

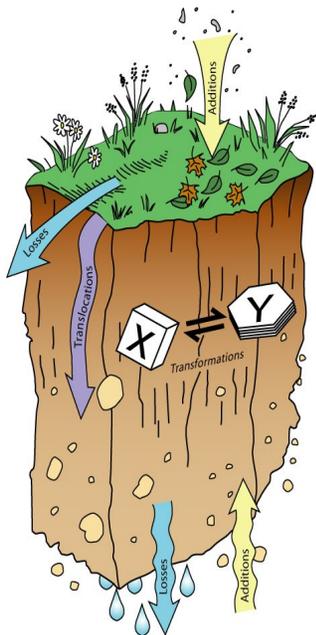
# FARMLAND PROTECTION POLICY ACT (FPPA)

## SA Part of LESA

- Form AD-1006 (Farmland Conversion Impact Rating)
- Form NRCS-CPA-106 (Farmland Conversion Impact Rating for Corridor Type Project)

# LESA

## Land Evaluation and Site Assessment



*USDA is an equal opportunity provider and employer.*

**NRCS** Natural Resources  
Conservation Service

# LESA

Land  
Evaluation

and

Site  
Assessment



United States  
Department of  
Agriculture

Natural Resources  
Conservation  
Service

# Site Assessment (SA) Part of Land Evaluation and Site Assessment (LESA)

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Site Assessment (SA) part of Land Evaluation and Site Assessment (LESA) rates non-soil factors affecting a site's relative importance for agricultural use. The SA factors consist of three kinds:

**SA-1:** Non-soil characteristics -- factors measure non-soil site characteristics related to potential agricultural productivity or farming practices.

**SA-2:** Development pressures -- factors measure development or conversion pressures on a site.

**SA-3:** Historic, scenic, and environmental values -- factors measure other public values of a site, such as historic, cultural, scenic, or environmental values.

The local people on the SA committee need to select the specific factors reflecting the purpose for which the LESA system is to be used.

Examples of items needing to be considered while developing the SA for a jurisdiction are shown in the next slides. These are only examples since each jurisdiction needs to develop the SA items that are unique to meet the goals of its jurisdiction.

# Site Assessment (SA) Part of Land Evaluation and Site Assessment (LESA)

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- SA-1: non-soil site characteristics related to agricultural production
- SA-2: development pressures in the area
- SA-3: historic, scenic, environmental values



# SA-1: Non-Soil Site Characteristics Related to Agricultural Production

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## SA-1 Factors

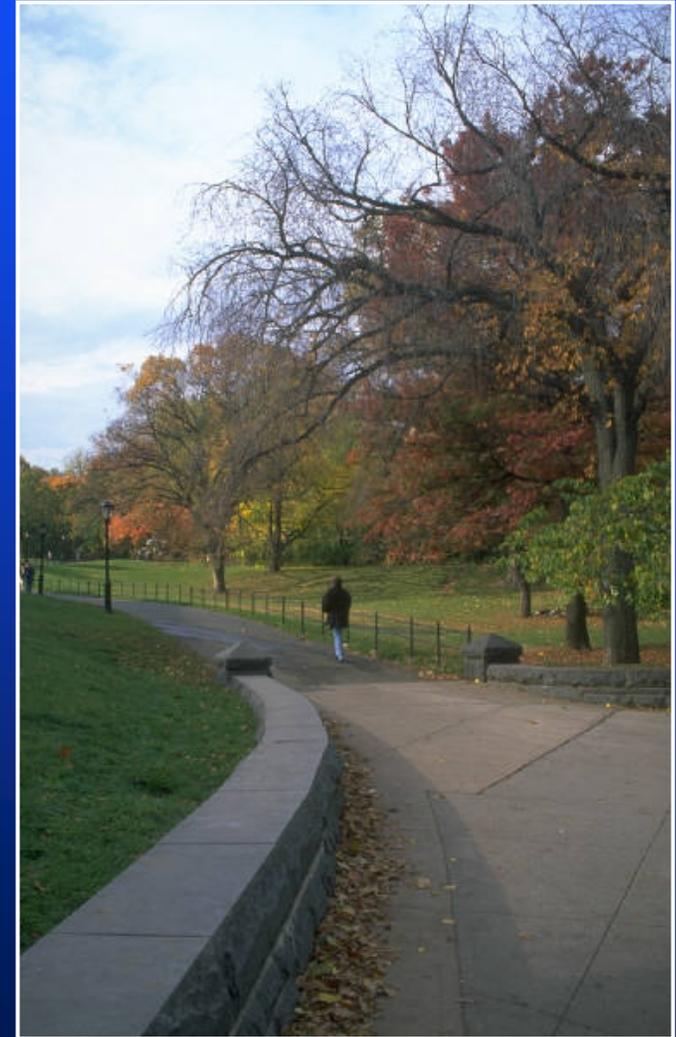
- Size of site
- Compatibility of adjacent uses
- Compatibility of surrounding uses (impact on farm practices)
- Percent of site in agricultural use
- Percent of site feasible to farm
- Level of on-farm investment
- Availability of agricultural support services
- Stewardship of site
- Environmental limitations on agricultural practices
- Availability and reliability of irrigation water



# SA-2: Development Pressures in the Area

## SA-2 Factors

- Land use policy designation
- Percent of surrounding land in urban or rural development use
- Distance to public sewer
- Distance to public water
- Distance to urban feeder highway
- Length of public road frontage
- Distance to urban center
- Proximity to protected farmland



# SA-3: Historic, Scenic, Environmental Values

## SA-3 Factors

- Educational value of site (e.g., for sustainable agriculture)
- Open space strategic value of site (e.g., urban greenbelt)
- Historic building or site
- Site of significant artifacts or relics
- Wetlands and riparian areas
- Scenic values and other rural amenities
- Wildlife habitat – Role in Habitat Fragmentation
- Environmentally sensitive areas
- Floodplains protection



**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:            %		Amount of Farmland As Defined in FPPA Acres:            %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
<b>TOTAL POINTS (Total of above 2 lines)</b>		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

## FARMLAND CONVERSION IMPACT RATING

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS <b>1</b>		Person Completing Form: <b>2</b>	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i> <b>3</b>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated <b>4</b>	Average Farm Size <b>5</b>
Major Crop(s) <b>6</b>	Farmable Land In Govt. Jurisdiction Acres:                      % <b>7</b>		Amount of Farmland As Defined in FPPA Acres:                      % <b>8</b>		
Name of Land Evaluation System Used <b>9</b>	Name of State or Local Site Assessment System <b>10</b>		Date Land Evaluation Returned by NRCS <b>11</b>		
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		<b>12</b>			
B. Total Acres Statewide Important or Local Important Farmland		<b>13</b>			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		<b>14</b>			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		<b>15</b>			
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		<b>16</b>			
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
<b>TOTAL POINTS (Total of above 2 lines)</b>		260			
Site Selected:		Date Of Selection		Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

[Code of Federal Regulations]  
[Title 7, Volume 6]  
[Revised as of January 1, 2009]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 7CFR658.5]

[Page 593-595]

## TITLE 7--AGRICULTURE

### CHAPTER VI--NATURAL RESOURCES CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

#### PART 658\_FARMLAND PROTECTION POLICY ACT--Table of Contents

##### Sec. 658.5 Criteria.

This section states the criteria required by section 1541(a) of the Act, 7 U.S.C. 4202(a). The criteria were developed by the Secretary of Agriculture in cooperation with other Federal agencies. They are in two parts, (1) the land evaluation criterion, relative value, for which NRCS will provide the rating or score, and (2) the site assessment criteria, for which each Federal agency must develop its own ratings or scores. The criteria are as follows:

(a) Land Evaluation Criterion--Relative Value. The land evaluation criterion is based on information from several sources including national cooperative soil surveys or other acceptable soil surveys, NRCS field office technical guides, soil potential ratings or soil productivity ratings, land capability classifications, and important farmland determinations. Based on this information, groups of soils within a local government's jurisdiction will be

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evaluated and assigned a score between 0 to 100, representing the relative value, for agricultural production, of the farmland to be converted by the project compared to other farmland in the same local government jurisdiction, This score will be the Relative Value Rating on Form AD 1006.

 (b) Site Assessment Criteria. Federal agencies are to use the following criteria to assess the suitability of each proposed site or design alternative for protection as farmland along with the score from the land evaluation criterion described in Sec. 658.5(a). Each criterion will be given a score on a scale of 0 to the maximum points shown. Conditions suggesting top, intermediate and bottom scores are indicated for each criterion. The agency would make scoring decisions in

the context of each proposed site or alternative action by examining the site, the surrounding area, and the programs and policies of the State or local unit of government in which the site is located. Where one given location has more than one design alternative, each design should

be considered as an alternative site. 

The site assessment

criteria are:

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent--15 points  
90 to 20 percent--14 to 1 point(s)  
Less than 20 percent--0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent--10 points  
90 to 20 percent--9 to 1 point(s)  
Less than 20 percent--0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?

More than 90 percent--20 points  
90 to 20 percent--19 to 1 point(s)  
Less than 20 percent--0 points

(4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected--20 points  
Site is not protected--0 points

(5) How close is the site to an urban built-up area?

The site is 2 miles or more from an urban built-up area--15 points  
The site is more than 1 mile but less than 2 miles from an urban built-up area--10 points  
The site is less than 1 mile from, but is not adjacent to an urban built-up area--5 points  
The site is adjacent to an urban built-up area--0 points

(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

None of the services exist nearer than 3 miles from the site--15 points  
Some of the services exist more than 1 but less than 3 miles from the site--10 points  
All of the services exist within  $\frac{1}{2}$  mile of the site--0 points

(7) Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each

State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

As large or larger--10 points

Below average--deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average--9 to 0 points

(8) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project--10 points

Acreage equal to between 25 and 5 percent of the acres directly converted by the project--9 to 1 point(s)

Acreage equal to less than 5 percent of the acres directly converted by the project--0 points

(9) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available--5 points

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Some required services are available--4 to 1 point(s)

No required services are available--0 points

(10) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment--20 points

Moderate amount of on-farm investment--19 to 1 point(s)

No on-farm investment--0 points

(11) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted--10 points

Some reduction in demand for support services if the site is converted--9 to 1 point(s)

No significant reduction in demand for support services if the site is converted--0 points

(12) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland--10 points

Proposed project is tolerable to existing agricultural use of surrounding farmland--9 to 1 point(s)

Proposed project is fully compatible with existing agricultural use of surrounding farmland--0 points



(c) Corridor-type Site Assessment Criteria. The

following criteria

are to be used for projects that have a linear or corridor-type site

configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor-type site or design alternative for protection as farmland along with the land evaluation information described in Sec. 658.4(a). All criteria for corridor-type sites will be scored as shown in Sec. 658.5(b) for other sites, except as noted below:

(1) Criteria 5 and 6 will not be considered.

(2) Criterion 8 will be scored on a scale of 0 to 25 points, and criterion 11 will be scored on a scale of 0 to 25 points.

### Site Assessment Scoring for the Twelve Factors Used in FPPA

The Site Assessment criteria used in the Farmland Protection Policy Act (FPPA) rule are designed to assess important factors other than the agricultural value of the land when determining which alternative sites should receive the highest level of protection from conversion to non agricultural uses.

Twelve factors are used for Site Assessment and ten factors for corridor-type sites. Each factor is listed in an outline form, without detailed definitions or guidelines to follow in the rating process. The purpose of this document is to expand the definitions of use of each of the twelve Site Assessment factors so that all persons can have a clear understanding as to what each factor is intended to evaluate and how points are assigned for given conditions.

In each of the 12 factors a number rating system is used to determine which sites deserve the most protection from conversion to non-farm uses. The higher the number value given to a proposed site, the more protection it will receive. The maximum scores are 10, 15 and 20 points, depending upon the relative importance of each particular question. If a question significantly relates to why a parcel of land should not be converted, the question has a maximum possible protection value of 20, whereas a question which does not have such a significant impact upon whether a site would be converted, would have fewer maximum points possible, for example 10.

The following guidelines should be used in rating the twelve Site Assessment criteria:

1. **How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?**

More than 90 percent:	15 points
90-20 percent:	14 to 1 points
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the area within one mile of the proposed site is non-urban area. For purposes of this rule, "non-urban" should include:

- Agricultural land (crop-fruit trees, nuts, oilseed)
- Range land
- Forest land
- Golf Courses
- Non paved parks and recreational areas
- Mining sites
- Farm Storage
- Lakes, ponds and other water bodies
- Rural roads, and through roads without houses or buildings
- Open space
- Wetlands
- Fish production
- Pasture or hayland

Urban uses include:

- Houses (other than farm houses)
- Apartment buildings
- Commercial buildings
- Industrial buildings
- Paved recreational areas (i.e. tennis courts)
- Streets in areas with 30 structures per 40 acres
- Gas stations

- Equipment, supply stores
- Off-farm storage
- Processing plants
- Shopping malls
- Utilities/Services
- Medical buildings

In rating this factor, an area one-mile from the outer edge of the proposed site should be outlined on a current photo; the areas that are urban should be outlined. For rural houses and other buildings with unknown sizes, use 1 and 1/3 acres per structure. For roads with houses on only one side, use one half of road for urban and one half for non-urban.

The purpose of this rating process is to insure that the most valuable and viable farmlands are protected from development projects sponsored by the Federal Government. With this goal in mind, factor S1 suggests that the more agricultural lands surrounding the parcel boundary in question, the more protection from development this site should receive. Accordingly, a site with a large quantity of non-urban land surrounding it will receive a greater number of points for protection from development. Thus, where more than 90 percent of the area around the proposed site (do not include the proposed site in this assessment) is non-urban, assign 15 points. Where 20 percent or less is non-urban, assign 0 points. Where the area lies between 20 and 90 percent non-urban, assign appropriate points from 14 to 1, as noted below.

Percent Non-Urban Land within 1 mile	Points
90 percent or greater	15
85 to 89 percent	14
80 to 84 percent	13
75 to 79 percent	12
70 to 74 percent	11
65 to 69 percent	10
60 to 64 percent	9
55 to 59 percent	8
50 to 54 percent	7
45 to 49 percent	6
40 to 44 percent	5
35 to 39 percent	4
30 to 24 percent	3
25 to 29 percent	2
21 to 24 percent	1
20 percent or less	0

**2. How much of the perimeter of the site borders on land in non-urban use?**

More than 90 percent:	10 points
90 to 20 percent:	9 to 1 point(s)
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the land adjacent to the proposed site is non-urban use. Where factor #1 evaluates the general location of the proposed site, this factor evaluates the immediate perimeter of the site. The definition of urban and non-urban uses in factor #1 should be used for this factor.

In rating the second factor, measure the perimeter of the site that is in non-urban and urban use. Where more than 90 percent of the perimeter is in non-urban use, score this factor 10 points. Where less than 20 percent, assign 0 points. If a road is next to the perimeter, class the area according to the

use on the other side of the road for that area. Use 1 and 1/3 acre per structure if not otherwise known. Where 20 to 90 percent of the perimeter is non-urban, assign points as noted below:

Percentage of Perimeter Bordering Land	Points
90 percent or greater	10
82 to 89 percent	9
74 to 81 percent	8
65 to 73 percent	7
58 to 65 percent	6
50 to 57 percent	5
42 to 49 percent	4
34 to 41 percent	3
27 to 33 percent	2
21 to 26 percent	1
20 percent or Less	0

3. **How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?**

More than 90 percent:	20 points
90 to 20 percent:	19 to 1 point(s)
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the proposed conversion site has been used or managed for agricultural purposes in the past 10 years.

Land is being farmed when it is used or managed for food or fiber, to include timber products, fruit, nuts, grapes, grain, forage, oil seed, fish and meat, poultry and dairy products.

Land that has been left to grow up to native vegetation without management or harvest will be considered as abandoned and therefore not farmed. The proposed conversion site should be evaluated and rated according to the percent, of the site farmed.

If more than 90 percent of the site has been farmed 5 of the last 10 years score the site as follows:

Percentage of Site Farmed	Points
90 percent or greater	20
86 to 89 percent	19
82 to 85 percent	18
78 to 81 percent	17
74 to 77 percent	16
70 to 73 percent	15
66 to 69 percent	14
62 to 65 percent	13
58 to 61 percent	12
54 to 57 percent	11
50 to 53 percent	10
46 to 49 percent	9
42 to 45 percent	8
38 to 41 percent	7
35 to 37 percent	6
32 to 34 percent	5
29 to 31 percent	4
26 to 28 percent	3

23 to 25 percent	2
20 to 22 percent or Less	1
Less than 20 percent	0

4. **Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?**

Site is protected:	20 points
Site is not protected:	0 points

This factor is designed to evaluate the extent to which state and local government and private programs have made efforts to protect this site from conversion.

**State and local policies and programs to protect farmland include:**

**State Policies and Programs to Protect Farmland**

1. Tax Relief:

A. Differential Assessment: Agricultural lands are taxed on their agricultural use value, rather than at market value. As a result, farmers pay fewer taxes on their land, which helps keep them in business, and therefore helps to insure that the farmland will not be converted to nonagricultural uses.

1. Preferential Assessment for Property Tax: Landowners with parcels of land used for agriculture are given the privilege of differential assessment.
2. Deferred Taxation for Property Tax: Landowners are deterred from converting their land to nonfarm uses, because if they do so, they must pay back taxes at market value.
3. Restrictive Agreement for Property Tax: Landowners who want to receive Differential Assessment must agree to keep their land in - eligible use.

B. Income Tax Credits

Circuit Breaker Tax Credits: Authorize an eligible owner of farmland to apply some or all of the property taxes on his or her farmland and farm structures as a tax credit against the owner's state income tax.

C. Estate and Inheritance Tax Benefits

Farm Use Valuation for Death Tax: Exemption of state tax liability to eligible farm estates.

2. "Right to farm" laws:

Prohibits local governments from enacting laws which will place restrictions upon normally accepted farming practices, for example, the generation of noise, odor or dust.

3. Agricultural Districting:

Wherein farmers voluntarily organize districts of agricultural land to be legally recognized geographic areas. These farmers receive benefits, such as protection from annexation, in exchange for keeping land within the district for a given number of years.

4. Land Use Controls: Agricultural Zoning.

Types of Agricultural Zoning Ordinances include:

- A. Exclusive: In which the agricultural zone is restricted to only farm-related dwellings, with, for example, a minimum of 40 acres per dwelling unit.
- B. Non-Exclusive: In which non-farm dwellings are allowed, but the density remains low, such as 20 acres per dwelling unit.

Additional Zoning techniques include:

- A. Sliding Scale: This method looks at zoning according to the total size of the parcel owned. For example, the number of dwelling units per a given number of acres may change from county to county according to the existing land acreage to dwelling unit ratio of surrounding parcels of land within the specific area.

- B. Point System or Numerical Approach: Approaches land use permits on a case by case basis.

LESA: The LESA system (Land Evaluation-Site Assessment) is used as a tool to help assess options for land use on an evaluation of productivity weighed against commitment to urban development.

- C. Conditional Use: Based upon the evaluation on a case by case basis by the Board of Zoning Adjustment. Also may include the method of using special land use permits.

5. Development Rights:

- A. Purchase of Development Rights (PDR): Where development rights are purchased by Government action.

Buffer Zoning Districts: Buffer Zoning Districts are an example of land purchased by Government action. This land is included in zoning ordinances in order to preserve and protect agricultural lands from non-farm land uses encroaching upon them.

- B. Transfer of Development Rights (TDR): Development rights are transferable for use in other locations designated as receiving areas. TDR is considered a locally based action (not state), because it requires a voluntary decision on the part of the individual landowners.

6. Governor's Executive Order: Policy made by the Governor, stating the importance of agriculture, and the preservation of agricultural lands. The Governor orders the state agencies to avoid the unnecessary conversion of important farmland to nonagricultural uses.

7. Voluntary State Programs:

- A. California's Program of Restrictive Agreements and Differential Assessments: The California Land Conservation Act of 1965, commonly known as the Williamson Act, allows cities, counties and individual landowners to form agricultural preserves and enter into contracts for 10 or more years to insure that these parcels of land remain strictly for agricultural use. Since 1972 the Act has extended eligibility to recreational and open space lands such as scenic highway corridors, salt ponds and wildlife preserves. These contractually restricted lands may be taxed differentially for their real value. One hundred-acre districts constitute the minimum land size eligible.

Suggestion: An improved version of the Act would state that if the land is converted after the contract expires, the landowner must pay the difference in the taxes between market value for the land and the agricultural tax value which he or she had been

paying under the Act. This measure would help to insure that farmland would not be converted after the 10 year period ends.

- B. Maryland Agricultural Land Preservation Program: Agricultural landowners within agricultural districts have the opportunity to sell their development rights to the Maryland Land Preservation Foundation under the agreement that these landowners will not subdivide or develop their land for an initial period of five years. After five years the landowner may terminate the agreement with one year notice.

As is stated above under the California Williamson Act, the landowner should pay the back taxes on the property if he or she decides to convert the land after the contract expires, in order to discourage such conversions.

- C. Wisconsin Income Tax Incentive Program: The Wisconsin Farmland Preservation Program of December 1977 encourages local jurisdictions in Wisconsin to adopt agricultural preservation plans or exclusive agricultural district zoning ordinances in exchange for credit against state income tax and exemption from special utility assessment. Eligible candidates include local governments and landowners with at least 35 acres of land per dwelling unit in agricultural use and gross farm profits of at least \$6,000 per year, or \$18,000 over three years.

8. Mandatory State Programs:

- A. The Environmental Control Act in the state of Vermont was adopted in 1970 by the Vermont State Legislature. The Act established an environmental board with 9 members (appointed by the Governor) to implement a planning process and a permit system to screen most subdivisions and development proposals according to specific criteria stated in the law. The planning process consists of an interim and a final Land Capability and Development Plan, the latter of which acts as a policy plan to control development. The policies are written in order to:
- prevent air and water pollution;
  - protect scenic or natural beauty, historic sites and rare and irreplaceable natural areas; and
  - consider the impacts of growth and reduction of development on areas of primary agricultural soils.
- B. The California State Coastal Commission: In 1976 the Coastal Act was passed to establish a permanent Coastal Commission with permit and planning authority. The purpose of the Coastal Commission was and is to protect the sensitive coastal zone environment and its resources, while accommodating the social and economic needs of the state. The Commission has the power to regulate development in the coastal zones by issuing permits on a case by case basis until local agencies can develop their own coastal plans, which must be certified by the Coastal Commission.
- C. Hawaii's Program of State Zoning: In 1961, the Hawaii State Legislature established Act 187, the Land Use Law, to protect the farmland and the welfare of the local people of Hawaii by planning to avoid "unnecessary urbanization". The Law made all state lands into four districts: agricultural, conservation, rural and urban. The Governor appointed members to a State Land Use Commission, whose duties were to uphold the Law and form the boundaries of the four districts. In addition to state zoning, the Land Use Law introduced a program of Differential Assessment, wherein agricultural landowners paid taxes on their land for its agricultural use value, rather than its market value.
- D. The Oregon Land Use Act of 1973: This act established the Land Conservation and Development Commission (LCDC) to provide statewide planning goals and guidelines.

Under this Act, Oregon cities and counties are each required to draw up a comprehensive plan, consistent with statewide planning goals. Agricultural land preservation is high on the list of state goals to be followed locally.

If the proposed site is subject to or has used one or more of the above farmland protection programs or policies, score the site 20 points. If none of the above policies or programs apply to this site, score 0 points.

**5. How close is the site to an urban built-up area?**

The site is 2 miles or more from an urban built-up area	15 points
The site is more than 1 mile but less than 2 miles from an urban built-up area	10 points
The site is less than 1 mile from, but is not adjacent to an urban built-up area	5 points
The site is adjacent to an urban built-up area	0 points

This factor is designed to evaluate the extent to which the proposed site is located next to an existing urban area. The urban built-up area must be 2500 population. The measurement from the built-up area should be made from the point at which the density is 30 structures per 40 acres and with no open or non-urban land existing between the major built-up areas and this point. Suburbs adjacent to cities or urban built-up areas should be considered as part of that urban area.

For greater accuracy, use the following chart to determine how much protection the site should receive according to its distance from an urban area. See chart below:

Distance From Perimeter of Site to Urban Area	Points
More than 10,560 feet	15
9,860 to 10,559 feet	14
9,160 to 9,859 feet	13
8,460 to 9,159 feet	12
7,760 to 8,459 feet	11
7,060 to 7,759 feet	10
6,360 to 7,059 feet	9
5,660 to 6,359 feet	8
4,960 to 5,659 feet	7
4,260 to 4,959 feet	6
3,560 to 4,259 feet	5
2,860 to 3,559 feet	4
2,160 to 2,859 feet	3
1,460 to 2,159 feet	2
760 to 1,459 feet	1
Less than 760 feet (adjacent)	0

**6. How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?**

None of the services exist nearer than 3 miles from the site	15 points
Some of the services exist more than one but less than 3 miles from the site	10 points
All of the services exist within 1/2 mile of the site	0 points

This question determines how much infrastructure (water, sewer, etc.) is in place which could facilitate nonagricultural development. The fewer facilities in place, the more difficult it is to develop an area. Thus, if a proposed site is further away from these services (more than 3 miles distance away), the site should be awarded the highest number of points (15). As the distance of the parcel of land to services decreases, the number of points awarded declines as well. So, when the site is equal to or further than 1 mile but less than 3 miles away from services, it should be given 10 points. Accordingly, if this distance is 1/2 mile to less than 1 mile, award 5 points; and if the distance from land to services is less than 1/2 mile, award 0 points.

Distance to public facilities should be measured from the perimeter of the parcel in question to the nearest site(s) where necessary facilities are located. If there is more than one distance (i.e. from site to water and from site to sewer), use the average distance (add all distances and then divide by the number of different distances to get the average).

Facilities which could promote nonagricultural use include:

- Water lines
- Sewer lines
- Power lines
- Gas lines
- Circulation (roads)
- Fire and police protection
- Schools

7. **Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)**

As large or larger:	10 points
Below average: Deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more is below average	9 to 0 points

This factor is designed to determine how much protection the site should receive, according to its size in relation to the average size of farming units within the county. The larger the parcel of land, the more agricultural use value the land possesses, and vice versa. Thus, if the farm unit is as large or larger than the county average, it receives the maximum number of points (10). The smaller the parcel of land compared to the county average, the fewer number of points given. Please see below:

Parcel Size in Relation to Average County Size	Points
Same size or larger than average (100 percent)	10
95 percent of average	9
90 percent of average	8
85 percent of average	7
80 percent of average	6
75 percent of average	5
70 percent of average	4
65 percent of average	3
60 percent of average	2
55 percent of average	1
50 percent or below county average	0

State and local Natural Resources Conservation Service offices will have the average farm size information, provided by the latest available Census of Agriculture data

**8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**

Acreage equal to more than 25 percent of acres directly converted by the project	10 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project	9 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project	0 points

This factor tackles the question of how the proposed development will affect the rest of the land on the farm. The site which deserves the most protection from conversion will receive the greatest number of points, and vice versa. For example, if the project is small, such as an extension on a house, the rest of the agricultural land would remain farmable, and thus a lower number of points is given to the site. Whereas if a large-scale highway is planned, a greater portion of the land (not including the site) will become non-farmable, since access to the farmland will be blocked; and thus, the site should receive the highest number of points (10) as protection from conversion.

Conversion uses of the Site Which Would Make the Rest of the Land Non-Farmable by Interfering with Land Patterns

Conversions which make the rest of the property nonfarmable include any development which blocks accessibility to the rest of the site. Examples are highways, railroads, dams or development along the front of a site restricting access to the rest of the property.

The point scoring is as follows:

Amount of Land Not Including the Site Which Will Become Non-Farmable	Points
25 percent or greater	10
23 - 24 percent	9
21 - 22 percent	8
19 - 20 percent	7
17 - 18 percent	6
15 - 16 percent	5
13 - 14 percent	4
11 - 12 percent	3
9 - 11 percent	2
6 - 8 percent	1
5 percent or less	0

**9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?**

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

This factor is used to assess whether there are adequate support facilities, activities and industry to keep the farming business in business. The more support facilities available to the agricultural

landowner, the more feasible it is for him or her to stay in production. In addition, agricultural support facilities are compatible with farmland. This fact is important, because some land uses are not compatible; for example, development next to farmland can be dangerous to the welfare of the agricultural land, as a result of pressure from the neighbors who often do not appreciate the noise, smells and dust intrinsic to farmland. Thus, when all required agricultural support services are available, the maximum number of points (5) are awarded. When some services are available, 4 to 1 point(s) are awarded; and consequently, when no services are available, no points are given. See below:

Percent of Services Available	Points
100 percent	5
75 to 99 percent	4
50 to 74 percent	3
25 to 49 percent	2
1 to 24 percent	1
No services	0

**10. Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?**

High amount of on-farm investment	20 points
Moderate amount of non-farm investment	19 to 1 point(s)
No on-farm investments	0 points

This factor assesses the quantity of agricultural facilities in place on the proposed site. If a significant agricultural infrastructure exists, the site should continue to be used for farming, and thus the parcel will receive the highest amount of points towards protection from conversion or development. If there is little on farm investment, the site will receive comparatively less protection. See-below:

Amount of On-farm Investment	Points
As much or more than necessary to maintain production (100 percent)	20
95 to 99 percent	19
90 to 94 percent	18
85 to 89 percent	17
80 to 84 percent	16
75 to 79 percent	15
70 to 74 percent	14
65 to 69 percent	13
60 to 64 percent	12
55 to 59 percent	11
50 to 54 percent	10
45 to 49 percent	9
40 to 44 percent	8
35 to 39 percent	7
30 to 34 percent	6
25 to 29 percent	5
20 to 24 percent	4
15 to 19 percent	3
10 to 14 percent	2
5 to 9 percent	1
0 to 4 percent	0

**11. Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?**

Substantial reduction in demand for support services if the site is converted	10 points
Some reduction in demand for support services if the site is converted	9 to 1 point(s)
No significant reduction in demand for support services if the site is converted	0 points

This factor determines whether there are other agriculturally related activities, businesses or jobs dependent upon the working of the pre-converted site in order for the others to remain in production. The more people and farming activities relying upon this land, the more protection it should receive from conversion. Thus, if a substantial reduction in demand for support services were to occur as a result of conversions, the proposed site would receive a high score of 10; some reduction in demand would receive 9 to 1 point(s), and no significant reduction in demand would receive no points.

Specific points are outlined as follows:

<b>Amount of Reduction in Support Services if Site is Converted to Nonagricultural Use</b>	<b>Points</b>
Substantial reduction (100 percent)	10
90 to 99 percent	9
80 to 89 percent	8
70 to 79 percent	7
60 to 69 percent	6
50 to 59 percent	5
40 to 49 percent	4
30 to 39 percent	3
20 to 29 percent	2
10 to 19 percent	1
No significant reduction (0 to 9 percent)	0

**12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?**

Proposed project is incompatible with existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable of existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

Factor 12 determines whether conversion of the proposed agricultural site will eventually cause the conversion of neighboring farmland as a result of incompatibility of use of the first with the latter. The more incompatible the proposed conversion is with agriculture, the more protection this site receives from conversion. Therefore, if the proposed conversion is incompatible with agriculture, the site receives 10 points. If the project is tolerable with agriculture, it receives 9 to 1 points; and if the proposed conversion is compatible with agriculture, it receives 0 points.

## CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

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The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor-type site or design alternative for protection as farmland along with the land evaluation information.

For Water and Waste Programs, corridor analyses are not applicable for distribution or collection networks. Analyses are applicable for transmission or trunk lines where placement of the lines are flexible.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

- |                          |                       |
|--------------------------|-----------------------|
| (2) More than 90 percent | (3) 15 points         |
| (4) 90 to 20 percent     | (5) 14 to 1 point(s). |
| (6) Less than 20 percent | (7) 0 points          |

(2) How much of the perimeter of the site borders on land in nonurban use?

- |                          |                   |
|--------------------------|-------------------|
| (3) More than 90 percent | (4) 10 point(s)   |
| (5) 90 to 20 percent     | (6) 9 to 1 points |
| (7) less than 20 percent | (8) 0 points      |

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

- |                          |                      |
|--------------------------|----------------------|
| (4) More than 90 percent | (5) 20 points        |
| (6) 90 to 20 percent     | (7) 19 to 1 point(s) |
| (8) Less than 20 percent | (9) 0 points         |

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

- |                       |           |
|-----------------------|-----------|
| Site is protected     | 20 points |
| Site is not protected | 0 points  |

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

- |   |               |
|---|---------------|
| As large or larger  | 10 points     |
| Below average deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average | 9 to 0 points |

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

- |  |                  |
|--|------------------|
| Acreage equal to more than 25 percent of acres directly converted by the project         | 25 points        |
| Acreage equal to between 25 and 5 percent of the acres directly converted by the project | 1 to 24 point(s) |
| Acreage equal to less than 5 percent of the acres directly converted by the project      | 0 points         |

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment	20 points
Moderate amount of on-farm investment	19 to 1 point(s)
No on-farm investment	0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted	25 points
Some reduction in demand for support services if the site is converted	1 to 24 point(s)
No significant reduction in demand for support services if the site is converted	0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

This question determines how much infrastructure (water, sewer, etc.) is in place which could facilitate nonagricultural development. The fewer facilities in place, the more difficult it is to develop an area. Thus, if a proposed site is further away from these services (more than 3 miles distance away), the site should be awarded the highest number of points (15). As the distance of the parcel of land to services decreases, the number of points awarded declines as well. So, when the site is equal to or further than 1 mile but less than 3 miles away from services, it should be given 10 points. Accordingly, if this distance is 1/2 mile to less than 1 mile, award 5 points; and if the distance from land to services is less than 1/2 mile, award 0 points.

Distance to public facilities should be measured from the perimeter of the parcel in question to the nearest site(s) where necessary facilities are located. If there is more than one distance (i.e. from site to water and from site to sewer), use the average distance (add all distances and then divide by the number of different distances to get the average).

Facilities which could promote nonagricultural use include:

- Water lines
- Sewer lines
- Power lines
- Gas lines
- Circulation (roads)
- Fire and police protection
- Schools

7. **Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)**

As large or larger:	10 points
Below average: Deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more is below average	9 to 0 points

This factor is designed to determine how much protection the site should receive, according to its size in relation to the average size of farming units within the county. The larger the parcel of land, the more agricultural use value the land possesses, and vice versa. Thus, if the farm unit is as large or larger than the county average, it receives the maximum number of points (10). The smaller the parcel of land compared to the county average, the fewer number of points given. Please see below:

Parcel Size in Relation to Average County Size	Points
Same size or larger than average (100 percent)	10
95 percent of average	9
90 percent of average	8
85 percent of average	7
80 percent of average	6
75 percent of average	5
70 percent of average	4
65 percent of average	3
60 percent of average	2
55 percent of average	1
50 percent or below county average	0

State and local Natural Resources Conservation Service offices will have the average farm size information, provided by the latest available Census of Agriculture data

**8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**

Acreage equal to more than 25 percent of acres directly converted by the project	10 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project	9 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project	0 points

This factor tackles the question of how the proposed development will affect the rest of the land on the farm. The site which deserves the most protection from conversion will receive the greatest number of points, and vice versa. For example, if the project is small, such as an extension on a house, the rest of the agricultural land would remain farmable, and thus a lower number of points is given to the site. Whereas if a large-scale highway is planned, a greater portion of the land (not including the site) will become non-farmable, since access to the farmland will be blocked; and thus, the site should receive the highest number of points (10) as protection from conversion.

Conversion uses of the Site Which Would Make the Rest of the Land Non-Farmable by Interfering with Land Patterns

Conversions which make the rest of the property nonfarmable include any development which blocks accessibility to the rest of the site. Examples are highways, railroads, dams or development along the front of a site restricting access to the rest of the property.

The point scoring is as follows:

Amount of Land Not Including the Site Which Will Become Non-Farmable	Points
25 percent or greater	10
23 - 24 percent	9
21 - 22 percent	8
19 - 20 percent	7
17 - 18 percent	6
15 - 16 percent	5
13 - 14 percent	4
11 - 12 percent	3
9 - 11 percent	2
6 - 8 percent	1
5 percent or less	0

**9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?**

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

This factor is used to assess whether there are adequate support facilities, activities and industry to keep the farming business in business. The more support facilities available to the agricultural

landowner, the more feasible it is for him or her to stay in production. In addition, agricultural support facilities are compatible with farmland. This fact is important, because some land uses are not compatible; for example, development next to farmland can be dangerous to the welfare of the agricultural land, as a result of pressure from the neighbors who often do not appreciate the noise, smells and dust intrinsic to farmland. Thus, when all required agricultural support services are available, the maximum number of points (5) are awarded. When some services are available, 4 to 1 point(s) are awarded; and consequently, when no services are available, no points are given. See below:

Percent of Services Available	Points
100 percent	5
75 to 99 percent	4
50 to 74 percent	3
25 to 49 percent	2
1 to 24 percent	1
No services	0

**10. Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?**

High amount of on-farm investment	20 points
Moderate amount of non-farm investment	19 to 1 point(s)
No on-farm investments	0 points

This factor assesses the quantity of agricultural facilities in place on the proposed site. If a significant agricultural infrastructure exists, the site should continue to be used for farming, and thus the parcel will receive the highest amount of points towards protection from conversion or development. If there is little on farm investment, the site will receive comparatively less protection. See-below:

Amount of On-farm Investment	Points
As much or more than necessary to maintain production (100 percent)	20
95 to 99 percent	19
90 to 94 percent	18
85 to 89 percent	17
80 to 84 percent	16
75 to 79 percent	15
70 to 74 percent	14
65 to 69 percent	13
60 to 64 percent	12
55 to 59 percent	11
50 to 54 percent	10
45 to 49 percent	9
40 to 44 percent	8
35 to 39 percent	7
30 to 34 percent	6
25 to 29 percent	5
20 to 24 percent	4
15 to 19 percent	3
10 to 14 percent	2
5 to 9 percent	1
0 to 4 percent	0

**11. Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?**

Substantial reduction in demand for support services if the site is converted	10 points
Some reduction in demand for support services if the site is converted	9 to 1 point(s)
No significant reduction in demand for support services if the site is converted	0 points

This factor determines whether there are other agriculturally related activities, businesses or jobs dependent upon the working of the pre-converted site in order for the others to remain in production. The more people and farming activities relying upon this land, the more protection it should receive from conversion. Thus, if a substantial reduction in demand for support services were to occur as a result of conversions, the proposed site would receive a high score of 10; some reduction in demand would receive 9 to 1 point(s), and no significant reduction in demand would receive no points.

Specific points are outlined as follows:

<b>Amount of Reduction in Support Services if Site is Converted to Nonagricultural Use</b>	<b>Points</b>
Substantial reduction (100 percent)	10
90 to 99 percent	9
80 to 89 percent	8
70 to 79 percent	7
60 to 69 percent	6
50 to 59 percent	5
40 to 49 percent	4
30 to 39 percent	3
20 to 29 percent	2
10 to 19 percent	1
No significant reduction (0 to 9 percent)	0

**12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?**

Proposed project is incompatible with existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable of existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

Factor 12 determines whether conversion of the proposed agricultural site will eventually cause the conversion of neighboring farmland as a result of incompatibility of use of the first with the latter. The more incompatible the proposed conversion is with agriculture, the more protection this site receives from conversion. Therefore, if the proposed conversion is incompatible with agriculture, the site receives 10 points. If the project is tolerable with agriculture, it receives 9 to 1 points; and if the proposed conversion is compatible with agriculture, it receives 0 points.

## CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

---

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor-type site or design alternative for protection as farmland along with the land evaluation information.

For Water and Waste Programs, corridor analyses are not applicable for distribution or collection networks. Analyses are applicable for transmission or trunk lines where placement of the lines are flexible.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

- |                          |                       |
|--------------------------|-----------------------|
| (2) More than 90 percent | (3) 15 points         |
| (4) 90 to 20 percent     | (5) 14 to 1 point(s). |
| (6) Less than 20 percent | (7) 0 points          |

(2) How much of the perimeter of the site borders on land in nonurban use?

- |                          |                   |
|--------------------------|-------------------|
| (3) More than 90 percent | (4) 10 point(s)   |
| (5) 90 to 20 percent     | (6) 9 to 1 points |
| (7) less than 20 percent | (8) 0 points      |

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

- |                          |                      |
|--------------------------|----------------------|
| (4) More than 90 percent | (5) 20 points        |
| (6) 90 to 20 percent     | (7) 19 to 1 point(s) |
| (8) Less than 20 percent | (9) 0 points         |

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

- |                       |           |
|-----------------------|-----------|
| Site is protected     | 20 points |
| Site is not protected | 0 points  |

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

- |   |               |
|---|---------------|
| As large or larger  | 10 points     |
| Below average deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average | 9 to 0 points |

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

- |  |                  |
|--|------------------|
| Acreage equal to more than 25 percent of acres directly converted by the project         | 25 points        |
| Acreage equal to between 25 and 5 percent of the acres directly converted by the project | 1 to 24 point(s) |
| Acreage equal to less than 5 percent of the acres directly converted by the project      | 0 points         |

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment	20 points
Moderate amount of on-farm investment	19 to 1 point(s)
No on-farm investment	0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted	25 points
Some reduction in demand for support services if the site is converted	1 to 24 point(s)
No significant reduction in demand for support services if the site is converted	0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:            %		Amount of Farmland As Defined in FPPA Acres:            %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
<b>TOTAL POINTS (Total of above 2 lines)</b>		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

*(See Instructions on reverse side)*

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

**FARMLAND CONVERSION IMPACT RATING  
FOR CORRIDOR TYPE PROJECTS**

<b>PART I (To be completed by Federal Agency)</b>	3. Date of Land Evaluation Request	4. Sheet 1 of _____
---	------------------------------------	---------------------

1. Name of Project	5. Federal Agency Involved
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2. Type of Project	6. County and State
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<b>PART II (To be completed by NRCS)</b>	1. Date Request Received by NRCS	2. Person Completing Form
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3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated   Average Farm Size
---	--

5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: _____ %	7. Amount of Farmland As Defined in FPPA Acres: _____ %
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8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
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<b>PART III (To be completed by Federal Agency)</b>	<b>Alternative Corridor For Segment</b>			
	Corridor A	Corridor B	Corridor C	Corridor D

A. Total Acres To Be Converted Directly				
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B. Total Acres To Be Converted Indirectly, Or To Receive Services				
---	--	--	--	--

C. Total Acres In Corridor				
----------------------------	--	--	--	--

<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>				
--	--	--	--	--

A. Total Acres Prime And Unique Farmland				
--	--	--	--	--

B. Total Acres Statewide And Local Important Farmland				
---	--	--	--	--

C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
---	--	--	--	--

D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
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<b>PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)</b>				
--	--	--	--	--

<b>PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))</b>	<b>Maximum Points</b>			
--	-----------------------	--	--	--

1. Area in Nonurban Use	15			
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2. Perimeter in Nonurban Use	10			
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3. Percent Of Corridor Being Farmed	20			
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4. Protection Provided By State And Local Government	20			
--	----	--	--	--

5. Size of Present Farm Unit Compared To Average	10			
--	----	--	--	--

6. Creation Of Nonfarmable Farmland	25			
-------------------------------------	----	--	--	--

7. Availability Of Farm Support Services	5			
--	---	--	--	--

8. On-Farm Investments	20			
------------------------	----	--	--	--

9. Effects Of Conversion On Farm Support Services	25			
---	----	--	--	--

10. Compatibility With Existing Agricultural Use	10			
--	----	--	--	--

TOTAL CORRIDOR ASSESSMENT POINTS	160			
----------------------------------	-----	--	--	--

<b>PART VII (To be completed by Federal Agency)</b>				
---	--	--	--	--

Relative Value Of Farmland (From Part V)	100			
--	-----	--	--	--

Total Corridor Assessment (From Part VI above or a local site assessment)	160			
---	-----	--	--	--

<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>			
--	------------	--	--	--

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used?
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			YES <input type="checkbox"/> NO <input type="checkbox"/>
--	--	--	--

5. Reason For Selection:
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Signature of Person Completing this Part:	DATE
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**NOTE: Complete a form for each segment with more than one Alternate Corridor**

## CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points  
90 to 20 percent - 14 to 1 point(s)  
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points  
90 to 20 percent - 9 to 1 point(s)  
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points  
90 to 20 percent - 19 to 1 point(s)  
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points  
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points  
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points  
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)  
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points  
Some required services are available - 4 to 1 point(s)  
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points  
Moderate amount of on-farm investment - 19 to 1 point(s)  
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points  
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)  
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points  
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)  
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

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## PROCEDURES FOR FOLLOWING DR 9500-3 AND THE FPPA IN NRCS PROGRAMS AND PROJECTS

### **I.** Purpose.

The following describes procedures for use in following the FPPA, Subtitle I of Title XV of the Agricultural and Food Act of 1981, Public Law 97-98 and the Department's Land Use Policy, USDA Regulation 9500-3.

### **II.** NRCS compliance policy.

(a) NRCS will follow all the federal policies as stated in the FPPA and USDA Regulation 9500-3. The specific assignments applicable to NRCS are found in (1) Departmental Regulation 9500-3,6,d (responsibilities), (2) Sections 1540, 1541(b), 1542,1543 of the FPPA, and (3) the FPPA rule.

(b) NRCS, National Office, will review current provisions of laws, administrative rules and regulations, and policies and procedures to determine if NRCS is in compliance with the FPPA and DR 9500-3. NRCS will make these reviews and will propose the internal policy and procedure changes.

(c) In developing project or measure plans or planning for other NRCS assistance, NRCS personnel will explore all reasonable alternative sites, designs or actions that would meet the purposes of the proposed project. They will evaluate all alternatives involving farmland conversions, as well as evaluating the potential for using nonfarmland corridors or sites.

### **III.** Applicability.

The policies set forth in the National Directive System apply to NRCS technical and financial assistance that may result in farmland conversion to nonagricultural uses.

### **IV.** Use of criteria for assessing actions that are covered by DR 9500-3 or the FPPA.

(a) NRCS will evaluate all proposed assistance to determine if the FPPA or DR 9500-3 applies. The evaluation will be done as part of the environmental assessment (NEPA). In all cases, the evaluation will be made early in the planning stage before final location and design decisions are made. Form AD-1006 or Form NRCS-CPA-106 will be used.

(b) NRCS assistance in the planning and application of conservation treatment and facilities necessary for the operation of the farm unit on which it is installed is not covered by the FPPA or DR 9500-3 and will not be evaluated because the action will not convert farmland to nonagricultural use.

(c) When NRCS assistance is provided and it is determined that conversion of farmland to nonagricultural use would occur, NRCS will evaluate alternative sites or designs.

(1) A local land evaluation (LE) system using criteria in the FPPA rule, section 658.4(a) will be used to evaluate all alternatives located within one local government's jurisdiction. When alternatives occur in multi-governmental jurisdictions, an appropriate regional or state land evaluation system will be used.

(2) Use of site assessments

(i) Where a site assessment system (a complete LESA) has been placed on the state conservationist's list of systems meeting the purpose of the FPPA, that local system will be used.

(ii) If no local site assessment system exists, or if the area of consideration is larger than that of the available local approved site assessment system, an available regional or state site assessment system that has been placed on the state conservationist's list of systems meeting the purpose of the FPPA will be used.

(iii) When a site(s) is to be evaluated where an approved site assessment system(s) is not available at the local, regional, or state level, NRCS will use the site assessment criteria set forth in the FPPA rule (7CFR658.5(b)). Only those site or design alternatives that meet the stated purpose of the project will be evaluated for farmland protection.

**V.** Site developments.

(a) Site-specific

(1) These are localized, self-contained, non-linear projects that come under the criteria in section 658.5(b) of the FPPA rule in the evaluation of direct and indirect farmland conversions. Each of the 12 site assessment criteria will have the weighting shown in section 658.5(b).

(2) During the planning process, care should be taken to consider alternative sites whenever farmland will be converted by a proposed action.

(b) Corridor developments

Corridor-type developments include projects designed to carry services or materials between two distant points and stream improvements or flood control projects that change farmland use. Modifications of the criteria as shown in section 658.5(c) of the FPPA rule will be used to evaluate the corridor-type site projects.

(c) Single sites

In the case of dams, the entire site, dam, spillway(s), pool area, and other appurtenances will be considered in the evaluation. Each alternative location, or design at the same location, that is evaluated for engineering or economic purposes (when it would affect a different amount of farmland), will also be evaluated for farmland protection.

(d) Multiple sites

(1) For planning purposes, where multiple sites exist in a watershed project, the farmland protection evaluation can be carried out using a sampling procedure whenever (1) the major purpose of the project is watershed protection or flood control, (2) a large number of

structures (over 15) are used to alleviate the problem, and (3) sampling procedures are being used to evaluate any other resources.

(2) Any sampling procedure should include representation from all of the different site conditions that may exist. If the land evaluation appears to be uniform for a given number of sites, one score, representative of the group, should be developed. The number of representative samples should be at least five percent for each group.

(3) Each alternative considered in a watershed plan environmental impact statement (EIS) should have been evaluated for farmland protection and the results of the evaluation shown in the discussion of the alternative. This will allow the cumulative impacts of each alternative to be judged and considered-in the decision making process.

## **VI.** Rationale for the selection of an alternative.

(a) For site specific projects, when the total points according to the land evaluation and site assessment criteria are 160 or less, no other alternatives need be considered (7CFR658.4(c)(2). When the total points are between 160 and 220, at least two other alternatives are to be evaluated and the one with the lowest number of points selected unless there are other overriding considerations. In these cases, the file should be documented clearly showing why the alternative with the greater point total was selected, explaining any other overriding considerations.

(b) When the point total is greater than 220 for site-specific projects, three other alternatives should be evaluated and the lowest point total selected unless there are other overriding considerations. If additional reasonable alternatives are not readily available, this should be documented.

(c) For corridor-type projects, the alternative with the lowest point total should be selected.

(d) Watershed projects will be evaluated on the basis of alternative plans consisting of multiple sites rather than individual sites. In selecting the recommended plan, all factors required by law must be considered and evaluated.

(e) Farmland most suitable for protection under these criteria would receive the highest total scores, and farmland least suitable, the lowest scores. In evaluating sites, NRCS will consider:

(1) Alternative sites, locations and designs that would serve the proposed purpose but convert either fewer acres of farmland or other farmland that has a lower relative value;

(2) Use of land that is not farmland or use of existing structures;

(3) Special siting requirements of the proposed project and the extent to which each alternative site meets these requirements.

(f) In making decisions for farmland protection for site with LESA scores greater than 160 points should consider terminating all assistance both technical and financial when the evaluation demonstrates an adverse effect on farmland and the person will not accept alternatives that would have less impact or no acceptable alternatives are found and there is more benefits from protecting the Farmland, than from the proposed conversion project.

[Code of Federal Regulations]  
[Title 7, Volume 6]  
[Revised as of January 1, 2009]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 7CFR658.4]

[Page 592-593]

## TITLE 7--AGRICULTURE

### CHAPTER VI--NATURAL RESOURCES CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

#### PART 658\_FARMLAND PROTECTION POLICY ACT--Table of Contents

##### Sec. 658.4 Guidelines for use of criteria.

As stated above and as provided in the Act, each Federal agency shall use the criteria provided in Sec. 658.5 to identify and take into account the adverse effects of Federal programs on the protection of farmland. The agencies are to consider alternative actions, as appropriate, that could lessen such adverse effects, and assure that such Federal programs, to the extent practicable, are compatible with State, unit of local government and private programs and policies to protect farmland. The following are guidelines to assist the agencies in these tasks:

(a) An agency may determine whether or not a site is farmland as defined in Sec. 658.2(a) or the agency may request that NRCS make such a determination. If an agency elects not to make its own determination, it should make a request to NRCS on Form AD-1006, the Farmland Conversion Impact Rating Form, available at NRCS offices, for determination of whether the site is farmland subject to the Act. If neither the entire site nor any part of it are subject to the Act, then the Act will not apply and NRCS will so notify the agency. If the site is determined by NRCS to be subject to the Act, then NRCS will measure the relative value of the site as farmland on a scale of 0 to 100 according to the information sources listed in Sec. 658.5(a). NRCS will respond to these requests within 10 working days of their receipt except that in cases where a site visit or land evaluation system design is needed, NRCS will respond in 30 working days. In the event that NRCS fails to complete its response within the required period, if further delay would interfere with construction activities, the agency should proceed as though the site were not farmland.

(b) The Form AD 1006, returned to the agency by NRCS will also include the following incidental information: The total amount of farmable land (the land in the unit of local government's jurisdiction that is capable of producing the commonly grown crop); the percentage of the jurisdiction that is farmland covered by the Act; the percentage of farmland in the jurisdiction that the project would convert; and the percentage of farmland in the local government's jurisdiction with the same or higher relative value than the land that the project would convert. These statistics will not be part of the criteria scoring process, but are intended simply to furnish additional background information to Federal agencies to aid them in considering the effects of their projects on farmland.

(c) ① After the agency receives from NRCS the score of a site's relative value as described in Sec. 658.4(a) and then applies the site assessment criteria which are set forth in Sec. 658.5 (b) and (c), the agency will assign to the site a combined score of up to 260 points, composed of up to 100 points for relative value and up to 160 points for the site assessment. With this score the agency will be able to identify the effect of its programs on farmland, and make a determination as to the suitability of the site for protection as farmland. Once this score is computed, USDA recommends:

(1) Sites with the highest combined scores be regarded as most suitable for protection under these criteria and sites with the lowest scores, as least suitable.

(2) ② Sites receiving a total score of less than 160 need not be given further consideration for protection and no additional sites need to be evaluated.

(3) Sites receiving scores totaling 160 or more be given increasingly higher levels of consideration for protection.

(4) When making decisions on proposed actions for sites receiving scores

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totaling 160 or more, agency personnel consider:

- (i) Use of land that is not farmland or use of existing structures;
- (ii) Alternative sites, locations and designs that would serve the proposed purpose but convert either fewer acres of farmland or other farmland that has a lower relative value;
- (iii) Special siting requirements of the proposed project and the extent to which an alternative site fails to satisfy the special siting requirements as well as the originally selected site.

(d) **3** Federal agencies may elect to assign the site assessment criteria relative weightings other than those shown in Sec. 658.5 (b) and (c). If an agency elects to do so, USDA recommends that the agency adopt its alternative weighting system (1) through rulemaking in consultation with USDA, and (2) as a system to be used uniformly throughout the agency. USDA recommends that the weightings stated in Sec. 658.5 (b) and (c) be used until an agency issues a final rule to change the weightings.

(e) It is advisable that evaluations and analyses of prospective farmland conversion impacts be made early in the planning process before a site or design is selected, and that, where possible, agencies make the FPPA evaluations part of the National Environmental Policy Act (NEPA) process. Under the agency's own NEPA regulations, some categories of projects may be excluded from NEPA which may still be covered under the FPPA. Section 1540(c)(4) of the Act exempts projects that were beyond the planning stage and were in either the active design or construction state on the effective date of the Act. Section 1547(b) exempts acquisition or use of farmland for national defense purposes. There are no other exemptions of projects by category in the Act.

(f) **4** Numerous States and units of local government are developing and adopting Land Evaluation and Site Assessment (LESA) systems to evaluate the productivity of agricultural land and its suitability for conversion to nonagricultural use. Therefore, States and units of local government may have already performed an evaluation using criteria similar to those contained in this rule applicable to Federal agencies. USDA recommends that where sites are to be evaluated within a jurisdiction having a State or local LESA system that has been approved by the governing body

of such jurisdiction and has been placed on the NRCS State conservationist's list as one which meets the purpose of the FPPA in balance with other public policy objectives, Federal agencies use that system to make the evaluation.

(g) **5** To meet reporting requirements of section 1546 of the Act, 7 U.S.C. 4207, and for data collection purposes, after the agency has made a final decision on a project in which one or more of the alternative sites contain farmland subject to the FPPA, the agency is requested to return a copy of the Form AD-1006, which indicates the final decision of the agency, to the NRCS field office.

(h) Once a Federal agency has performed an analysis under the FPPA for the conversion of a site, that agency's, or a second Federal agency's determination with regard to additional assistance or actions on the same site do not require additional redundant FPPA analysis.

[49 FR 27724, July 5, 1984, as amended at 59 FR 31118, June 17, 1994]