u>
Air Quality	<u>Other - other air resource concerns that need to be considered (if applicable) include <i>excessive greenhouse gas-methane, ammonia (NH3), undesirable air movement and adverse air temperature.</i></u>

PLANTS

Plant Condition	<u>Noxious & Invasive Plants</u>
Plant Condition	<u>Other – other plant resource concerns that need to be considered (if applicable) include <i>plants not adapted or suited to site; plant productivity, health and vigor; and impaired forage quality and palatability.</i></u>

ANIMALS

Fish and Wildlife	<u>Inadequate Cover/Shelter</u>
Fish and Wildlife	<u>Other – other F&W concerns that need to be considered (if applicable) include <i>plant community fragmentation; and imbalance among and within populations.</i></u>
Domestic Animals	<u>Inadequate Quantities and Quality of Feed & Forage</u>
Domestic Animals	<u>Inadequate Stock Water</u>
Domestic Animals	<u>Other - other domestic animal concerns that need to be considered (if applicable) include; <i>inadequate shelter; and stress and mortality.</i></u>

ATTACHMENT B
Pennsylvania Supplemental Guidance
Special Environmental Concerns for Sections I/J

<p>Clean Air Act</p>	<p>PA – Few farms in Pennsylvania are currently affected by the provisions that may require air quality permits. Note if the producer is in an EPA air quality non-attainment county for the following pollutants (may use Not Applicable for producers located in counties denoted as “in attainment” or “maintenance”): Particulate Matter (PM 2.5): http://www.epa.gov/reg3artd/airquality/pm25nonattareas.htm 8-hour Ozone: http://www.epa.gov/reg3artd/airquality/ozone8hrmaintareas_2.htm All planned practices should be in compliance with any farm specific requirements. State whether or not alternative actions are in compliance.</p> <p>Summary – EPA establishes National Ambient Air Quality Standards (NAAQS) for specific pollutants. If an agricultural operation is found to cause or contribute to an exceedance of the NAAQS or is located in a non-attainment area, additional regulatory controls may be mandated for the agricultural source. Air pollutants of most concern for agriculture are ozone and particulate matter. EPA can delegate authority to states to develop State Implementation Plans (SIPs). These SIPs generally include regulations regarding permits and standards for certain sources and pollutants. Field planners should be aware that there may be requirements of individual SIPs that apply to agricultural operations in their area and should inform the client of the potential for appropriate air quality permits they may need prior to implementation of NRCS activities.</p>
<p>Clean Water Act - Waters of the U.S. Special Aquatic Sites</p>	<p>PA – 1. NRCS assisted actions that potentially impact Waters of the U.S, including wetlands, or Special Aquatic Sites, must be coordinated with PA DEP. Should advise landusers that dredge and fill activities in Waters of the U.S., including wetlands, require a general permit or 404 permit. Must try to avoid dredge and fill activities in fish and wildlife sanctuaries, wetlands, mud flats, vegetated shallows, and riffle-pool complexes. If special aquatic sites cannot be avoided, impacts should be minimized and if necessary mitigated (40 CFR Part 230, Disposal Sites for Dredge and Fill). Sometimes PA DEP can facilitate coordination with the U.S. Army Corps of Engineers. NRCS may assist landowner in developing a permit application, but the landowner must submit the application.</p> <p>2. If the planned action or alternative is located in proximity to waters listed by the State as “impaired” under Section 303(d) of the Clean Water Act (CWA), the action should comply with any TMDLs or Watershed Restoration Action Strategies (WRAS’s) developed for the watershed. In most cases, planned activities will be compatible with these plans and should be so stated. TMDLs are on PA DEP webpage at http://www.dep.state.pa.us/watermanagement_apps/tmdl/. WRASs are on PA DEP webpage at http://www.portal.state.pa.us/portal/server.pt?open=514&objID=554276&mode=2</p> <p>3. Determine if the planned action or alternative is likely to 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 CAFOs for which 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 State administers.</p>
<p>Coastal Zone Management Areas</p>	<p>PA - Applies to parts of the following counties: Erie, Bucks, Delaware and Philadelphia and the contributing watershed areas under provisions of the Coastal Nonpoint Pollution Program Management Area. Compliance with NRCS policies, planning procedures and technical standards will generally be consistent with the coastal plan. For more info and boundary maps see: http://www.dep.state.pa.us/river/about/about.htm</p>
<p>Coral Reefs</p>	<p>PA - Not Applicable to Pennsylvania</p>
<p>Cultural Resources</p>	<p>PA - Follow the NRCS-Pennsylvania cultural resources review process. At this time, do not use the National Guide Sheet.</p> <p>Avoid adverse impacts to archaeological and historical resources unless no practicable alternative exists. Consultation with the State Historic Preservation Officer required for any planned conservation practice that is "...classified as an undertaking with the potential to affect". (420-GM, 401)</p>
<p>Endangered and Threatened Species</p>	<p>PA - Follow the NRCS-Pennsylvania PNDI review process. At this time, do not use the National Guide Sheet. Consult Pennsylvania Natural Heritage Program, PNDI Project Planning Environmental Review at http://www.naturalheritage.state.pa.us/. If planned action may have a direct or indirect effect (adverse, beneficial or insignificant), must consult with U.S. Fish and Wildlife Service, National Marine Fisheries Service, PA Fish and Boat Commission, PA Game Commission or PA Dept. of Conservation and Natural Resources as appropriate.</p> <p>Assistance will be consistent with the conservation of all federal and state listed endangered fish, wildlife, plants and other protected species, their designated critical habitat. "Listing" includes federally proposed and candidate species and state species of concern. Avoid or minimize adverse impacts. (190-GM, 410.22)</p>

Environmental Justice	Summary – Must identify and address disproportionately high and adverse human health or environmental effects of federally assisted activities on minority or low-income populations. (220-GM, 402)
Essential Fish Habitat	PA - None designated in Pennsylvania at this time. Applies to Delaware River and Chesapeake Bay basins. Summary - Protects habitats essential to marine fishes for spawning, breeding, feeding or growth. Must consult with National Marine Fisheries Service if adverse impacts.
Flood Plain Management	Summary - Actions should be encouraged to restore or preserve natural floodplain function and reduce the risk of flood loss. Determine if the planned action or alternative is likely to result in increased flood hazard, incompatible development, or other adverse effect to the existing natural and beneficial values of the floodplain or lands adjacent or downstream from the floodplain. Avoid adverse impacts. If adverse impacts cannot be avoided they should be minimized, providing opportunities for public review of plans. (190-GM, 410.25)
Invasive Species	Summary – Should not generally authorize, fund or carry out actions likely to result in the introduction or spread of invasive species. Inventory invasive species, inform clients of presence, and provide assistance to address issues. (GM 190, Part 414) (EO 13112)
Migratory Birds / Bald and Golden Eagles	Summary – Should avoid adverse impacts to migratory birds, including Bald and Golden Eagles. Avoid actions that result in any migratory bird or their parts (including eggs, nests, feathers) being pursued, hunted, taken, captured, possessed, traded, or killed. Migratory birds include all native 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 (EO 13186; 50 CFR 10.13). Avoid actions that will 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".
Prime and Unique Farmlands	Summary - Should minimize the unnecessary and irreversible conversion of farmland to non-agricultural uses and determine how planned actions will affect important (prime, unique, statewide & locally important) farmland. Construction of on-farm buildings and structures necessary for farm operations are <u>not</u> considered conversion to non-agricultural uses. Conversion and adverse impacts should be avoided or minimized. (310-GM, 403)
Riparian Area	Summary - Plans involving riparian area management must maintain or improve water quality and quantity benefits. (190-GM, 411)
Sole Source Aquifers	PA - only applies to the Seven Valleys Aquifer in York County (50 FR 9126) and the New Jersey Coastal Plain Aquifer which includes the stream flow source zone within two miles of the Delaware River in Delaware, Philadelphia, Bucks, Monroe, Northampton, Pike and Wayne Counties (53 FR 23791). Federal financially-assisted projects which have the potential to contaminate the designated sole source aquifer are subject to US EPA review. Examples of federally funded projects which have been reviewed by EPA under the SSA protection program include construction projects that involve disposal of storm water and agricultural projects that involve management of animal waste. For information on projects requiring review, communicate with the environmental contact listed on the NRCS-PA Environmental Compliance webpage: http://www.pa.nrcs.usda.gov/technical/Environmental_Combpliance/index.html . For more info on Sole Source Aquifers see: http://www.epa.gov/safewater/sourcewater/pubs/grg_ssamap_reg3.pdf .
Wetlands	PA – Follow the NRCS-Pennsylvania wetland review procedures. At this time, do not use the National Guide Sheet. If impacts cannot be avoided, must involve PA DEP. Sometimes PA DEP can facilitate any needed coordination with the U.S. Army Corps of Engineers. NRCS may assist landowner in developing a permit application, but the landowner must submit the application. Avoid undertakings in wetland. If wetland cannot be avoided, impacts should be minimized and if necessary mitigated. Consult with PA DEP and U.S Army Corps of Engineers if necessary. (190-GM, 410.26)
Wild and Scenic Rivers	PA - See DCNR website http://www.dcnr.state.pa.us/brc/rivers/scenicrivers/ Summary - Federally assisted actions should be compatible with management plan in designated waters, unless no practicable alternative exists.

ATTACHMENT C
Categorically Excluded Actions for Sections Q & R.2
NEPA Compliance Finding

Categorically Excluded – NRCS soil survey, snow survey, plant materials, inventory & monitoring, PL 83-566 river basin studies, policy development, administrative functions, education/information and advisory services are categorically excluded and do not require further environmental analysis in Pennsylvania.

Although, all conservation planning and implementation require development of a CPA-52, the following 21 activities are categorically excluded from further environmental analyses. Therefore no environmental assessments and no environmental impact statements are required for the 21 activities.

If the entire planned action is listed as one or more of the following 21 categorically excluded activities and there are no Extraordinary Circumstances identified in the CPA-52, Section O, then check the box finding that the activity is **categorically excluded**.

Use of the 21 categorical exclusions is not applicable for:

- **Mixed Actions**: If a planned action involves activities listed as Categorically Excluded along with other actions that are not included in this list, NRCS may not find the action as Categorically Excluded.
- **Segmenting**: NRCS cannot look at the planned actions individually if they are interdependent parts of the plan. This would be construed as “segmenting” an action into smaller component parts to avoid the requisite and appropriate level of environmental review under NEPA.

For the following categorical exclusions to apply, the proposed action must:

- (i) Be designed to mitigate soil erosion, sedimentation, and downstream flooding;
- (ii) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;
- (iii) Be based on current Federal principals of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, “Stream Corridor Restoration, Principles, Processes, and Practices” (http://www.nrcs.usda.gov/technical/stream_restoration/);
- (iv) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide (<http://www.nrcs.usda.gov/technical/efotg/>);
- (v) Not require substantial dredging, excavation, or placement of fill; and
- (vi) Not involve a significant risk of exposure to toxic or hazardous substances.

The use of the following categorical exclusions for a proposed action does not waive NRCS compliance with any applicable legal requirement including, but not limited to, the National Historical Preservation Act or the Endangered Species Act.

21 Categorical Exclusions -

- (1) Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants, on disturbed sites to restore and maintain the sites ecological functions and services;
- (2) Removing dikes and associated appurtenances (such as culverts, pipes, valves, gates, and fencing) to allow waters to access floodplains to the extent that existed prior to the installation of such dikes and associated appurtenances;
- (3) Plugging and filling excavated drainage ditches to allow hydrologic conditions to return to pre-drainage conditions to the extent practicable;

- (4) Replacing and repairing existing culverts, grade stabilization, and water control structures and other small structures that were damaged by natural disasters where there is no new depth required and only minimal dredging, excavation, or placement of fill is required;
- (5) Restoring the natural topographic features of agricultural fields that were altered by farming and ranching activities for the purpose of restoring ecological processes;
- (6) Removing or relocating residential, commercial, and other public and private buildings and associated structures constructed in the 100-year floodplain or within the breach inundation area of an existing dam or other flood control structure in order to restore natural hydrologic conditions of inundation or saturation, vegetation, or reduce hazards posed to public safety;
- (7) Removing storm debris and sediment following a natural disaster where there is a continuing and eminent threat to public health or safety, property, and natural and cultural resources and removal is necessary to restore lands to pre-disaster conditions to the extent practicable. Excavation will not exceed the pre-disaster condition;
- (8) Stabilizing stream banks and associated structures to reduce erosion through bioengineering techniques following a natural disaster to restore pre-disaster conditions to the extent practicable, *e.g.*, utilization of living and nonliving plant materials in combination with natural and synthetic support materials, such as rocks, riprap, geo-textiles, for slope stabilization, erosion reduction, and vegetative establishment and establishment of appropriate plant communities (bank shaping and planting, brush mattresses, log, root wad, and boulder stabilization methods);
- (9) Repairing or maintenance of existing small structures or improvements (including structures and improvements utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat conditions). Examples of such activities include the repair or stabilization of existing stream crossings for livestock or human passage, levees, culverts, berms, dikes, and associated appurtenances;
- (10) Constructing small structures or improvements for the restoration of wetland, riparian, in stream, or native habitats. Examples of activities include installation of fences and construction of small berms, dikes, and associated water control structures;
- (11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;
- (12) Repairing or maintenance of existing constructed fish passageways, such as fish ladders or spawning areas impacted by natural disasters or human alteration;
- (13) Repairing, maintaining, or installing fish screens to existing structures;
- (14) Repairing or maintaining principal spillways and appurtenances associated with existing serviceable dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the existing footprint of the dam, and no major change in reservoir or downstream operations will result;
- (15) Repairing or improving (deepening/widening/armoring) existing auxiliary/emergency spillways associated with dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the dam or abutment areas, and no major change in reservoir or downstream operation will result;
- (16) Repairing embankment slope failures on structures, originally built to NRCS standards, where the work is confined to the embankment or abutment areas;

- (17) Increasing the freeboard (which is the height from the auxiliary (emergency) spillway crest to the top of embankment) of an existing dam or dike, originally built to NRCS standards, by raising the top elevation in order to meet current safety and performance standards. The purpose of the safety standard and associated work is to ensure that during extreme rainfall events, flows are confined to the auxiliary/emergency spillway so that the existing structure is not overtopped which may result in a catastrophic failure. Elevating the top of the dam will not result in an increase to lake or stream levels. Work will be confined to the existing dam and abutment areas, and no major change in reservoir operations will result. Examples of work may include the addition of fill material such as earth or gravel or placement of parapet walls;
- (18) Modifying existing residential, commercial, and other public and private buildings to prevent flood damages, such as elevating structures or sealing basements to comply with current State safety standards and Federal performance standards;
- (19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, offstream watering facilities, and invasive species control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes;
- (20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting; and
- (21) Implementing water conservation activities on existing agricultural lands, such as minor irrigation land leveling, irrigation water conveyance (pipelines), irrigation water control structures, and various management practices.