
Technical Notes, AK- Food Security Act Compliance

Subject: Minimal Effect Determination with Conditions for High Tunnels

Purpose: To ensure Alaska NRCS adheres to the Minimal Effect Determination with Conditions Exemption criteria for High Tunnels.

Effective Date: 2/15/2014

Reference: M_180_NFSAM – 515.1 (E)

When used: The Minimal Effect with Conditions is typically applied to a garden area associated with a headquarters or within a residential area. The landscape has been developed with roads, houses, and other urbanized features where hydrology, soils, and native vegetation have been impaired, altered, or destroyed. Criteria for making a minimal effect determination for practice 798 that are routinely determined to have a minimal effect on wetland functions and ecosystem services are:

- (i) Does not apply to Red (Category I) and Yellow Flag (Category II) wetlands (Exhibit 1, Alaska Food Security Act Wetland Analysis, 2012);
- (ii) Land use is limited to cultivated cropland only;
- (iii) For Alaska Exempt Wetland (AEW) (Exhibit 2, Alaska Exempt Wetland Label) the land must be cleared at a minimum 3-5 years prior to planting and in production prior to installation of a high tunnel (i.e., land must be naturally drained)(refer to criteria for AEW exception);
- (iv) Design and location will minimize impacts to natural wetland condition;
- (v) Impact area is less than 1/10th of an acre or less than 4,256 sq. ft.;
- (vi) Landscape is dominated with urbanized features such as a residential area where native soils, vegetation, and hydrology indicators have been destroyed or altered.

Process: The mitigation sequence rule; avoid, minimize and then mitigate, must always be applied when determining direct, indirect, and cumulative impacts in implementation of NRCS practices. The Minimal Effect with Conditions is used only when an activity cannot be avoided and when the above criteria are met. For impact areas larger than the 1/10th acre or 4,256 sq. ft., the Minimal Effect with Conditions **does not** apply. *The impact area includes the high tunnel and any area that could be potentially impacted from the construction, operation, and maintenance of the high tunnel.*

If there are any questions please contact:

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