

Kansas Field Office Technical Guide - **Section II**

Special Environmental Concerns

13. Prime Farmland

Notes to Planners:

- Almost all Kansas NRCS activities are not subject to FPPA due to the fact that they are directly related to an agricultural operation and do not irreversibly convert farmland to nonagricultural uses. However, FPPA needs to be considered per NEPA guidelines.
- We will use the [Web Soil Survey \(WSS\)](#) to determine the soils that qualify as Prime Farmlands.

Authority: Farmland Protection Policy Act of 1981, 7CFR§ 658

Purpose:

The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years.

The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners.

For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.

When does this apply?

Projects are subject to FPPA requirements if they may **irreversibly** convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.

Activities not subject to FPPA include:

- Federal permitting and licensing
- Projects planned and completed without the assistance of a Federal agency
- Construction within an existing right-of-way purchased on or before August 4, 1984
- **Construction of on-farm structures needed for farm operations**
- Surface mining, where restoration to agricultural use is planned
- Construction of new minor secondary structures such as a garage or storage shed

For more information visit the NRCS Farmland Protection Policy Act website at http://www.nrcs.usda.gov/wps/portal/nrcs/detail/?ss=16&navtype=SUBNAVIGATION&cid=nrcs143_008275&navid=100170180000000&position=Welcome.Html&ttype=detail. State FPPA contacts can be found on this page as well.