U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

DRAFT ENVIRONMENTAL ASSESSMENT

Broiler House Construction Proposal in Union County

Prepared By
Adam Kaufman, USDA, Farm Service Agency
State Environmental Coordinator

06/29/2020
**Proposed Action:**
The Farm Service Agency of the United States Department of Agriculture proposes to provide Farm Loan Program assistance to finance the construction of (4) 46’ x 600’ broiler houses and related infrastructure on a 20 acre tract of land in Union County. The physical location of this proposal would take place approximately 1.7 miles southeast of Strong Arkansas. The legal description of this proposed location is Section 3, Township 19 South, Range 12 West in Union County Arkansas.

**Type of Document:**
This is a site-specific Environmental Assessment

**Lead Agency:**
United States Department of Agriculture (USDA) Farm Service Agency (FSA)

**Cooperating Agencies:**
None

**Further Information:**
Adam Kaufman, USDA, Farm Service Agency, 419 West Gaines Street, Monticello, AR 71655.

**Comments:**
This Environmental Assessment (EA) was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementing procedures found in 7 CFR 799, as well as the NEPA of 1969, Public Law 91-140, 42 US Code 4321-4347, as amended.

A Notice of Availability (NOA) of the Draft EA will be published in the El Dorado-News Times newspaper on 06/29/2020, 06/30/2020, and 07/01/2020 with instructions for providing written comments. A copy of the Draft EA and related material will be made available as provided by the NOA at USDA, Farm Service Agency, 310 North Cherry Street Hamburg, AR 71646-3002 by appointment only. The Draft EA document itself will also be posted from 06/29/2020 thru 07/30/2020 to the FSA State website at: [https://www.fsa.usda.gov/state-offices/Arkansas/index](https://www.fsa.usda.gov/state-offices/Arkansas/index)

Written comments regarding the Draft EA will be accepted thru 07/30/2020 and need to be mailed to the following address:

USDA, Farm Service Agency
419 West Gaines Street
Monticello, AR
71655
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<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>ADEQ</td>
<td>Arkansas Department of Environmental Quality</td>
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<tr>
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<td>Arkansas Natural Resource Commission</td>
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<td>AR</td>
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<tr>
<td>ATV</td>
<td>All-terrain vehicle</td>
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<tr>
<td>BMP's</td>
<td>Best Management Practices</td>
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<td>Concentrated Animal Feeding Operation</td>
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<td>Comprehensive Nutrient Management Plan</td>
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<td>Information for Planning and Conservation</td>
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<td>May Affect, Not Likely to Adversely Affect</td>
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1. INTRODUCTION

1.1 Background

- The United States Department of Agriculture (USDA) Farm Service Agency (FSA) proposes to provide assistance to a loan applicant that wishes to establish an integrated broiler facility on a 20 acre tract of land currently owned by the applicant. This proposed facility would have the capacity to house approximately 36,800 birds per house and 147,200 broilers per flock, at maximum capacity, which would meet FSA’s definition of a large Confined Animal Feeding Operation (CAFO). Flock placement would be dependent on bird variety, needs of the integrator, supply and demand, and several other factors. A flock of broilers is typically kept on the farm for approximately 6-8 weeks. It is anticipated that the farm would receive approximately 4 to 6 flocks annually.

- This proposed farm would not be located in the Nutrient Surplus Area. SEE APPENDIX A-7. Appendices A and B contain maps and photos of the proposed project area. A detailed description of the components of the proposed project, the project site and related surrounding area of potential effect is further described in Section 2.1 of this document.

1.2 Purpose and Need for the Proposed Action

The purpose of the proposed project/action is to implement USDA, Farm Service Agency programs, to make available economic opportunity to help rural America thrive, and to promote agriculture production that better nourishes Americans and help feed others throughout the world. FSA is tasked with this mission as provided for by the Food and Security Act of 1985 as amended, the Consolidated Farm and Rural Development Act as amended, and related implementing regulations found in 7 CFR Parts 762 and 764.

The need for the proposed action is to fulfill FSA’s responsibility to provide access to credit, and to help improve the stability and strength of the agricultural economy, including to start, improve, expand, transition, market, and strengthen family farming and ranching operations, and to provide viable farming opportunities for family and beginning farmers and meet the needs of small and beginning farmers, women and minorities. Specifically, in the case of this loan request, FSA’s need is to respond to the applicant’s request for funding to support the proposed action.

FSA Farm Loan Program Assistance is not available for commercial operations or facilities that are not family farms, or to those having the ability to qualify for commercial credit without the benefit of FSA assistance. The applicants have been determined to be a family farm as defined by 7 CFR 761.2. The proposed action would allow them the opportunity to establish their family farming operation and provide the economic stability to meet the needs of the family.

In addition, poultry integrators have a demand for new facilities such as these to provide an adequate supply for processing plants and keep them operating at an economically feasible capacity. Specialized livestock facilities such as those proposed, have a limited useful life as they become functionally obsolete as technology advances. Accordingly, a pipeline of new facilities is necessary to insure an adequate and economical supply of low cost protein food for the nation.
1.3 Decision To Be Made

FSA’s decision is whether to:
• Approve the applicant’s loan request;
• Approve the request with additional mitigations; or
• Deny the loan request.

1.4 Regulatory Compliance

This Environmental Assessment is prepared to satisfy the requirements of NEPA (Public Law 91-190, 42 United States Code 4321 et seq.); its implementing regulations (40 CFR 1500-1508); and FSA implementing regulations, Environmental Quality and Related Environmental Concerns – Compliance with the National Environmental Policy Act (7 CFR 799). The intent of NEPA is to protect, restore, and enhance the human environment through well informed Federal decisions. A variety of laws, regulations, and Executive Orders (EO) apply to actions undertaken by Federal agencies and form the basis of the analysis.

All fifty states have enacted right-to-farm laws that seek to protect qualifying farmers and ranchers from nuisance lawsuits filed by individuals who move into a rural area where normal farming operations exist, and who later use nuisance actions to attempt to stop those ongoing operations. The Right to Farm law for Arkansas (Ark. Code Ann. § 24101) protects farming operations from nuisance claims when farms were established prior to the use of the area surrounding the agricultural operation for nonagricultural activities and those farms employ methods or practices commonly or reasonably associated with agricultural production.

1.5 Public Involvement and Consultation

Scoping is an early and open process to involve agencies, organizations, and the public in determining the issues to be addressed in the environmental document. Among other tasks, scoping determines important issues and eliminates issues determined not to be important; identifies other permits, surveys and consultations required with other agencies; and creates a schedule that allows adequate time to prepare and distribute the environmental document for public review and comment before a final decision is made. Scoping is a process that seeks opinions and consultation from the interested public, affected parties, and any agency with interests or legal jurisdiction.

1.5.1 Internal Scoping

USDA staff of various specialties have been consulted regarding the purpose and need, issues and impact topics appropriate for consideration for the proposed activity. A site visit and pedestrian review was completed by Adam Kaufman, USDA, Farm Service Agency on 05/12/2020. Site visit notes and photographs are included in APPENDIX B.
1.5.2 External Scoping

USDA FSA has completed research and the following tasks and efforts:

- Research of U.S. Fish and Wildlife Service (USFWS) - Information, Planning, and Conservation System (IPaC) about the project’s potential to affect federally listed species as required by the Endangered Species Act of 1973. SEE APPENDICES D-1 and D-2.
- Consultation with the State Historic Preservation Officer (SHPO) to ensure that compliance with the requirements of Section 106 of the National Historic Preservation Act (NHPA) are met and that significant impacts to historic properties would not result from the project SEE APPENDIX E-3.
- Consultation with Tribal Historic Preservation Officers (THPO): Bob Komardley of the Apache Tribe of Oklahoma, Derek Hill of the Caddo Nation, Lindsey Bilyeu of the Choctaw Nation of Oklahoma, Linda Langley of the Coushatta Tribe of Louisiana, Alina Shively of the Jena Band of Choctaw Indians, Phyliss Anderson of the Mississippi Band of Choctaw Indians, Dr. Andrea Hunter of the Osage Nation, Everett Bandy of the Quapaw Tribe of Indians and Tonya Tipton of the Shawnee Tribe of Oklahoma, and Erin Thompson of the United Keetoowah Band of Cherokee Indians to ensure that compliance with the requirements of Section 106 of the NHPA are met and that significant impacts to historic properties would not result from the project. SEE APPENDIX E-3
- FSA staff completed Form FSA-858, “Determining if a Wetland May Be Present” to screen for wetland indicators where ground disturbance associated with project would take place SEE APPENDIX J-2

1.5.3 Public Involvement

The Draft EA and supporting documentation will be made available for public review and comment from 06/29/2020 to 07/30/2020 at USDA, Farm Service Agency, 310 North Cherry Street Hamburg, AR 71646-3002. The Draft document itself will also be posted on the Arkansas FSA state website https://www.fsa.usda.gov/state-offices/Arkansas/index from 06/29/2020 to 07/30/2020. A notice of the availability of the draft EA will be published in the El Dorado-News Times on 06/29/2020, 06/30/2020 and 07/01/2020. Comments regarding this proposal should be submitted by mail to USDA, Farm Service Agency, Attn: Adam Kaufman, 419 West Gaines Street, Monticello, AR 71655 through 07/30/2020.
2. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 Alternative A - Proposed Action

The proposed action involves FSA providing a participation loan in conjunction with a conventional lender that would be used to establish a new (4) house broiler farm on a rectangular shaped 20 acre tract of land in Union County in southern Arkansas. This 20 acre tract is located approximately 1.8 miles southeast of Strong, AR. The 20 acre tract of land is located in Section 3, Township 19 South, Range 12 West in Union County Arkansas. This area is considered to be in the South Central Plains eco region of Arkansas. The proposed site was established mixed pine and hardwood timber. The majority of the marketable timber was harvested by the previous owner of this tract in November 2018. SEE APPENDIX B. The proposed site is currently vegetated with non marketable timber, seed trees that were left behind to naturally replant the tract, regrowth of various trees that were cut down, and other native vegetation common in this area consisting of sage brush, brambles, and various other forbs and saplings. The proposal would involve 10.6 acres of ground disturbance based on the engineering plans that were submitted and the majority of the ground disturbance would take place on the northern half of this 20 acre tract of land of land SEE APPENDIX A-5. The northern half of the 20 acre tract is relatively flat and has slopes ranging from 1 to 8 percent, then the southern half of the 20 acre tract begins to slope downward and has slopes ranging from 8 to 15 percent SEE APPENDIX J-2.

The applicants would enter into a contract with a poultry integrator, who would place flocks of broilers on the farm, where they would be grown to market size. The applicants, as growers, would be responsible for providing the equipment, utilities, and labor required to house and manage the flock including feeding, watering, brooding, waste disposal, maintaining the houses, and providing for animal welfare, sanitation, and biosecurity. The integrator would supply the chicks, feed, labor to deliver and remove the birds from the farm, veterinary services, and technical support to the grower.

There are no existing structures on this 20 acre tract of land and the tract has no other improvements. The tract is bordered to the north by Vestal Loop, which is an asphalt road that runs east and west 1.75 miles and then north and south 1.6 miles and connects with Arkansas State Highway 129 in both directions. SEE APPENDIX A. The 20 acre tract lies approximately .7 miles southeast of Highway 82, which runs east and west along the southern border of Arkansas in between El Dorado and Crossett. The proposed operation would be accessed via a proposed gravel driveway that would connect with Vestal Loop. SEE APPENDIX A-4.

The proposed broiler operation would be surrounded by timber lands in all directions consisting of mixed timber tracts and monocultures established in pine plantations. SEE APPENDIX A-1. The nearest neighboring dwelling in relation to the proposal is approximately 700’ west of the western border of the 20 acre tract. The proposed poultry houses would run north and south and would be stacked east and west. The westernmost poultry house would lie approximately 155’ east of the property line, putting the nearest neighboring residence 855’ to the west of the nearest proposed poultry house. There are several residences along Vestal Loop. SEE APPENDIX A-5. The nearest church in relation to this proposal would be the First Baptist Church, which is located 1.76 miles to the northwest. SEE APPENDIX A-6. The nearest schools would be Strong Elementary which would be located 1.54 miles to the northwest. SEE APPENDIX A-5. According to the Union County Conservation District 13 poultry farms registered for the
2019 production year. According to NASS, Union county had 6,300 head of cattle, including calves as of January 2020. SEE APPENDIX K-2.

Proposed improvements would consist of (4) 46’ x 600’ broiler houses that would be running north and south and would be stacked east and west. SEE APPENDIX A-4. These structures would be built on top of earthen pads that would have dimensions of 50’ x 630’. Each house would have the potential to typically accommodate approximately 36,800 birds at maximum capacity, which would equate to 147,200 birds per flock. A load out pad would be leveled and graded, on the north side of the poultry house pads running parallel to Vestal Loop. The load out pad would be approximately 100’ north to south and extend east and west on the north side of each proposed chicken house. The load out pad would allow live haul, feed trucks, and other traffic to turn safely while entering and exiting this proposed facility and provide an area to store equipment as well. The proposed load out pad would would lie approximately 75’ south of Vestal Loop. This proposed broiler facility would utilize an incinerator as a method of mortality disposal, which is an ANRC approved method and would be located towards the center of this proposed facility, south of the generator shed. SEE APPENDIX A-4. A 10’ x 12’ generator shed would be placed in the very center of the (4) proposed broiler houses. This generator shed would have a wood frame, metal roof and sides, sit on top of a concrete slab, and would house (2) 125 kW, tier 3 emission, diesel generators which would be controlled by (2) 400 Amp transfer switches. The generators would serve as a backup power supply for this proposed broiler facility in the event of a power outage and utilize low sulfur diesel as a fuel source, stored in a 500 gallon above ground storage tank. Underground wires in conduit would run from the generators and be plumbed into each poultry house.

Related infrastructure would include access roads in between and around the (4) broiler houses themselves, utility lines for water and electricity, and above ground storage tanks for propane to heat these facilities. Electricity to this proposed facility would run from the existing service connection that runs on east and west on the south side of Vestal Loop.

This proposed broiler operation would have a rural water supply, which is also on the south side of Vestal Loop and would also utilize either (1) or (2) proposed water wells as an alternative or backup water supply. The location of these wells is currently unknown. These proposed wells would be drilled to an estimated depth of 300’. Underground plumbing would run from the wells into the proposed broiler facilities. The proposed houses would utilize tube heaters fueled by propane as a heat source, which would be stored in 1,000 gallon tanks in between each proposed house.

According to the SWPPP, this proposal would involve 10.6 acres of ground disturbance on this 20 acre, rectangular shaped tract. SEE APPENDIX C-1. The applicant purchased this 20 acres from individual who clear cut the majority of the marketable timber in November 2018. The timber was harvested and the stumps, limbs, and debris from the harvest still remain scattered throughout the tract. The tract is currently established in mixed native vegetation, consisting of regrowth and saplings, various grasses, and forbs. There a few spindly trees that were not harvested. The load out area, roads in between the proposed houses, and the access road to the proposed site, would all be covered with gravel. Trenches for the proposed water and underground electric lines would be dug with a ditch witch to an approximate depth of 3.5’ deep.

There are no connected actions associated with this proposal at this time, however it would be possible to expand this operation in the future if the applicants were presented the opportunity to do so. Any
future expansion financed with FSA funds would require a subsequent environmental review that meets the requirements of 1-EQ (revision 3).

2.2 Alternative B - No Action Alternative
The No Action Alternative means the loan would not be made and the farm described in Section 2.1 above (Proposed Action) would not be built. The applicant would allow the proposed site to re-vegetate itself in native vegetation, be converted to grasslands and used as pasture ground or hay a meadow, or be mechanically replanted in pine trees.

2.3 Alternative C
An alternative location would not be feasible, as the proposed project would take place on property the applicants already own. This location is near the applicant’s dwelling which would be the farming headquarters of this proposed operation. Integrators typically require a farm manager to live in close proximity to the proposed farm. The applicant owns additional land in this vicinity, which is established to graze cattle.

The proposed project was designed to require the least amount of ground disturbance possible while taking the surrounding environment into consideration as well. If this proposal were to be moved farther to the south, it would require a longer access road and utilities would need to be run further. Moving the proposed site farther to the south on the 20 acre tract would put the proposed structures farther away from the nearest dwelling to the west. The proposed site is a relatively flat area with 1% to 8% slopes. The southern half of this 20 acre tract has steeper terrain with slopes ranging from 8% to 15%. SEE APPENDIX J-2. Electing to move the proposed site farther to the east, west, or north would not be a viable option due to encroachment. The proposed site configuration was designed to create the least amount of ground disturbance and vegetation removal, therefore having the smallest impact on the environment, potential wetlands, and its surroundings during the construction phase of the proposal while maximizing the amount of productive grazing land that would remain. Alternative configurations were not considered due to the possibility of having a greater impact on the affected environment. Integrated poultry producers must comply with very specific logistical and design requirements provided by the integrators.

2.4 Alternatives Considered but Eliminated From Analysis
Other locations for the farm or other uses for the land in question are not considered here because such options do not meet the purpose and need for the proposed action. The applicant has applied for FSA-direct-participation loans to fund the construction of a new large CAFO. FSA’s decision to be made is to approve the loan for the proposed farm as designed, to deny the loan, or to approve the loan with additional mitigations, practices or methods that would be needed to minimize or eliminate impacts to protected resources.

Similarly, alternative designs of farm components are not considered as the producer’s agreement with a poultry integrator requires adherence to the integrator’s construction and equipment specifications, which are in place to ensure consistency, maximize production, and reduce loss. Design alternatives that would involve modification of features and infrastructure put in place by an integrator would jeopardize the availability of bird placement, be grounds for a potential loss of the contract with the integrator, and
therefore the viability of the farm. Accordingly, this alternative would not warrant further consideration.
3. AFFECTED ENVIRONMENT AND IMPACTS

The impacts to a number of protected resources, as defined in FSA Handbook 1-EQ (Revision 3) Environmental Quality Programs for State and County Offices, are considered in this EA. Some resources are eliminated from detailed analysis following CEQ regulations (40 CFR 1501.7), which state that the lead agency shall identify and eliminate from detailed study the issues that are not significant or that have been covered by prior environmental review, narrowing the discussion of these issues in the document to a brief presentation of why they would not have a significant effect on the human or natural environment. Resources that are not eliminated are carried forward for detailed analysis. The table below shows the resources that are eliminated from detailed analysis and those carried forward. Section 3.1 contains discussions of those resources eliminated form detailed analysis. Section 3.2 describes the existing conditions for resources carried forward for detailed analysis and the anticipated impacts to those resources resulting from the Proposed Action.

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3.1 Resources Eliminated from Detailed Analysis

Coastal Barrier Resources System

Coastal barriers are eliminated from detailed analysis as there are no designated Coastal Barriers in Arkansas.

Coastal Zone Management Areas

Coastal Zone Management Areas are eliminated from detailed analysis because there are no Coastal Zone Management Areas in Arkansas.
Wild and Scenic Rivers/NRI

Wild and Scenic Rivers/NRI were eliminated from detailed analysis in this EA. The nearest wild and scenic river in relation to the proposed project is the Little Missouri River, which is located 125 miles northwest of this proposal SEE APPENDIX G-1. The Saline River is located approximately 15 miles to the northeast and Bayou DeLoutre is located approximately 15 to the southwest of the proposal, both of which are listed on the Nationwide Rivers Inventory. SEE APPENDIX G-2.

National Natural Landmarks

There are five National Natural Landmarks in Arkansas. SEE APPENDIX H-2. The closest, in proximity to this proposal is Green Ash-Overcup Oak-Sweetgum Research Natural Area in Sharkey County Mississippi over 90 miles away to the southeast. This proposal should have no affect on this landmark, therefore National Natural Landmarks are eliminated from detailed analysis. SEE APPENDIX H-1

Wilderness Areas

The nearest designated Wilderness Area in relation to this proposal would be Caney Creek Wilderness Area in Polk County Arkansas. This Wilderness Area is located 130 miles northwest of the proposed project. SEE APPENDIX F-1. FSA anticipates the proposal would have no affect on Caney Creek Wilderness, therefore it has been omitted from detailed analysis. The nearest Federal land in relation to this proposal would be Felsenthal National Wildlife Refuge, which is approximately 9.2 miles to the east. SEE APPENDIX F-2.

Sole Source Aquifers

Sole source aquifers are eliminated from detailed analysis because there are no sole source aquifers in Arkansas.

Floodplains

Floodplains were eliminated from further detailed analysis. According to FEMA’s National Flood Hazard Layer, Panel 05139C_137 indicates that the proposed project would not be located within a flood plain. SEE APPENDIX I-1.

Wetlands

Wetlands have been eliminated from further detailed analysis. According to FSA Form-858 “Determining if a Wetland May Be Present,” wetland indicators were not present on the 10.6 acre site where the proposal would be located, therefore no additional screening is necessary. SEE APPENDIX J-2.

Soils

Soils are eliminated from detailed analysis because no land on this farm would not be cropped and is therefore not subject to the Highly Erodible Land provisions of the Food Security Act. Furthermore, there would be no annual tillage of the soil associated with this proposed project. The applicants have both signed AD-1026 “Highly Erodible Land Conservation and Wetland Conservation Certification.” SEE APPENDIX J-1.
**Important Land Resources**

Prime and unique farmland, forestland and rangeland resources are eliminated from detailed analysis because the proposed action would not result in prime and/or important farmland being converted to a nonagricultural use.

**Socioeconomics and Environmental Justice**

No impact to population, housing, income, or employment in the region are anticipated to result from the Proposed Action, nor are disproportionate adverse impacts to minority or low income populations anticipated. Therefore, socioeconomics and environmental justice are not carried forward for detailed analysis. SEE APPENDIX K-3 for demographic information for this area.

### 3.2 Resources Considered with Detailed Analysis

This section describes the environment that would be affected by implementation of the alternatives described in Chapter 2. Aspects of the affected environment described in this section focus on the relevant major resources or issues. Under the no action alternative, the proposed action would not be implemented. The no action alternative would result in the continuation of the current land and resource uses in the project area. This alternative will not be evaluated further in this EA.

#### 3.2.1 Wildlife and Habitat

**Existing Conditions**

The proposed 10.6 acre project site was established in mixed timber. The majority of the marketable timber was harvested in 2019. SEE APPENDIXES A and B. The proposed site is predominantly established in regrowth of vegetation native to this area consisting of mixed oak, sweet gum, various brambles, grasses, and other forbs. A few pine trees would need to be removed to implement this proposal. Wildlife typical of such areas include whitetail deer, squirrels, raccoons, and various other mammals, birds, and reptile species. A site visit was conducted by FSA on 05/12/2020. SEE APPENDIX B-1 for site visit notes and photographs.

An official list of threatened and endangered species and designated critical habitat for this area of Union County was obtained from the US Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) system. SEE APPENDIX D-1. The following threatened and endangered species are known to occur in this area of Sevier County:

- Eastern Black Rail *Laterallus jamaicensis* ssp. *Jamaicensis* (proposed threatened)
- Piping Plover *Charadrius melodus* (threatened)
- Red Knot *Calidris canutus rufa* (threatened)
- Red-cockaded Woodpecker *Picoides borealis* (endangered)

There are no critical habits within the proposed project area according to IPAC. FSA has entered a programmatic consultation agreement with USFWS on 05/02/2019. The Determination Key was utilized to generate a consistency letter of effect determinations for the threatened and endangered species listed above. SEE APPENDIX D-2. According to the Determination Key, the proposed project would have no affect on the threatened, proposed threatened, or endangered species listed above. Based on
the results of the Determination Key no further consultation with the USFWS Arkansas Regional Field Office is necessary. Tree removal associated with this proposal would not be considered habitat for endangered species.

The Bald Eagle has been known to occur in this area, however the Bald Eagle is not covered by the Endangered Species Act. No Bald Eagles, or Bald Eagle nests were observed on this proposed site during the site visit. SEE APPENDIX B-1.

Impacts of Proposed Action

According to the SWPPP, an estimated 10.6 acres of ground disturbance would be necessary to implement this proposal. SEE APPENDIX C-1, which would result in a long term loss of 10.6 acres of piles of brush and debris, saplings, and native regrowth, all of which currently contribute to wildlife habitat. The proposal would result in a long term loss of wildlife habitat that this 10.6 acres of vegetation and ground cover provided. Based on the results from the USFWS Programmatic Consultation, and BMP’s that would be implemented for this proposal to help protect water quality in this area, no significant impacts to Wildlife and Habitat would be expected to result from the Proposed Action. No adverse impacts on migratory birds are anticipated as a result of this proposal. The primary nesting season for birds in Arkansas is April 1 through July 15.

3.2.2 Cultural Resources

Existing Conditions

The Proposed Action involves some ground disturbing activities in areas not previously evaluated or previously disturbed to the depth required for the Proposed Action, therefore cultural resources require detailed analysis. This proposed 10.6 acre site was established as a pine plantation which was established in mixed timber, which was harvested in 2019. A site visit was conducted by USDA, Farm Service Agency on 05/12/2020. SEE APPENDIX B-1. There are no existing improvements on this 20 acre tract of land. The nearest structures in relation to the proposal that are listed on the National Register of Historic Places is the Dual State Monument located on the Arkansas-Louisiana state line, which is located 7.5 miles to the southwest of this proposal. SEE APPENDIX E-1. This historic site would not be visible from the proposed site, therefore the proposal should have no effect on it.

FSA consulted with the Arkansas State Historic Preservation Office (SHPO), Bob Komardley of the Apache Tribe of Oklahoma, Derek Hill of the Caddo Nation, Autumn L. Gorrell of the Chickasaw Nation, Lindsey Bilyeu of the Choctaw Nation of Oklahoma, Linda Langley of the Coushatta Tribe of Louisiana, Dr. Andrea Hunter of the Osage Nation, Everett Bandy of the Quapaw Tribe of Indians, Tonya Tipton of the Shawnee Tribe of Oklahoma, Phyliss Anderson of the Mississippi Band of Choctaw Indians, Alina Shively of the Jena Band of Choctaw Indians, and Erin Thompson of the United Keetoowah Band of Cherokee Indians. SEE APPENDIX E-2. Arkansas SHPO provided an email response on 06/11/2020, which concurred with FSA’s finding that no historic property would be affected as a result of this proposed undertaking. The Osage Nation responded via email on 06/21/2020 and their response indicates concurrence that this proposal most likely will not adversely affect any sacred properties and/or properties of cultural significance to the Osage Nation. If, however, artifacts or human
remains are discovered during project-related activities, and asks that activities cease immediately and the Osage Nation Historic Preservation Office be contacted. FSA received an email response from the Choctaw Nation on 06/17/2020. According to the Choctaw, the proposed site would lie outside of their area of historic interest and defers other Tribes. SEE APPENDIX E-4. No other responses from Indian Tribes with an interest in this area of Union County replied to consultation letters.

**Impacts of Proposed Action**

Based on the proximity to the Dual State Monument in relation to the Proposed Action, responses from Arkansas SHPO and the Osage Nation, lack of responses from the other Tribes with an interest in this area, and previous ground disturbance that took place due to logging activities, FSA anticipates no impacts to known cultural resources would result from the Proposed Action. Impacts to previously unidentified historic properties, including archaeological and historic resources, could occur during land clearing and construction activities. If such resources were encountered during construction of this proposal, all activities would cease, FSA state and national office personnel would be notified, along with Arkansas SHPO and Tribes with an interest in this area. Any potential resources discovered would be professionally evaluated for eligibility for listing on the National Register of Historic Places.
4. WATER QUALITY

**Existing Conditions**

In Arkansas, the Arkansas Department of Environmental Quality (ADEQ) has the authority to enforce provisions of the Clean Water Act that are protective of water quality and to issue permits that are protective of water quality standards. This authority is delegated to ADEQ by the Environmental Protection Agency. The ADEQ Water Division issues Stormwater National Pollutant Discharge Elimination System (NPDES) Permits to protect surface waters from contamination from runoff associated with construction. Coverage under General Permit AR1500000 is required for construction that causes ground disturbance in excess of 1 acre. Permit AR1500000 for small sites is for disturbance between 1 and 5 acres and requires operators to post required forms and documents, including a stormwater pollution prevention plan (SPPP), on the site rather than coordinate directly with ADEQ. Permit AR 1500000 for large sites including disturbance in excess of 5 acres, required documents are submitted to ADEQ. SPPPs are documents that describe construction activities to prevent stormwater contamination, control sedimentation and erosion, in order to prevent significant harm to surface waters and comply with the requirements of the Clean Water Act. ADEQ is also responsible for issuing Non-stormwater NPDES Permits issued to facilities that discharge water. Animal Feeding Operations and Confined Animal Feeding Operations that do not discharge into waters of the state do not require NPDES permits for ongoing operations. See ADEQ Reference

The Arkansas Natural Resource Commission (ANRC) Water Division is responsible for developing and implementing the Arkansas Water Plan, the state’s policy for long-term water management, and for the State’s Non-point Source Pollution Management Program. The Arkansas Water Plan describes each of the state’s river basins. The ANRC Conservation Division supports development, management and conservation of the state’s land and water resources, in part through nutrient management planning. A nutrient management plan (NMP) is a document approved by a conservation district board that assists landowners and operators in the proper management and utilization of nutrient sources for maximum soil fertility and protection of state waters. ANRC requires NMPs for farms that plan to land apply litter, sewage sludge, or commercial fertilizer within an area designated as the Nutrient Surplus Area (which includes parts of Baxter, Benton, Boone, Carrol, Crawford, Madison, Marion, Polk, Scott, Sebastian, and Washington Counties. For land application outside this area, usage of a nutrient management plan is voluntary. A NMP for this proposed broiler operation has not been developed, as NMP’s are voluntary outside of the nutrient surplus area, however the applicants would have the option to have a plan developed, if they wish to do so. The proposal is not located within a nutrient surplus area in Arkansas. See APPENDIX A-7.

This proposal is located within the Cannon Creek-Lapile Creek watershed (HUC 12: 080402020104), which is located within the Lower Ouachita River Basin. According to the Arkansas water plan this basin consists of nearly 4.9 million acres or 7,657 square miles of gently rolling land across 20 different counties in south central Arkansas. Streams in this basin have an annual approximate average yield of 11 million acre feet. Land use in this basin is primarily established in forestland, followed by grasslands.
REFERENCE ARKANSAS WATER PLAN. Land uses in Union county are as follows: woodlands: 43%, cropland 22%, pastureland 26%, and 9% other. According to ADEQ’s 2016 Integrated Water Quality Monitoring Assessment waters in this planning segment been designated as suitable for propagation of fish and wildlife, primary and secondary contact recreation, public, industrial, and agricultural water supplies. REFERENCE ADEQ ASSESSMENT REPORT

**Impacts of Proposed Action**

The applicants have submitted the required paperwork to ADEQ and has been granted coverage under Storm water NPDES General Permit AR1500000 SEE APPENDIX C-1 and C-2. With adherence to the best management practices described in the SWPPP, minimal impacts to surface water from the proposed construction are anticipated. The proposed farm would not discharge into waters of the state and therefore no impacts to state surface waters are anticipated. Any land application of litter produced on the farm would need to comply with ANRC requirements in order to be protective of surface water quality. REFERENCE ANRC

The applicant’s SWPPP implemented BMP’s into the design of this proposed project. SEE APPENDIX C-1. Existing vegetation surrounding the proposed site would act as a natural buffer. Silt fences would be installed around the perimeter of the proposed site. Sediment basins and velocity dissipation devices would also be installed as needed. All exposed soil would eventually be mulched and seeded for stabilization. A stabilized, gravel entrance and exit would be established prior to any other earth moving activities taking place. SEE APPENDIX C-1.

The applicants would utilize an incinerator as a method of dead bird disposal for this proposed broiler operation, which is an approved method by ANRC and would be located in the center of this proposed operation south of the generator shed. SEE APPENDIX A-4

Integrators typically require their growers to “cake out” in between flocks, which consist removing the top few inches of litter. Depending on integrator requirements and management practices utilized by the grower, a full house clean out is typically conducted annually, where all the litter is removed from the houses. The applicants would have the option to sell this litter and have it transported off site to another location. The applicants would be responsible for record keeping and adherence to the recommendations of a NMP if they choose to have one developed.

In summary, the applicants have submitted a SWPPP to ADEQ, and have obtained a NPDES permit thru ADEQ for proposed construction activities to take place, which would help protect surface and ground water quality within this area and surrounding areas during the construction phase of this proposal. These proposed measures should be adequate to help prevent contamination of stormwater off site during the construction phase of this proposed farm.

No significant impacts to water quality are anticipated as a result of the Proposed Action.
5. Air Quality

Existing Conditions

As of February 1, 2018, all of Arkansas is in attainment for all criteria pollutants established by the Environmental Protection Agency in compliance with the Clean Air Act. The proposed farm would not be required to obtain an air permit in accordance with Arkansas Air Pollution Control Regulation 18.301 since air emissions for defined criteria pollutants at the facility do not exceed the permitting thresholds considered protective of air quality. Potential air quality effects considered here include odor and dust production, which may be associated with construction activities and the ongoing operations of the farm. SEE REFERENCES

The site of the Proposed Action lies in rural Union County where agriculture, including livestock feeding operations, are common. Existing cattle farms and hay operations, as well as integrated poultry farms are common in this vicinity. According to the Union County Conservation District 13 poultry farms registered for the 2019 production year. According to NASS, Union county had 6,400 head of cattle, including calves in 2019. SEE APPENDIX K-2. The nearest neighboring residence would be located approximately 855’ to the west of the nearest proposed poultry house. There are several residences along Vestal Loop. SEE APPENDIX A-5. The nearest church in relation to this proposal would be the First Baptist Church, which is located 1.76 miles to the northwest. SEE APPENDIX A-6. The nearest schools would be Strong Elementary which would be located 1.54 miles to the northwest. SEE APPENDIX A-5. The discharge fans on these proposed facilities would point towards the east, away from the nearest neighboring residence. Trees surrounding this proposed in all directions would act as a natural buffer that would filter help filter out odors, dust, and other particulate matter emitted by the proposed poultry houses. SEE APPENDIX A-1.

Arkansas Water and Air Pollution Control Act, Subchapter 3 Air Pollution exempts "Agricultural operations in the growing or harvesting of crops and the raising of fowls or animals" and the "use of equipment in agricultural operations in the growth of crops or the raising of fowls or animals." There are no local ordinances regulating odor in this area.

Impacts of Proposed Action

Construction activities that disturb the soil surface could generate dust. Such impacts would be minor, temporary and localized, generally confined to the farm property and ongoing only during construction activities. A stabilized gravel covered entrance and exit to the proposed construction site would be utilized. Exposed soils could be wet down to control fugitive dust. Similarly, during construction, minor and localized emissions associated with heavy machinery could be expected. None of these construction related impacts would have a significant or long-term adverse impact to surrounding air quality.

During operation of the farm, roads used by delivery trucks in between the proposed broiler houses would also be covered with gravel to minimize dust associated with travel. Dust generated while the poultry facility is in operation would occur mostly during feeding. Humidity and misting systems inside poultry houses would keep down dust, within the houses.

Odor would be controlled through management of the poultry barns’ ventilation systems, as is required by integrators for flock health. The applicant would utilize an incinerator described in earlier sections of the EA for mortality disposal for their proposed broiler operation, which is an approved method of
disposal by the Arkansas Poultry and Livestock Commission. Poultry litter on the proposed broiler operation would be stored in the (4) broiler houses which would keep it dry and reduce the impacts of odor emitted by the litter.

The poultry houses would be cleaned per integrator specifications between flocks as appropriate on an as-needed basis. Litter would be stored in accordance with ANRC regulations, either in a litter shed if the applicants choose to build one in the future, or it would be tarped in an elevated location to be kept out of the elements until it could be removed from the farm and land applied as fertilizer.

Dilution of odors is caused through the mixing of odors with ambient air and is a function of distance, topography, and meteorological conditions. Prevailing winds are from the west and would serve to facilitate the dispersion of odors. Based on the climate of the southeastern United States, there would be a few days in the year when weather conditions and humidity may cause odor to linger in the vicinity.

According to the EPA, total GHG emissions in the US in 2014 were 6,870 million metric tons of carbon dioxide equivalent (CO2e), a metric measure used compare the emissions from various greenhouses gases based upon their global warming potential. Agriculture accounted for approximately 9 percent of the total or 625.4 million metric tons. The contribution of agriculture to GHG emissions is comprised of livestock (242.96 million metric tons CO2e), crops (330.68 million metric tons CO2e), and fuel combustion (51.79 million metric tons CO2e).

Agricultural activities contribute to GHG in several ways: Management of agricultural soils accounts for over half of agriculture emissions. Activities including fertilizer application, irrigation and tillage, can lead to production and emission of nitrous oxide. Livestock, particularly cattle, produce methane as part of their digestion accounting for almost one third of the agricultural emissions. Manure storage and management also contribute methane and nitrous oxide, accounting for about 14 percent of the agricultural GHG emissions. Smaller agricultural sources include methane produced by rice cultivation and the burning of crop residue, which produces methane and nitrous oxide. Odor impacts would not be expected to be significant.

6. Noise

Existing Conditions

Existing noise conditions on the proposed site are generally quiet as the proposed site is uninhabited currently. Truck and vehicle and traffic along Vestal Loop, is common. There are (2) existing integrated poultry farms on Vestal Loop within 1.5 miles of the proposed site. The proposed site is currently used for hunting and recreational purposes. Noise from trucks, tractors, and equipment, vehicle traffic, and other farming, logging, integrated poultry production, and human activity does exist, but is temporary in nature. This is not a very densely populated area. The nearest neighboring dwelling in relation to the proposal is 855’ to the west of the nearest proposed poultry house. There are several residences along Vestal Loop. SEE APPENDIX A-5. The nearest church in relation to this proposal would be the First Baptist Church, which is located 1.76 miles to the northwest. SEE APPENDIX A-6. The nearest schools
would be Strong Elementary which would be located 1.54 miles to the northwest. SEE APPENDIX A-
5Impacts of the Proposed Action

The Proposed Action would establish a new, four house, integrated poultry operation. Noise levels
would increase slightly during normal, daylight working hours during the construction phase of this
project, which typically lasts about 6 months. Upon completion, noise from the Proposed Action would
permanently increase noise levels in this area; however, noise from birds would be insignificant as they
are contained within the poultry houses which are set back from property lines and further muffled by
insulation in between the roofs, and ceilings and solid side walls within these structures and vegetative
buffers to the south, east and to the west. These measures would also aid in mitigating periodic
equipment usage and truck noise associated with the movement of birds, feed, supplies and materials.
Such activities would rarely take place other than during daylight hours, be infrequent in nature, of brief
duration and low intensity. Similarly, noise from generators would be limited to a few minutes of
periodic testing and they would only operate on a temporary basis in the event of emergencies should
power be lost. As such noise would be of irregular and infrequent duration it would not be significant.
Additionally, Arkansas’s Right to Farm Law protects operation of farms that were established prior to
the use of the area surrounding the agricultural operation for nonagricultural activities and those farms
which employ methods or practices commonly or reasonably associated with agricultural production. As
integrated poultry production is a mainstay of the state’s economy the related production methods
have long been the accepted prevailing practice for widespread production both in Arkansas and
throughout the country. SEE ARKANSAS RIGHT TO FARM REFERENCE

The proposed action is not expected to significantly affect ambient noise levels in the area or the
nearest dwelling.
7. CUMULATIVE IMPACTS

The cumulative impacts analysis is important to understanding how multiple actions in a particular time and space (e.g., geographic area) impact the environment. The CEQ regulations define cumulative effects as “...the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions” (40 CFR § 1508.7). Whereas the individual impact of one project in a particular area or region may not be considered significant, numerous projects in the same area or region may cumulatively result in significant impacts.

Cumulative impacts most likely arise when a relationship exists between a proposed action and other actions occurring in a similar location or time period. Actions overlapping with or in proximity to the proposed action would be expected to have more potential for a relationship than those more geographically separated. Similarly, actions that coincide in time, may have the potential for cumulative impacts.

Establishing an appropriate scope for cumulative impacts analysis is important for producing meaningful analysis that appropriately informs agency decision making. This involves identifying geographic or temporal boundaries within which to identify other activities that could contribute to cumulative impacts to resources. Boundaries should consider ecologically and geographically relevant boundaries which sustain resources of concern. Temporal boundaries will be dependent on the length of time the effects of the proposed action are estimated to last and analysis commensurate with the project’s impact on relevant past, present, and reasonably foreseeable activities within those boundaries. For example, small scale projects with minimal impacts of short duration would not likely contribute significantly to cumulative impacts. CEQ guidance (2005) reinforces this, stating:

“The scope of the cumulative impact analysis is related to the magnitude of the environmental impacts of the proposed action. Proposed actions of limited scope typically do not require as comprehensive an assessment of cumulative impacts as proposed actions that have significant environmental impacts over a large area. Proposed actions that are typically finalized with a Finding of No Significant Impact usually involve only a limited cumulative impact assessment to confirm that the effects of the proposed action do not reach a point of significant environmental impacts”

This cumulative impacts analysis focuses on the potentially affected resource (identified in section 3.2 of this document) and uses natural local boundaries to establish the geographic scope within which cumulative impacts could occur. Relevant past, present and reasonably foreseeable activities identified in Section 5.1 are based on potential geographic and temporal relationships with the proposed action within those identified boundaries. Cumulative effects on those resources are described in Section 4.2.
7.1 Past, Present and Reasonably Foreseeable Actions

Analysis of cumulative analysis is forward looking and focuses on Sevier County where the proposed action would be implemented and the related area which includes the resources of concern. The purpose is to assess if the reasonably foreseeable effects of the proposed action would have an additive relationship to other past effects that would be significant, and to examine its relationship other actions (e.g. Federal, State, local, and private activities) that are currently taking place or are expected to take place in the reasonably foreseeable future.

Federal, State, local, and private activities that are currently taking place, have occurred in the past, or may reasonably be assumed to take place in the future in the cumulative effects area include the following: According to the 2017 Census of Agriculture, there were 268 farms in Union County and 36,352 acres devoted to farm ground. Pastureland accounts for 26% of the land use, Woodland accounts for 43%, Cropland accounts for 22%, and 9% of the land is used for other purposes. SEE APPENDIX K-1.

Poultry integrators have a finite processing capacity and have a need for new facilities, such as the proposed project, as older facilities are routinely retired due to functional obsolescence or otherwise phased out of production. As there is no foreseeable expectation that integrators would be having a significant expansion in processing capacity in the area, the quantity of bird produced in the area would remain relatively stable, even if the number of farms fluctuates.

7.2 Cumulative Analysis

Some resources considered for detailed analysis above (in Section 3.2) could be directly or indirectly affected by the Proposed Action and therefore the Proposed Action could contribute to additive or interactive cumulative effects to these resources. For other resources, no such contributions to cumulative effects are anticipated because no direct or indirect impacts would occur based on program requirements.

The significance of cumulative effects is dependent on how impacts compare with relevant thresholds, such as regulatory standards. Regulatory standards can restrict development by establishing thresholds of cumulative resource degradation (CEQ 1997):

“Government regulations and administrative standards...often influence developmental activity and the resultant cumulative stress on resources, ecosystems, and human communities. They also shape the manner in which a project may be operated, the amount of air or water emissions that can be released, and the limits on resource harvesting or extraction.”

Cumulative effects in this analysis are described relative to regulatory standards and thresholds in accordance with CEQ guidance. FSA relies on the authority and expertise of regulatory agencies, which have broad knowledge of regional activities that could affect the sensitive resources they are responsible for protecting, and to ensure through their permitting and consultation processes that its activities are not likely to contribute to significant negative cumulative resource impacts.
7.2.1 Wildlife and Habitat

Contributions of the Proposed Action to cumulative impacts include removal of existing vegetation and the loss and fragmentation of wildlife habitat. No impacts to Threatened and Endangered Species are anticipated based on program requirements. According to the Official Endangered and Threatened Species list that was obtained for this area and the Farm Service Agency Programmatic Decision Key, the proposed project may affect, but is not likely to adversely affect threatened or endangered species in Arkansas and that no further consultation with the USFWS Arkansas Regional Field Office is necessary. Implementation of BMP’s in the SWPPP for the proposal would help protect water quality in this area, thus protecting aquatic species in the area as well as the water supplies utilized by wildlife surrounding this area. The proposed site is currently established in native vegetation. The proposed poultry houses would result in a change of 10.6 acres of land use and loss of 10.6 acres of native vegetation. Such impacts would add to vegetation and habitat lost as a result of past, present and reasonably foreseeable activities in the region of the Proposed Action including loss of native vegetation communities to agriculture, residential and commercial development and road building, recreation and other human activities. The Proposed Action would not be anticipated to result in long term or adverse impacts or to endangered species or their habitat. No cumulative impacts are anticipated based on coordination and consultation with USFWS and program requirements.

7.2.2 Cultural Resources

Based on program requirements, which call for coordination and consultation with State and Tribal Historic Preservation Offices, no impacts to known cultural resources are expected to result from the Proposed Action. There is the potential for encountering unknown cultural resources if the proposal is implemented. Though unlikely, potential loss and damage to unknown cultural resources could occur, adding to similar potential impacts from other past, ongoing, and future developments that have the potential to degrade and destroy cultural resources.

7.2.4 Water Quality

During construction of the Proposed Action there is the potential for mobilization of exposed soil; however those impacts would be temporary and minor, and minimized by adherence to terms of the SWPPP. Such impacts would add to impacts to water quality resulting from residential, municipal, industrial, and commercial development, particularly the use of septic systems, as well as runoff from roads and development, and agricultural production. Once the disturbed areas are revegetated or otherwise stabilized, no impacts to water quality would be expected. Since there are no long-terms effected to water quality, the proposed action would not be expected to contribute significantly to cumulative effects to water quality.
7.2.5 Air Quality

The Council on Environmental Quality Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change In National Environmental Policy Act Reviews states:

The site of the Proposed Action lies in a rural area of Sevier County, AR. Exhaust fans would point towards the east away from the nearest neighboring residences and non-farm business.

Arkansas Water and Air Pollution Control Act, Subchapter 3 Air Pollution exempts "Agricultural operations in the growing or harvesting of crops and the raising of fowls or animals" and the “use of equipment in agricultural operations in the growth of crops or the raising of fowls or animals." There are no local ordinances regulating odor in existence in this area.

Arkansas’s Right to Farm Law protects operation of farms that were established prior to the use of the area surrounding the agricultural operation for nonagricultural activities and those farms employ methods or practices commonly or reasonably associated with agricultural production. Management of agricultural soils accounts for over half of agriculture emissions. Activities including fertilizer application, irrigation and tillage, can lead to production and emission of nitrous oxide.

- Livestock, particularly cattle, produce methane as part of their digestion accounting for almost one third of the agricultural emissions.
- Manure storage and management also contribute methane and nitrous oxide, accounting for about 14 percent of the agriculture GHG emissions.
- Smaller agricultural sources include methane produced by rice cultivation and the burning of crop residue, which produces methane and nitrous oxide.

Dust would be generated from soil disturbance and equipment usage during construction and during operation as a result of equipment use, delivery trucks, and feeding systems. Such impacts would be minor, intermittent, and localized. Though such impacts are not expected to be significant, they would add to dust generated by other activities in the immediate vicinity of the farm.

Odor impacts from the proposed action including from the barns, litter storage facility, land application of litter on the farm, though not significant, would add to other sources of odor in the area including existing cattle and poultry farms nearby.

7.2.6 Noise

Increases in noise levels would be minimal compared to existing conditions. There are no local or state noise ordinances, based on Program Requirements.
7.3 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES
NEPA requires that environmental analysis include identification of any irreversible and irretreivable commitments of resources which would be involved should an action be implemented. The term irreversible refers to the loss of future options and commitments of resources that cannot be renewed or recovered, or can only be recovered over a long period. Irreversible commitments apply primarily to the use of nonrenewable resources, such as minerals or cultural resources, or to factors such as soil productivity, that are renewable only over a long period. Irretrievable refers to the loss of production or use of natural resources. For example, when a road is built through a forest, some, or all of the timber production from an area is lost irretrievably while an area is serving as a road. The production lost is irretrievable, but the action is not irreversible. If the use changes, it is possible to resume timber production. No irreversible resource commitments would occur as a result of the Proposed Action. Irretrievable resources include those raw materials and fuels used during construction.

List of Preparers and Persons and Agencies Contacted

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<th>Name and Title</th>
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<tr>
<td>Adam Kaufman, State Environmental Coordinator, FSA, Arkansas</td>
<td>BS, Crop, Soil, and Environmental Sciences Years of Experience: 12</td>
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<td>Name</td>
<td>Tribe/Region</td>
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<tr>
<td>Linda Langley</td>
<td>Coushatta Tribe of Louisiana</td>
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<tr>
<td>Dr. Andrea Hunter</td>
<td>Osage Nation</td>
</tr>
<tr>
<td>Tonya Tipton</td>
<td>Shawnee Tribe of Oklahoma</td>
</tr>
</tbody>
</table>
8. REFERENCES


Arkansas Water Plan: http://www.arwaterplan.arkansas.gov/plan/ArkansasWaterPlan/AppendicesUpdate.htm


IPAC (Information for Planning and Conservation): https://ecos.fws.gov/ipac/

FEMA: https://msc.fema.gov/portal

NEPASSIST: https://www.epa.gov/nepa/nepassist

National Agricultural Statistics Service (NASS): https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1_Chapter_2_County_Level/Arkansas/st05_2_001_001.pdf

Arkansas Department of Environmental Quality (ADEQ), Impaired Streams/TMDL Lists: https://www.adeq.state.ar.us/water/

Arkansas Department of Environmental Quality (ADEQ), Rules and Regulations: https://www.adeq.state.ar.us/regs/


Arkansas Air Pollution Control Regulations: https://www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf


National Forest Service: https://www.fs.usda.gov/osfnf
University of Arkansas Research and Extension: Union County:
https://www.uaex.edu/business-communities стратегический план документов профиль Union County.pdf

Arkansas Air Pollution Control Regulations:
https://www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf

Arkansas Right to Farm:
http://www.farmlandinfo.org/sites/default/files/Arkansas RTF law 1.htm

Arkansas 2018-2023 NPS Pollution Management Plan
9. EA DETERMINATION AND SIGNATURES

ENVIRONMENTAL DETERMINATION – The FSA preparer of the EA determines:

1. Based on an examination and review of the foregoing information and supplemental documentation attached hereto, I find that this proposed action
   □ would have a significant effect on the quality of the human environment and an Environmental Impact Statement (EIS) must be prepared;
   □ would not have a significant effect on the quality of the human environment and, therefore, an EIS will not be prepared.

2. I recommend that the Project Approval Official for this action make the following compliance determinations for the below-listed environmental requirements.

<table>
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<tr>
<th>Not in compliance</th>
<th>In compliance</th>
<th>Not applicable</th>
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<tr>
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<td>National Environmental Policy Act</td>
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<td>Clean Air Act</td>
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<td>Clean Water Act</td>
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<td>Safe Drinking Water Act</td>
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<td>Endangered Species Act</td>
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<td>Coastal Barrier Resources Act</td>
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<td>Coastal Zone Management Act</td>
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<td>Wild and Scenic Rivers Act/National Rivers Inventory</td>
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<td>National Historic Preservation Act</td>
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<td></td>
<td>Subtitle B, Highly Erodible Land Conservation, and Subtitle C, Wetland Conservation, of the Food Security Act</td>
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<td>Executive Order 11988 and 13690, Floodplain Management</td>
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<td>Executive Order 11990, Protection of Wetlands</td>
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<td>Farmland Protection Policy Act</td>
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<td>Department Regulation 9500-3, Land Use Policy</td>
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<td>E.O. 12898, Environmental Justice</td>
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3. I have reviewed and considered the types and degrees (context and intensity) of adverse environmental impacts identified by this assessment. I have also analyzed the proposal for its consistency with FSA environmental policies, particularly those related to important farmland protection, and have considered the potential benefits of the proposed action. Based upon a consideration of these factors, from an environmental standpoint, this project may:
   □ Be approved without further environmental analysis and a Finding of No Significant Impact (FONSI) prepared.
   □ Not be approved because of the reasons identified under item b.

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<th>Signature of Preparer</th>
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Name and Title of Preparer (print)

Environmental Determination – FSA State Environmental Coordinator determines:

Based on my review of the foregoing Environmental Assessment and related supporting documentation, I have determined:

☐ The appropriate level of environmental review and assessment has been completed, and substantiates a Finding of No Significant Impact (FONSI); therefore, an EIS will not be prepared and processing of the requested action may continue without further environmental analysis. A FONSI will be prepared.

☐ The Environmental Assessment is not adequate and further analysis or action is necessary for the following reason(s):

☐ The Environmental Assessment has established the proposed action cannot be approved for the following reason(s):

Additional SEC Comments:

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<th>Signature of SEC</th>
<th>Date</th>
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<td>Printed Name</td>
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