

# Environmental Evaluation Worksheet (NRCS-CPA-52)

## Pennsylvania Supplemental Instructions

**Attachment “A”**  
PA Resource  
Concerns

**Attachment “B”**  
PA Special  
Environmental  
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 – pen and ink changes are acceptable for minor modifications.)
- **One CPA-52 per land unit** – Generally one CPA-52 is used per land unit. A Land Unit is any area of concern in the planning process and can be a tract, farm, field, land use 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). The PA template also includes these Supplemental Instructions and other helpful guidance.
- **Supporting documentation required** – all information in the CPA-52, including “not applicable,” must be supported and documented in the worksheet itself, in the Guide Sheets (**do not** use the Cultural Resources, Endangered and Threatened Species, or Wetland 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 CPA-52 must be on-file in the client’s administrative case file. Electronic copies are optional, but encouraged.
- **Maintain in Case File** – official signed CPA-52s 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

<b>C</b>	<b>Identification</b> – in addition to identifying information, clearly note the land unit(s) and corresponding land use that is covered by the CPA-52.
<b>H</b>	<b>Alternatives</b> – 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 planning criteria level.

F/I	<p><b>Resource Concerns &amp; Existing/Benchmark Conditions</b></p> <ol style="list-style-type: none"> <li>1. <b>Resource Concerns</b> - all Pennsylvania Resource Concerns (Attachment A) must be evaluated for <u>all</u> conservation planning activities, <u>all</u> Farm Bill conservation programs, and <u>all</u> 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 <u>applicable</u> Pennsylvania Resource Concerns will be evaluated.</li> <li>2. <b>Benchmark, No Action</b>, and one or two <b>Alternatives</b> (including the planned action/preferred alternative) must be evaluated.</li> <li>3. <b>Benchmark</b> – sensitive information may be omitted. Record the amount, kind, status, location, and method of measurement for each concern.</li> <li>4. <b>No Action</b> – 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 H “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.</li> <li>5. <b>Alternative 1 or 2</b> – The planned action/preferred alternative must be evaluated and documented (then check box in Section M, indicating it is the Preferred Alternative). <ul style="list-style-type: none"> <li>• The planned action/preferred alternative can be either the RMS alternative of a progressive level of planning.</li> <li>• 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 Planning Criteria or progressive planning levels.</li> </ul> </li> <li>6. <b>Planning Criteria (PC)</b> – check the box if the Planning Criteria is NOT met. <ul style="list-style-type: none"> <li>• If the planning criteria is met for a resource concern, it is sufficient to simply state “Meets PC.” Additional narrative is only required if more information is needed to adequately describe and document effects. Whether or not the Planning Criteria will be met may vary between alternatives (No Action; Planned Action; other Alternatives).</li> </ul> </li> <li>7. <b>Considerations when documenting effects:</b> <ul style="list-style-type: none"> <li>• Key words and phrases to use in narratives <b>when applicable</b> include enhanced, reduced, improved, increased, meets PC. Use modifiers such as slightly, moderately, substantially.</li> <li>• If an Alternative action results in no effect, state “<b>No Effect.</b>”</li> <li>• If a resource concern does not apply, use “<b>NA.</b>”</li> <li>• 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.</li> <li>• If documenting an <u>RMS</u>, Planning Criteria must be met for <u>all</u> identified resource concerns for the land unit.</li> </ul> </li> </ol>
G/J	<p><b>Special Environmental Concerns – <u>all</u> concerns <u>must</u> be addressed</b></p> <ol style="list-style-type: none"> <li>1. <b>Supplemental Guidance</b> – refer to the Pennsylvania Supplemental Guidance for the Special Environmental Concerns (Attachment B).</li> <li>2. <b>Special Environmental Concerns</b> (far left column) – cite the primary source(s) of information used for each special concern.</li> <li>3. <b>Guide Sheets</b> – use is optional. <b><u>DO NOT USE</u> the Guide Sheets for Cultural Resources, Endangered and Threatened Species, or Wetlands;</b> follow the PA-NRCS procedures for these items.</li> <li>4. <b>Further Action Needed</b> – check the box when issues cannot be resolved prior to completing the CPA-52. In all cases, <b>the client must be informed that further action is needed.</b> <ul style="list-style-type: none"> <li>• Check this box when detailed investigations, consultations, or permits are needed that cannot be resolved quickly (i.e. issues related to Cultural Resources, Wetland, Endangered Species).</li> <li>• In particular, use this check-box for planned actions that the client is not ready to implement; detailed investigations, consultations, or permits are required and these investigations will be postponed until the client is ready to implement.</li> </ul> </li> </ol>

<p><b>G/J</b> continued</p>	<p>5. Considerations when documenting status, compliance and effects:</p> <ul style="list-style-type: none"> <li>• Key words and phrases to use in narratives when applicable include enhances, reduced, improved, increased. Use modifiers such as slightly, moderately, and substantially.</li> <li>• If an “Alternative” action is in compliance with the law, rule, executive order, state “<b>In Compliance.</b>”</li> <li>• If an “Alternative” action results in no effect, state “<b>No Effect.</b>”</li> <li>• If a special environmental concern does not apply, use “<b>NA.</b>”</li> <li>• 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.</li> </ul>						
<p><b>L</b></p>	<p><b>Mitigation</b> – 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.”</p>						
<p><b>N</b></p>	<p><b>Context</b> – 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” or other initiative/special focus watershed(s) if applicable.</p>						
<p><b>O</b></p>	<p><b>Determination of Significance or Extraordinary Circumstances</b> – 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, highly controversial or uncertain effects, or may violate the law, contact the NRCS State Environmental Liaison for guidance.</p>						
<p><b>P</b></p>	<p><b>The information recorded above is based on the best available information.</b></p> <p><b>Signature (planner)</b> – 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 <b>requirements</b>. Refer to the Pennsylvania GM Supplement – Delegations of Authority (130-GM, Part 400.14 – PA Supplement 5) for requirements to be considered “<b>qualified</b>” to complete the CPA-52. Certified Conservation Planners are <b>qualified</b> to complete the worksheet up to and including signing this section.</p> <ul style="list-style-type: none"> <li>• <b>Signature/Title/Date (TSP, if applicable)</b> – all <b>qualified non-NRCS</b> planners must sign this line.</li> </ul> <p>In addition, <b>the designated Responsible Federal Official</b> (generally the District Conservationist at the Field Office level), <b>must sign and date the NRCS block to certify that a <u>qualified non-NRCS planner</u> completed the worksheet.</b></p> <ul style="list-style-type: none"> <li>• <b>Signature/Title/Date (NRCS)</b> – in <b>all cases, NRCS employee must sign as follows:</b> <ul style="list-style-type: none"> <li>○ Qualified NRCS planners must sign when the worksheet is completed by that planner.</li> <li>○ Responsible Federal Official (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).</li> </ul> </li> </ul>						
<p><b>Q – S</b></p>	<p><b>NEPA Finding/Rational/Signature</b> – <b>ONLY</b> to be completed by the <b>designated Responsible Federal Official (RFO)</b> 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).</p> <ul style="list-style-type: none"> <li>• <b>Non-NRCS Programs</b> – NRCS does not complete this section for non-NRCS programs. The RFO of other agencies, at their discretion, <b>MAY</b> or <b>MAY NOT</b> choose to complete this section. Here are some of the NRCS and FSA administered programs.</li> </ul> <table border="0"> <tr> <td><b>Agency</b></td> <td><b>Programs</b></td> </tr> <tr> <td><b>NRCS</b></td> <td>AMA, CBWI, CSP, CTA, EQIP, FRPP, GLRI, GRP*, HFRP, PL 83-566, WHIP, WRP</td> </tr> <tr> <td><b>FSA</b></td> <td>CRP, CREP, DFN, ECP, GRP*, Conservation Loan Program</td> </tr> </table> <p>*Note – GRP is jointly administered.</p>	<b>Agency</b>	<b>Programs</b>	<b>NRCS</b>	AMA, CBWI, CSP, CTA, EQIP, FRPP, GLRI, GRP*, HFRP, PL 83-566, WHIP, WRP	<b>FSA</b>	CRP, CREP, DFN, ECP, GRP*, Conservation Loan Program
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<b>FSA</b>	CRP, CREP, DFN, ECP, GRP*, Conservation Loan Program						

<p><b>Q – S</b> continued</p>	<ul style="list-style-type: none"> <li>• <b>Multiple Findings</b> – multiple “Findings” are possible for a land unit. For example, a Finding of “Not a Federal Action” for technical assistance only <b>and</b> a Finding of “Sufficiently analyzed in an agency NEPA document” for the portion to be implemented through EQIP or an FSA program can be made.</li> </ul>
<p><b>Q</b></p>	<p><b>NEPA Compliance Finding – work from top down</b></p> <ol style="list-style-type: none"> <li>1. <b>Not a federal action</b> – check this box if NRCS is only providing technical assistance and there is <u>no</u> NRCS financial assistance. Examples include conservation planning and designs under CTA and/or technical assistance for FSA programs.</li> <li>2. <b>Categorically excluded</b> – 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.</li> <li>3. <b>Sufficiently analyzed in an existing published NEPA document</b> – check this box if the planned action is <u>not</u> 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.</li> <li>4. <b>Other agency NEPA document formally adopted by NRCS – none adopted for Pennsylvania at this time. Do not select.</b></li> <li>5. <b>Federal action NOT sufficiently analyzed</b> – <u>before</u> checking this box, communicate with the PA NRCS environmental contact listed on the PA NRCS webpage at: <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2_018090">http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2_018090</a></li> </ol>
<p><b>R</b></p>	<p><b>Findings Documentation</b> – Use Section <b>R.1</b> for Findings 1, 3 – 5; Use Section <b>R.2</b> for Finding 2. Generally the following language or similar will suffice:</p> <ol style="list-style-type: none"> <li>1. <b>Finding 1</b> – Not a Federal Action: <ul style="list-style-type: none"> <li>• Technical assistance only; or</li> <li>• CTA planning only; or</li> <li>• Technical assistance for non-NRCS program (i.e. FSA Program)</li> </ul> </li> <li>2. <b>Finding 2</b> – Categorically Excluded: <ul style="list-style-type: none"> <li>• 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 <b>all</b> of the planned actions must be categorically excluded through <b>one or more</b> Categorical Exclusions.</li> </ul> </li> <li>3. <b>Finding 3</b> – Sufficiently Analyzed in an existing NEPA document: <ul style="list-style-type: none"> <li>• NRCS Programmatic NEPA document (i.e. EQIP, CBWI, AMA, etc.); or</li> <li>• Reference a specific NRCS Watershed Plan – EA or EIS</li> </ul> </li> <li>4. <b>Finding 4</b> – Other agency NEPA document – <b>DO NOT USE</b> (none adopted by PA NRCS)</li> <li>5. <b>Finding 5</b> – Not sufficiently analyzed (get assistance from NRCS State Environmental Liaison)</li> </ol>
<p><b>S</b></p>	<p><b>Signature of Responsible Federal Official (RFO)</b> – 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).</p>
<p><b>Additional Notes</b> – use to highlight/identify (if applicable):</p> <ul style="list-style-type: none"> <li>• Outstanding issues, such as permits still needed</li> <li>• Consultation with other agencies that has not been completed</li> <li>• Changes made or clarifications needed regarding revisions or updates to the CPA-52</li> </ul>	

# ATTACHMENT A

## Pennsylvania Resource Concerns for Sections F/I

The effects on all Resource Concerns from the PA FOTG-III Planning 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 the PA FOTG, Section III – Planning and Environmental Compliance Information. Links are available on the PA NRCS webpage at:

[http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2\\_018090](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2_018090)

### SOIL

Soil Erosion  
Soil Erosion  
Soil Erosion  
Soil Quality Degradation  
Soil Quality Degradation  
Soil Quality Degradation

Sheet, Rill, & Wind Erosion  
Concentrated Flow Erosion  
Excessive Bank Erosion from Streams, Shorelines, or Water Conveyance Channels  
Compaction  
Organic Matter Depletion  
*Other* – other soil quality degradation concerns that need to be considered (if applicable) include **Subsidence** and/or **Concentration of Salts or Other Chemicals**.

### WATER

Excess Water  
Insufficient Water  
  
Water Quality Degradation  
Water Quality Degradation

Ponding, Flooding, Seasonal High Water Table, Seeps, and Drifted Snow  
*Other* – other insufficient water concerns that need to be considered (if applicable) include **Inefficient Moisture Management** and/or **Inefficient Use of Irrigation Water**.  
Excess Nutrients in Surface and Ground Waters  
Pesticides Transported to Surface and Ground Waters  
Excess Pathogens and Chemicals from Manure, Bio-solids, or Compost Applications  
Excessive Sediment in Surface Waters  
Elevated Water Temperature  
*Other* – other water quality degradation concerns that need to be considered (if applicable) include **Excess Salts in Surface and Ground Waters** and/or **Petroleum, Heavy Metals, and Other Pollutants Transported to Receiving Waters**.

### AIR

Air Quality Impacts  
Air Quality Impacts  
Air Quality Impacts

Emissions of Particulate Matter – PM and PM Precursors  
Emissions of Ozone Precursors  
*Other* - other air quality impact concerns that need to be considered (if applicable) include **Emissions of Greenhouse Gases – GHGs** and/or **Objectionable Odors**. **Objectionable Odors** must be considered if the client is required to obtain an **Odor Management Plan** according to Act 38 requirements.

### PLANT

Degraded Plant Condition  
Degraded Plant Condition  
Degraded Plant Condition

Undesirable Plant Productivity and Health  
Excessive Plant Pest Pressure  
*Other* – other degraded plant condition concerns that need to be considered (if applicable) include **Inadequate Structure and Composition** and/or **Wildfire Hazard, Excessive Biomass Accumulation**.

### ANIMAL

Inadequate Habitat for Fish and Wildlife  
Livestock Production Limitation  
Livestock Production Limitation  
Livestock Production Limitation

Habitat Degradation  
  
Inadequate Feed and Forage  
Inadequate Livestock Shelter  
Inadequate Livestock Water

### ENERGY

Inefficient Energy Use

*Other* – other inefficient energy use concerns that need to be considered (if applicable) include **Equipment and Facilities** and/or **Farming/Ranching Practices and Field Operations**.

# ATTACHMENT B

## Pennsylvania Supplemental Guidance

### Special Environmental Concerns for Sections G/J

<p><b>Clean Air Act</b></p>	<p><b>Pennsylvania</b> – 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”):  <b>Particulate Matter (PM 2.5):</b> <a href="http://www.epa.gov/reg3airtd/airquality/pm25nonattareas.htm">http://www.epa.gov/reg3airtd/airquality/pm25nonattareas.htm</a>  <b>8 –hour Ozone:</b> <a href="http://www.epa.gov/reg3airtd/airquality/ozone8hrmaintareas_2.htm">http://www.epa.gov/reg3airtd/airquality/ozone8hrmaintareas_2.htm</a></p> <p>All planned practices should be in compliance with any farm specific requirements. State whether or not alternative actions are in compliance.</p> <p><b>Summary</b> – EPA established 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 pollutant(s). 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 appropriate air quality permits they may need prior to implementation of NRCS activities.</p>
<p><b>Clean Water Act – Waters of the U.S. Special Aquatic Sites</b></p>	<p><b>Pennsylvania</b> –</p> <ol style="list-style-type: none"> <li>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 clients 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 clients in developing a permit application, but the client must submit the application themselves.</li> <li>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 (WRASs) developed for the watershed. In most cases, planned activities will be compatible with these plans and should be so stated.  TMDLs are on the PA DEP webpage: <a href="http://www.ahs.dep.pa.gov/TMDL/">http://www.ahs.dep.pa.gov/TMDL/</a>. WRASs are on the PA DEP webpage: <a href="http://www.portal.state.pa.us/portal/server.pt?open=514&amp;objID=554276&amp;mode=2">http://www.portal.state.pa.us/portal/server.pt?open=514&amp;objID=554276&amp;mode=2</a>.</li> <li>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 (i.e. projects involving stormwater ponds of 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 Commonwealth of Pennsylvania administers.</li> </ol>
<p><b>Coastal Zone Management Areas</b></p>	<p><b>Pennsylvania</b> – Applies to parts of the following counties: <i>Erie, Bucks, Delaware, and Philadelphia and the contributing watershed areas</i> 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 information and boundary maps see: <a href="http://www.dep.state.pa.us/river/about/about.htm">http://www.dep.state.pa.us/river/about/about.htm</a>.</p>
<p><b>Coral Reefs</b></p>	<p><b>Pennsylvania – Not Applicable to PA</b></p>
<p><b>Cultural Resources</b></p>	<p><b>Pennsylvania</b> – At this time, do not use the National Guide Sheet. Follow the PA NRCS cultural resources review process: <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2_018101">http://www.nrcs.usda.gov/wps/portal/nrcs/detail/pa/technical/?cid=nrcs142p2_018101</a> .</p> <p>Avoid adverse impacts to archaeological and historical resources unless no practicable alternative exists. Consultation with the State Historic Preservation Officer is required for any planned conservation practice that is “...classified as an undertaking with the potential to affect.” (420-GM, Part 401)</p>
<p><b>Endangered and Threatened Species</b></p>	<p><b>Pennsylvania</b> – At this time, do not use the National Guide Sheet. Follow the PA NRCS PNDI review process. Consult Pennsylvania Natural Heritage Program, PNDI Project Planning Environmental Review at <a href="http://www.naturalheritage.state.pa.us/">http://www.naturalheritage.state.pa.us/</a>. 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 Department of Conservation and Natural Resources, as appropriate.</p>

	Assistance will be consistent with the conservation of all federal and state listed endangered fish, wildlife, plants, and other protected species and their designated critical habitat. "Listing" includes federally proposed and candidate species and state species of concern. Avoid or minimize adverse impacts. (190-GM, Part 410.22)
<b>Environmental Justice</b>	<b>Summary</b> – 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, Part 402)
<b>Essential Fish Habitat</b>	<b>Pennsylvania – None designated in PA at this time.</b> Applies to Delaware River and Chesapeake Bay basins.  <b>Summary</b> – Protects habitats essential to marine fishes for spawning, breeding, feeding, or growth. Must consult with National Marine Fisheries Service if adverse impacts are expected.
<b>Flood Plain Management</b>	<b>Summary</b> – 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 to or downstream of the floodplain.  Avoid adverse impacts. If adverse impacts cannot be avoided they should be minimized, providing opportunities for public review of plans. (190-GM, Part 410.25)
<b>Invasive Species</b>	<b>Summary</b> – 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. (190-GM, Part 410.25) (EO 13112)
<b>Migratory Birds / Bald and Golden Eagles</b>	<b>Summary</b> – 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."
<b>Prime and Unique Farmlands</b>	<b>Summary</b> – 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, Part 403)
<b>Riparian Area</b>	<b>Summary</b> – Plans involving riparian area management must maintain or improve water quality and quantity benefits. (190-GM, Part 411)
<b>Wetlands</b>	<b>Pennsylvania</b> – At this time, do not use the National Guide Sheet. Follow the PA NRCS wetland review procedures. 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, Part 410.26)
<b>Wild and Scenic Rivers</b>	Pennsylvania – See DCNR website: <a href="http://www.dcnr.state.pa.us/brc/conservation/rivers/scenicrivers/index.htm">http://www.dcnr.state.pa.us/brc/conservation/rivers/scenicrivers/index.htm</a> .  <b>Summary</b> – Federally assisted actions should be compatible with management plan in designated waters, unless no practicable alternative exists.

# ATTACHMENT C

## Categorically Excluded Actions for Section Q & R.2

### NEPA Compliance Finding

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

Although, all conservation planning and implementation requires development of a CPA-52, the following 21 activities are categorically excluded from further environmental analysis. 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, 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/wps/portal/nrcs/detailfull/?ss=16&navtype=BROWSEBYSUBJECT&cid=stelprdb1043244&navid=14010000000000&position=Not%20Yet%20Determined.Html&ttype=detailfull>);
- (iv) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide ([http://efotg.sc.egov.usda.gov/efotg\\_locator.aspx](http://efotg.sc.egov.usda.gov/efotg_locator.aspx));
- (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 and applicable legal requirement including, but not limited to, the nation Historic Preservation Act or the Endangered Species Act. Nor does a Categorical Exclusion exclude the requirement to comply with PA Clean Streams Law Chapter 105 (i.e. Categorical Exclusion #20).

**Actions (planning/implementation) completed under the CTA program are not categorically excluded because they are not a Federal Action.** However, it is NRCS policy and required by NRCS regulations to conduct an environmental evaluation (NRCS-CPA-52) as part of every planning activity, even if it is not a Federal Action. (*NRCS develops CTA plans for FSA programs like CRP, CREP, and ECP.*)

For the purposes of NEPA, a **Federal Action** is an action that is subject to Federal (NRCS) control and responsibility (e.g., those that are financed, funded, assisted, conducted, regulated, or approved by NRCS). These 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 and situations where NRCS is making a technical determination (such as Farm Bill HEL or wetland conservation determinations) not associated with the planning process.

When using Categorical Exclusion(s) the proposed action must meet the purpose (a.k.a. sidebar) of the Categorical Exclusion.

Each NRCS Categorical Exclusion is followed by a table identifying common planning situation(s) to which the Categorical Exclusion may apply.

- **However, these situations and/or conservation practices/enhancements are not all-inclusive** – additional situations and/or conservation practices may fit within the Categorical Exclusion.
- **Likewise, just because a situation or conservation practice/enhancement is listed, it does not mean that it automatically qualifies** for the Categorical Exclusion.

The RFO must ensure that the **entire planned action fits the criteria** (i.e. planting herbaceous and woody vegetation) and the **purpose/sidebar** (restore and maintain the sites ecological functions and services) of **one or more** of the following 21 categorically excluded activities.

## 21 NRCS 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;

<b>Typically applies to restoration and/or habitat planting plans.</b> Examples include actions planned through WRP, WHIP, EQIP/CBWI, CSP.			
327	Conservation Cover	643	Restoration and Management of Declining Habitats
329	Residue and Tillage Management, No-Till/Strip Till/Direct Seed	644	Wetland Wildlife Habitat Management
342	Critical Area Planting	645	Upland Wildlife Habitat Management
380	Windbreak/Shelterbelt Establishment	647	Early Successional Habitat Development/Management
390	Riparian Herbaceous Cover	657	Wetland Restoration
391	Riparian Forest Buffer	659	Wetland Enhancement
393	Filter Strip	ANM05	Extending riparian forest buffers for water quality protection and wildlife habitat
512	Pasture and Hay Planting	ANM07	Extending existing field borders for water quality protection and wildlife habitat
612	Tree/Shrub Establishment	ANM32	Extending filter strips or riparian herbaceous cover for water quality protection and wildlife habitat

- (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;

<b>Typically applies to wetland and/or floodplain restoration plans.</b> Examples include actions planned through WRP, occasionally EWP, uncommonly WHIP and EQIP/CBWI, PL 83-566.			
342	Critical Area Planting	657	Wetland Restoration
390	Riparian Herbaceous Cover	659	Wetland Enhancement
500	Obstruction Removal		

- (3) Plugging and filling excavated drainage ditches to allow hydrologic conditions to return to pre-drainage conditions to the extent practicable;

<b>Typically applies to wetland restoration plans.</b> Examples include actions planned through WRP, PL 83-566, occasionally WHIP.			
657	Wetland Restoration	659	Wetland Enhancement

- (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;

<b>Typically applies to plans addressing repair/replacement of structures following a storm event.</b> Examples include actions planned through AMA, WHIP, EQIP/CBWI, EWP.			
342	Critical Area Planting	600	Terrace
412	Grassed Waterway	620	Underground Outlet
468	Lined Waterway or Outlet	606	Subsurface Drain
500	Obstruction Removal	362	Diversion

- (5) Restoring the natural topographic features of agricultural fields that were altered by farming and ranching activities for the purpose of restoring ecological processes;

<b>Typically applies to wetland restoration plans.</b> Examples include actions planned through WRP, WHIP.			
657	Wetland Restoration	659	Wetland Enhancement

- (6) Removing or relocating residential, commercial, and other public and private buildings and associated structures constructed in the 100-yr 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 reduced hazards posed to public safety;

<b>Typically applies to EWP or PL 83-566 projects, infrequently WRP.</b>			
342	Critical Area Planting	500	Obstruction Removal

- (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;

<b>Typically applies to EWP.</b>			
342	Critical Area Planting	500	Obstruction Removal

- (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, geotextiles 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);

<b>Typically applies to streambank restoration using bioengineering techniques.</b> Examples include actions planned through EWP, occasionally WHIP & EQIP/CBWI.			
342	Critical Area Planting	500	Obstruction Removal
395	Stream Habitat Improvement and Management	580	Streambank and Shoreline Protection
391	Riparian Forest Buffer		

- (9) Repairing or maintenance of existing small structure or improvements, including structures and improvements utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat conditions (e.g., the repair or stabilization of existing stream crossings for livestock or human passage, levees, culverts, berms, dikes, and associated appurtenances);

<b>Typically applies to plans addressing the repair/maintenance of practices past their lifespan or for practices not meeting NRCS standards.</b> Examples include actions planned through AMA, EQIP/CBWI, WHIP, occasionally WRP.			
342	Critical Area Planting	575	Animal Trails and Walkways
362	Diversion	578	Stream Crossing
382	Fence	582	Open Channel
395	Stream Habitat Improvement and Management	600	Terrace
472	Use Exclusion	620	Underground Outlet
484	Mulching	657	Wetland Restoration
560	Access Road	659	Wetland Enhancement

- (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;

<b>Typically applies to stream, wetland, or habitat restoration plans.</b> Examples include actions planned through EQIP/CBWI, WHIP, WRP.			
342	Critical Area Planting	575	Animal Trails and Walkways
382	Fence	578	Stream Crossing
395	Stream Habitat Improvement and Management	582	Open Channel
472	Use Exclusion	620	Underground Outlet
484	Mulching	657	Wetland Restoration
560	Access Road	659	Wetland Enhancement
561	Heavy Use Area Protection		

- (11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;

<b>Typically applies to restoration and/or habitat plans.</b> Examples include planned actions through EQIP/CBWI, WHIP, WRP.			
314	Brush Management	612	Tree/Shrub Establishment
327	Conservation Cover	643	Restoration and Management of Declining Habitats
342	Critical Area Planting	644	Wetland Wildlife Habitat Management
382	Fence	645	Upland Wildlife Habitat Management
390	Riparian Herbaceous Cover	647	Early Successional Habitat Development/Management
391	Riparian Forest Buffer	657	Wetland Restoration
395	Stream Habitat Improvement and Management	666	Forest Stand Improvement

- (12) Repairing or maintenance of existing constructed fish passageways, such as fish ladders or spawning areas impacted by natural disasters or human alteration;

<b>Typically N/A in Pennsylvania.</b> Occasionally PL 83-566.
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- (13) Repairing, maintaining, or installing fish screens to existing structures;

**Typically N/A in Pennsylvania.** Occasionally associated with AMA irrigation projects.

- (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;

**Typically associated with PL 83-566, flood control dams.**

- (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;

**Typically associated with PL 83-566, flood control dams.**

- (16) Repairing embankment slope failures on structures, originally built to NRCS standards, where the work is confined to the embankment or abutment areas;

**Typically associated with diversions or terraces that are past the practice lifespan or flood control dams.**

Examples include planned actions through EQIP/CBWI and PL 83-566.

342	Critical Area Planting	378	Pond
348	Dam, Diversion	410	Grade Stabilization Structure
358	Dike	600	Terrace
362	Diversion		

- (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 materials such as earth or gravel or placement of parapet walls;

**Typically associated with flood control dams.** Examples include planned actions through PL 83-566, occasionally EWP.

348	Dam, Diversion	402	Dam
378	Pond		

- (18) Modify 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;

**Typically associated with EWP or PL 83-566 small watershed projects.**

- (19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster on or 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;

<b>Typically associated with restoration plans on floodplains.</b> Examples include planned actions through EQIP/CBWI, WHIP, CSP.			
314	Brush Management	574	Spring Development
338	Prescribed Burning	578	Stream Crossing
342	Critical Area Planting	590	Nutrient Management
382	Fence	595	Pest Management
390	Riparian Herbaceous Cover	614	Watering Facility
391	Riparian Forest Buffer	643	Restoration of Rare and Declining Habitats
472	Use Exclusion	644	Wetland Wildlife Habitat Management
511	Forage Harvest Management	645	Upland Wildlife Habitat Management
512	Pasture and Hay Planting	ANM05	Extending riparian forest buffers for water quality protection and wildlife habitat
516	Pipeline	ANM07	Extending existing field borders for water quality protection and wildlife habitat
528	Prescribed Grazing	ANM32	Extending filter strips or riparian herbaceous cover for water quality protection and wildlife habitat

- (20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forested buffer, and critical area planting; and

<b>Typically associated with conservation plans addressing soil erosion.</b> Examples include planned actions through EQIP/CBWI, AMA, CSP.			
314	Brush Management	412	Grassed Waterway
327	Conservation Cover	422	Hedgerow Planting
328	Conservation Crop Rotation	472	Use Exclusion
329	Residue and Tillage Management, No-Till/Strip Till/Direct Seed	511	Forage Harvest Management
340	Cover Crop	512	Pasture and Hay Planting
342	Critical Area Planting	528	Prescribed Grazing
344	Residue Management, Seasonal	585	Stripcropping
345	Residue and Tillage Management, Mulch Till	590	Nutrient Management
346	Residue and Tillage Management, Ridge Till	600	Terrace
362	Diversion	606	Underground Outlet
382	Fence	620	Subsurface Drain
386	Field Border	SOE05	Intensive no-till (Organic or non-organic systems)
390	Riparian Herbaceous Cover	SQL04	Use of cover crop mixed
391	Riparian Forest Buffer	SQL05	Use of deep rooted crops to breakup soil compaction
393	Filter Strip	SQL09	Conversion of cropped land to grass-based agriculture
410	Grade Stabilization Structure	SQL12	Intensive cover cropping in annual crops

- (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.

<b>Typically associated with plans addressing irrigation.</b> Examples include planned actions through EQIP/CBWI, AMA, CSP.			
329	Residue and Tillage Management, No-Till/Strip Till/Direct Seed	516	Pipeline
344	Residue Management, Seasonal	587	Structure for Water Control
345	Residue and Tillage Management, Mulch Till	606	Sub surface Drain
380	Windbreak/Shelterbelt Establishment	WQT01	Irrigation system automation
422	Hedgerow Planting	WQT03	Irrigation pumping plant evaluation
430	Irrigation Pipeline	WQT05	Remote monitoring and notification of irrigation pumping plant operation
441	Irrigation System, Micro-irrigation	WQT07	Regional weather networks for irrigation scheduling
442	Irrigation System, Sprinkler	WQT08	Decrease irrigation water quantity or conversion to non-irrigated crop production
449	Irrigation Water Management		

**Note** – There is **no Categorical Exclusion for Waste Storage Facility (313) or associated practices**. Any practices, including Nutrient Management (590) on crop or pasture, associated with 313 cannot be Categorically Excluded

**Reminder** – For any Categorical Exclusion to apply, the planned action **cannot require any substantial dredging, excavation, or placement of fill**.