

**Attachment 1 to OK-CPA-52 Form**

This Form (Attachment 1) will be completed and attached to the OK-CPA-52 when other State or Federal agencies or entities are consulted with or have financial, technical, or programmatic responsibilities.

Agencies, persons, and references consulted

\_\_\_\_\_

Form will be completed by the agency, persons or references consulted.

I have considered the effects of this action on the Natural Resources, Human Resources, Special Resources, and Cultural Resources identified on the attached OK-CPA-52 and the **extraordinary circumstances** criteria on the back side of this attachment. I find, for the reasons stated below, that the practice(s) planned:

\_\_\_\_\_ is **not a federal action** (see back side of this attachment). No additional analysis is required.

\_\_\_\_\_ is **categorically excluded** (see back side of this attachment) from further environmental analysis and there are no extraordinary circumstances. No additional analysis is required.

\_\_\_\_\_ has been **sufficiently analyzed** in an existing NRCS environmental document. No additional analysis is required.

\_\_\_\_\_ may require preparation of an EA or EIS. The action will be referred to the State Office.

Rationale supporting the finding:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Agency Person or  
Entity Consulted

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

180-National Planning Procedures Handbook  
**Federal Actions**

Federal actions do not include situations in which NRCS is only providing technical assistance because NRCS cannot control what the client ultimately does with that assistance. Thus, there is no Federal action when NRCS:

- Makes HEL or wetland conservation determinations;
- Provides technical designs where there is no Federal financial assistance; and
- Provides planning assistance or other technical advice and information to individuals, organizations, States, tribes, or other units of local government where there is no Federal financial assistance.

**Note:** It is NRCS policy to conduct an environmental evaluation as a part of every planning activity, even if it is not considered a federal action for purposes of NEPA. The results of this process are documented on an OK-CPA-52, "Environmental Evaluation for Conservation Planning" to:

- Inform the landowner of the plan's impacts; and
- Provide a record that the environmental evaluation was conducted.

**Categorical Exclusions**

**NRCS Categorical Exclusions**

1. Soil Survey
2. Snow Survey and Water Supply Forecasts
3. Plant Materials for Conservation
4. Inventory and Monitoring
5. River Basin Studies under Section 6 of Public Law (PL) 83-566 as amended

**USDA Categorical Exclusions**

1. Policy development, planning and implementation which relate to routine activities, such as personnel, organizational changes, or similar administrative functions;
2. Activities which deal solely with the funding of programs, such as program budget proposals, disbursements, and transfer or reprogramming of funds;
3. Inventories, research activities, and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity;
4. Educational and informational programs and activities;
5. Civil and criminal law enforcement and investigative activities;
6. Activities which are advisory and consultative to other agencies and public and private entities, such as legal counseling and representation; and
7. Activities related to trade representation and market development activities abroad.

**Extraordinary Circumstances**

Extraordinary circumstances usually involve impacts on environmental concerns such as wetlands, floodplains, or cultural resources. The circumstances that may lead to a determination of extraordinary circumstances are the same factors used to make determinations of significance and include:

1. Impacts that may be both beneficial and adverse and that significantly affect the quality of the human environment.
2. The degree to which the proposed action affects public health and safety.
3. Unique characteristics of the area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
4. The degree to which the effects on the quality of the human environment are likely to be controversial.
5. The degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.
6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.
7. Individually insignificant but cumulatively significant activities that have not been analyzed on a broader level, such as on a program-wide or priority area basis.
8. Adverse effects on areas listed in or eligible for listing in the National Register of Historic Places, or that may result in loss or destruction of significant scientific, cultural, or historical resources.
9. Adverse effects on an endangered or threatened species or its designated critical habitat.
10. Circumstances threatening the violation of Federal, State or local law or requirements imposed for the protection of the environment.

If one or more extraordinary circumstances are found to apply to the proposed action, determine whether the proposal can be modified to mitigate the adverse effects and prevent the extraordinary circumstances. If this can be done and the client agrees to the change, then the proposed action may be modified and categorically excluded. If the proposed action cannot be modified or the client refuses to accept a proposed change, an EA or EIS will need to be prepared.

**If none of the extraordinary circumstances are determined to apply to the proposed action (or modified action), then it may be categorically excluded.** Document the rationale for the determination.