

Special Environmental Concerns Evaluation Procedure Guide Sheet

The following guide sheet may be used to assist in the evaluation of the special resource concerns shown in Part J of the Form KS-CPA-52, Environmental Effects for Conservation Planning. Completion of this guide sheet is not required, but may provide additional documentation that the appropriate processes have been followed.

FLOODPLAIN MANAGEMENT

This determination criterion is intended for non-project technical and financial assistance only. For project assistance criteria, consult General Manual (GM) Title 190, Part 410.25(c) 2.

STEP 1. Is a base (100-year) floodplain present in or near the planning area?

NO **YES** **UNKNOWN**

- a. If your answer is "No," additional evaluation is not needed concerning floodplain areas. Document the finding on Form KS-CPA-52 and proceed with planning.
- b. If your answer is "Yes," go to Step 2.
- c. If your answer is "Unknown," review the Federal Emergency Management Agency (FEMA) flood insurance rate maps or make an onsite determination and repeat Step 1.

STEP 2. Does the floodplain have an agricultural area that has been used to produce food, fiber, feed, forage, or oilseed for at least three of the last five years before the request for assistance?

NO **YES**

- a. If your answer is "No," the land user is not eligible for technical and/or financial assistance from the Natural Resources Conservation Service (NRCS) for the area of the floodplain.
- b. If your answer is "Yes," document the crop history and go to Step 3.

STEP 3. Is the floodplain's agricultural production in accordance with official state or designated area water quality plans?

NO **YES**

- a. If your answer is "No," the land user is not eligible for technical and/or financial assistance from the NRCS for the area of the floodplain.
- b. If your answer is "Yes," document the finding, including the reasons. The land user is eligible to receive technical and/or financial assistance. Go to Step 4.

STEP 4. Will the proposed action or alternative likely result in an adverse effect, incompatible development, or an increased flood hazard?

NO **YES**

- a. If your answer is "No," additional evaluation is not needed concerning floodplain areas. Document the finding, including the reasons, on Form KS-CPA-52 and proceed with planning.
- b. If your answer is "Yes," the district conservationist (DC) shall determine and inform the land user of alternative methods of achieving the objective, as well as alternative locations outside of the base floodplain. If the action involves building a structure, inform the participant of the hazards of locating actions in the floodplain. Document the effects of all alternatives on Form KS-CPA-52 and go to Step 5.

STEP 5. Is one or more of the alternative methods or locations practical?

NO **YES**

- a. If your answer is "No," the DC will determine whether to continue to providing assistance. Go to Step 6.
- b. If your answer is "Yes" and the land user agrees to implement the alternative, no additional evaluation is needed concerning floodplain areas. Document the finding, including the reasons, on Form KS-CPA-52 and proceed with planning. If otherwise, go to Step 6.

STEP 6. Will assistance continue to be provided?

NO **YES**

- a. If your answer is "No," written notification of the decision to terminate assistance shall be provided to the land user and the local conservation district. Document the finding, including the reasons, on Form KS-CPA-52.
- b. If your answer is "Yes," the proposed action should be designed or modified to minimize the adverse effects to the extent possible. A written public notice shall be locally circulated explaining why the action is proposed to be located in the base flood plain. Document the finding, including the reasons, on Form KS-CPA-52 and proceed with planning.