

Appendix H: Farmlands

§ 658.4

shall not be deemed to provide a basis for any action, either legal or equitable, by any person or class of persons challenging a Federal project, program, or other activity that may affect farmland. Neither the Act nor this rule, therefore, shall afford any basis for such an action. However, as further provided in section 1548, the governor of an affected state, where a state policy or program exists to protect farmland, may bring an action in the Federal district court of the district where a Federal program is proposed to enforce the requirements of section 1541 of the Act, 7 U.S.C. 4202, and regulations issued pursuant to that section.

[49 FR 27724, July 5, 1984, as amended at 59 FR 31117, June 17, 1994]

§ 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 § 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 § 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 § 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

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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) After the agency receives from NRCS the score of a site's relative value as described in § 658.4(a) and then applies the site assessment criteria which are set forth in § 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) 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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March 10, 2006

Utah State Office
 Natural Resources Conservation Service
 Attention: Ms. Judy Henline
 125 S. State Street
 Salt Lake City, UT 84138

**Re: Central Utah Rail Environmental Impact Statement
 Farmland Conversion Impact Rating Form**

Dear Ms. Henline:

The Surface Transportation Board (STB) is in the process of preparing an Environmental Impact Statement (EIS) for a proposed new rail line that would run through Sanpete, Sevier, and Juab Counties in Utah. The proposed project involves the construction and operation of approximately 43 miles of rail line between the existing Union Pacific Railroad (UPRR) line on the north (close to Levan), south through Juab, Sanpete, and Sevier counties, to where Interstate 70 crosses the Sevier Valley just north of Sigurd (see attached map and project information). The purpose of the proposed project is to reduce the number of coal trucks using portions of I-70, SR-50, I-15, SR-28 and SR-10. Currently most segments of these roads experience 750 trucks per day, with 1500 trucks passing through Salina per day. Reducing the number of trucks on these roads would decrease congestion, increase the quality of life through towns such as Salina, Centerfield, Gunnison and Fayette, and reduce wear and tear to state roads and interstates.

The Build Alternatives include the Proposed Action (Alternative B) and one other Alternative (Alternative C). The alignment of the Proposed Action would be generally north-south and would pass to the east of Chicken Creek Reservoir and through the Juab Plain, a valley between the Pahvant Range and Valley Mountains to the west and the San Pitch Mountains to the east. The Proposed Action would cross Yuba Reservoir at Yuba Hill, south of Yuba State Park, where the reservoir narrows. The Proposed Action continues southward along the western edge of a marshy area south of the reservoir, where it continues along the western edge of the agricultural areas in the Sevier Valley roughly parallel but east of an existing high voltage transmission line. It gradually veers to the south-southeast and then south toward the Sanpete - Sevier County line and eventually to Salina where the alternative terminates at the proposed loading facility north of Interstate 70 near Salina's industrial park.

Alternative C would follow the same alignment as the Proposed Action until a point about 4.5 miles north of the Sanpete/Sevier County border. At this point, Alternative C would run south on the west side of the Piute canal, about .5 to 1.0 mile west of Proposed Action but east of the existing high voltage transmission line. Alternative C would continue south essentially parallel but west of the Proposed Action and the Piute canal across the Sanpete/Sevier county border where it would then re-join the Proposed Action about 0.5 miles north of where the Proposed Action crosses US 50, about 3 miles west of Salina.

In conjunction with Vic Parslow of the Richfield NRCS field office, HDR has calculated impacts

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to farmland, including specially designated farmland. Based on information from the NRCS and as shown on the attached table, the study area contains 1,055 acres of prime farmland. This farmland is primarily in dryland wheat. Mr. Parslow noted that farmland existed in the study area that was considered prime *when farmed*. However, due to drought conditions and crop rotation, certain farmlands are not being currently farmed and irrigated and therefore are not included as prime farmland. About 2.7 acres of prime farmland would be indirectly impacted by Alternative C. While there is no unique farmland in the study area, there are 1,079 acres of state important farmland as designated by NRCS. This farmland is primarily in pasture and alfalfa. No indirect impacts to state important farmland is anticipated from either alternative.

Attached please find the Farmland Conversion Impact Rating Form with Parts I and III completed. Supporting information is also attached, including figures and table of acreages from the Draft EIS.

Please evaluate the supporting data and notify us if there are changes to our calculations. We would appreciate a response with the appropriate sections of the form completed as soon as possible. Please call me at (801) 743-7800 if you need additional information or have questions

Sincerely,


Heidi Spoor
HDR Engineering, Inc.

cc: File

Enclosures:

Farmland Conversion Impact Rating Form(s) for Corridor Type Projects, NRCS-CPA-106
Central Utah Rail Draft EIS figures and table

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U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

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

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 3/10/06	4. Sheet 1 of 1		
1. Name of Project Central Utah Rail		5. Federal Agency Involved FTA			
2. Type of Project New Rail Line		6. County and State Juab, Sanpete, Sevier Counties, Utah			
PART II (To be completed by NRCS)		1. Date Request Received by NRCS:	2. Person Completing Form:		
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: %	
8. Name Of Land Evaluation System Used		9. Name of Local Site Assessment System		10. Date Land Evaluation Returned by NRCS	
PART III (To be completed by Federal Agency)		Alternative Corridor For Segment			
		Corridor B	Corridor C	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		15	26		
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		15	26	0	0
PART IV (To be completed by NRCS) Land Evaluation Information					
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					
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)					
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))		Maximum Points			
1. Area in Nonurban Use		15	15	15	
2. Perimeter in Nonurban Use		10	10	10	
3. Percent Of Corridor Being Farmed		20	15	15	
4. Protection Provided By State And Local Government		20	15	15	
5. Size of Present Farm Unit Compared To Average		10	10	10	
6. Creation Of Nonfarmable Farmland		25	10	15	
7. Availability Of Farm Support Services		5	5	5	
8. On-Farm Investments		20	20	20	
9. Effects Of Conversion On Farm Support Services		25	10	10	
10. Compatibility With Existing Agricultural Use		10	4	9	
TOTAL CORRIDOR ASSESSMENT POINTS		160	114	124	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Corridor Assessment (From Part VI above or a local site assessment)		160	114	124	0
TOTAL POINTS (Total of above 2 lines)		260	114	124	0
1. Corridor Selected: To Be Determined	2. Total Acres of Farmlands to be Converted by Project: Depends on alignment chosen	3. Date Of Selection:		4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
5. Reason For Selection:					
Signature of Person Completing this Part: <i>Hindi-Kris Lopez</i>		DATE <i>3-10-06</i>			
NOTE: Complete a form for each segment with more than one Alternate Corridor					

Table 1. Direct and Indirect Impacts on Prime and State Important Farmland

Type of Farmland	Farmland Study Area (acres)	Alternative A (acres)	Alternative B (acres)	Alternative C (acres)
Prime Farmland				
Direct impacts	NA	0	12.1	19.99
Indirect impacts ^c	NA	0	0	2.7
State Important Farmland				
Direct impacts	NA	0	3.1	3.06
Indirect impacts ^c	NA	0	0	0
Total		0	15.2	25.75

^c This number includes farmland outside the right-of-way that would no longer be farmable due to small parcel size, lack of access, or other reasons.



