

**For:** State and County Offices

**Conservation Reserve Enhancement Program (CREP) Environmental Review Process**

**Approved by:** Deputy Administrator, Farm Programs



**1 Overview**

**A**

**Background**

According to 7 CFR Part 799, FSA is required to comply with the provisions of the National Environmental Policy Act (NEPA) in administering its programs that might have potential significant impacts on the human environment.

Whenever an agency engages in or supports a number of similar activities, such as the same conservation practice installed throughout a project area, the agency has the opportunity to meet much of its NEPA compliance obligations on a programmatic basis. The “programmatic” mechanism was provided to help agencies streamline their NEPA compliance efforts. An agency can do this by preparing a single programmatic environmental assessment (PEA) that addresses the general, or typical, impacts of that group or “program” of actions.

If started early enough in the process, CREP PEA should aid decision makers, partners, and planners in making wise choices that give appropriate consideration to the environment.

**B**

**Purpose**

This notice provides guidance to comply with the:

- NEPA requirements of 7 CFR Part 799 in relationship to implementing a CREP agreement and completing a PEA for CREP proposals
- requirements of 2-CRP for completing PEA’s for CREP agreements.

Exhibit 1 illustrates a detailed template to aid in the completion of PEA for a CREP proposal. The template will be electronically released. Contact Don Steck at 202-690-0224 or James Fortner at 202-720-5533 if the template is not received.

Continued on the next page

<b>Disposal Date</b>  May 1, 2003	<b>Distribution</b>  State Offices; State Offices relay to County Offices
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## Notice EQ-117

### 1 Overview (Continued)

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#### B

##### **Purpose (Continued)**

If existing CREP agreements are substantively changed, including substantial additional acreage, then a supplement to PEA will be prepared to cover the changes.

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#### C

##### **Contacts**

If there are any questions about this notice or NEPA requirements, contact Don Steck, Environmental Protection Specialist, CEPD, at 202-690-0224.

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### 2 Action

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#### A

##### **Programmatic Environmental Assessment**

PEA will be used to assess the impacts of a CREP agreement upon the human environment. PEA will serve the following 2 objectives:

- an analytical foundation upon which to base impact analyses of specific proposed CREP actions within a State
- a mechanism for assessing the region-wide, cumulative impacts, both beneficial and adverse, if any, of multiple CREP actions or other similar conservation programs being undertaken within a geographical region.

Once a PEA document is in place, the evaluations for site-specific actions occurring within the program do not need to duplicate the information and analysis already contained in PEA. Instead, the site-specific NEPA compliance can be wholly or largely accomplished simply by referring to the existing PEA. For example, an individual CREP contract would be analyzed using an environmental evaluation checklist format that would be tiered to CREP PEA for that particular CREP. CREP PEA can be tiered to the Programmatic Environmental Impact Statement (PEIS) for CRP.

PEA can be useful in expediting NEPA compliance for specific actions as well as serving as a uniquely valuable tool for effectively addressing cumulative impacts. Cumulative impacts, are environmental effects that accumulate either across a spatial area or through a period of time.

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**2 Action (Continued)**

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**A**

**Programmatic  
Environmental  
Assessment  
(Continued)**

A programmatic NEPA analysis is a more effective vehicle for taking the “big picture” perspective that cumulative impact analysis requires. PEA or PEIS can assess not just the site-specific impacts, but also the overall ecosystem-wide, watershed-wide, or region-wide impacts from the accumulation of multiple similar actions. The cumulative impact analysis in a programmatic document can then provide FSA with useful guides about how many projects, or how much total impact, can be sustained by a watershed or a region.

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**B**

**FSA Action**

To comply with the provisions of 7 CFR Part 799, FSA SED’s shall ensure that a PEA is completed for each CREP agreement. SED’s shall use their Conservation Program Specialists and State Environmental Coordinators to complete this task. State Offices shall complete a:

- PEA before approving any contracts under a re-authorized CREP agreement when a PEA was not originally completed
- supplement to an existing PEA to cover substantive changes to a CREP agreement (acreage increases, practice changes, etc.), whether the change is a result of re-authorization or occurs at another time for other reasons.

All information, resources, data, and other materials provided by CREP stakeholders should be used to aid in the process of completing PEA.

Before the proposed CREP agreement is submitted to the National Office for approval, the State Office shall:

- coordinate with CREP stakeholders and partners, the State technical committee, CEPD, and appropriate State and Federal agencies to obtain relevant information and resources to aid in preparing CREP PEA
  - ensure that the NEPA process is integrated into FSA’s CREP planning at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts
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2 Action (Continued)

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**B**

**FSA Action  
(Continued)**

- use a systematic, interdisciplinary approach that will ensure the integrated use of the environmental, natural, and social science resources that are relevant to the proposed CREP
- work with CREP stakeholders to ensure that any necessary consultation with the State Historic Preservation Officer (SHPO), the Tribal Historic Preservation Officer (THPO), the U.S. Fish and Wildlife Service (FWS), or other appropriate agencies or entities is completed.

**Note:** FSA is responsible for conducting these consultations when necessary, including the preparation of biological assessments.

- coordinate the completion of a preliminary draft PEA for the proposed CREP and submit to CEPD, Environmental Compliance Manager (ECM), for review and comment
- after receiving clearance on the preliminary draft PEA from ECM, make the draft PEA available to interested agencies and the public by publishing notification of availability of the draft PEA in newspapers or other appropriate publications with wide distribution within and near the area covered by CREP agreement, providing a 15 calendar-day public comment period on the draft PEA
- after the public comment period ends, all comments should be reviewed and addressed in the development of the final PEA, ensuring that all comments received have a response that can be incorporated into the final PEA

**Note:** Similar comments can be responded to as a group to save time and eliminate excess paperwork. ECM can be contacted for assistance in determining how to respond to comments.

- incorporate comments and prepare a final PEA

**Note:** After the final PEA and Finding of Non Significant Impact (FONSI) is signed by SED, forward a copy to ECM. If FONSI is not justifiable, contact ECM for assistance.

- provide a copy of PEA to the appropriate County Offices affected by the CREP agreement.

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**2 Action (Continued)**

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**B**

**FSA Action  
(Continued)**

CEPD shall:

- provide assistance to SED in the form of resources, contacts, and information
  - assist with Tribal consultation, when needed
  - review the preliminary draft PEA and make recommendations and comments when necessary.
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**C**

**Site Specific  
Environmental  
Evaluations**

Using PEA, FSA can rely on site-specific environmental evaluations to address potential impacts from each CRP contract associated with a CREP agreement. FSA shall accept a completed SCS-CPA-52 from NRCS for each CRP contract to document its site-specific NEPA compliance. FSA will be responsible for any site-specific consultation with SHPO, THPO, or FWS. FSA-852 will be used to document this consultation and to review SCS-CPA-52.

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**Template for Programmatic Environmental Assessment**

**PROGRAMMATIC ENVIRONMENTAL  
ASSESSMENT**

(Insert Title of CREP Agreement)

**FARM SERVICE AGENCY**

United States Department of Agriculture

(Insert Date)

Template for Programmatic Environmental Assessment (Continued)

COVER SHEET

**Proposed Action:** The Farm Service Agency of the United States Department of Agriculture proposes to authorize a Conservation Reserve Enhancement Program agreement in the State of (Insert State) covering the counties of (Insert names of counties affected).

**Type of Statement:** Programmatic Environmental Assessment

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

**Cooperating Agencies:** (Insert names of any cooperating State or Federal agencies)  
**Further Information:** (Insert name, address, and phone number of contact person)

**Abstract (Summary):** (Insert a short abstract, which explains the CREP agreement and why it is needed.)

**Comments:** (The date that comments need to be received and where to send them.)

Template for Programmatic Environmental Assessment (Continued)

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**Template for Programmatic Environmental Assessment (Continued)****1 PURPOSE OF AND NEED FOR ACTION****1.1 CREP Background**

*(This language can be used in most of the EAs)*

The Conservation Reserve Program (CRP) was established under subtitle D of the Food Security Act of 1985. The purpose of CRP is to cost-effectively assist owners and operators in conserving and improving soil, water and wildlife resources on their farms and ranches. Highly erodible and other environmentally sensitive acreage, normally devoted to the production of agricultural commodities, is converted to a long-term resource conservation cover. CRP participants enter into contracts for periods of 10 to 15 years in exchange for annual rental payments and cost-share assistance for installing certain conservation practices.

The two primary objectives of CREP are to:

- coordinate Federal and non-federal resources to address specific conservation objectives of a State (or Tribal) Government and the nation in a cost-effective manner.
- improve water quality, erosion control and wildlife habitat related to agricultural use in specific geographic areas.

This programmatic environmental assessment (PEA) has been conducted in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended 42 USC 4321 - 4347, the NEPA implementing regulations of the Department of Agriculture, 7 CFR Part 1b, and the FSA NEPA implementation procedures found in 7 CFR Part 799. This EA is programmatic in nature and does not address individual site-specific impacts.

CRP and CREP are administered by FSA in cooperation with the Natural Resource Conservation Service (NRCS), Cooperative State Research and Education Extension Service, State Forestry Agencies, and local Soil and Water Conservation Districts. FSA is the lead agency in the development of this PEA. For additional information on this EA, contact: *(Your contact information)*

**1.2 Purpose**

Briefly specify the underlying purpose to which FSA is responding in proposing the alternatives including the proposed action. Explain who wants to do what, where and when they want to do it. Explain any other EISs or EAs that influence the scope of this PEA. Once the PEIS for CRP is completed these CREP PEAS can be tiered to that document. Explain the decisions that must be made and identify any other agencies involved

**Template for Programmatic Environmental Assessment (Continued)**

in this NEPA analysis. Summarize the scoping and explain the relevant issues. Identify issues considered but discarded from detailed analysis.

**1.3 Need**

Describe undesirable conditions plus proof of why here and why now.

**1.4 Objectives**

Describe the main objectives for the action and the desired outcomes. Also include the minimum standards for satisfying these objectives.

**1.5 Description of Area Covered by Proposed Action**

Describe the geographical area to be covered by the proposed action. For CREP proposals, this will usually be the watersheds or counties included in the CREP program area. Unique or sensitive areas that could be affected by the proposed action should be pointed out. Attach adequate location maps of the CREP program area and relevant sensitive areas covered by the proposed action.

**Template for Programmatic Environmental Assessment (Continued)**

**1.6 Related NEPA Documents**

Describe and explain any other EISs or EAs that are relevant to or could influence the scope of this PEA. A draft Programmatic Environmental Impact Statement (PEIS), for CRP, was made available to the public on 9/6/02.

Once this PEIS for CRP is in final form, these CREP PEA's can be tiered to that document. The Programmatic Environmental Impact Statement (PEIS) for CRP should be listed.

**1.7 Decision**

Describe the decision(s) that must be made and identify other agencies involved in this NEPA analysis.

**2 SCOPING AND RELEVANT ISSUES**

**2.1 Scoping**

Summarize the planning and scoping process.

**2.2 Relevant Issues**

List the relevant issues (resources that have the potential for significant impacts) that will be addressed under environmental consequences.

**2.3 Environmental Issues with Minor Impact**

Identify issues eliminated from detailed study.

**2.4 Federal Permits, Licenses, and Entitlements Necessary to Implement the Proposed Action**

List all applicable regulatory requirements and required coordination.

**3 ALTERNATIVES INCLUDING THE PROPOSED ACTION**

Alternatives are the heart of the NEPA process. A range of reasonable alternatives shows the trade-offs facing the decision-maker.

**Template for Programmatic Environmental Assessment (Continued)****3.1 Description of Alternatives Considered**

Describe the process used to formulate, design, evaluate and select the alternatives. Explain how these alternatives represent a range of reasonable alternatives. Describe briefly the alternatives eliminated from detailed study and explain why they were eliminated

**3.1.1 Alternative A – No Action Alternative (Required by NEPA)**

This alternative would involve not implementing the program and is used as an analytical tool to have a baseline to which to compare the other alternatives.

**3.1.2 Alternative B – Proposed Action Alternative (Required by NEPA)**

This alternative would involve implementing the program as planned (add details).

**3.1.3 Alternative C – Optional Reasonable Alternative (s)**

Explore possible reasonable alternatives that would result in achieving the desired objective.

**3.2 Cumulative Effects**

Description of reasonably foreseeable future actions not part of the proposed action but related to cumulative effects (if needed).

**3.3 Summary of Environmental Consequences**

Compare all the alternatives by summarizing their effect on the project objective and relevant environmental resources (relevant issues). This can be done in a matrix or table format. This can also be included in the summary or abstract section.

**3.4 Preferred Alternative**

Identify the preferred alternative and provide supporting documentation and discussion.

**Template for Programmatic Environmental Assessment (Continued)****4 AFFECTED ENVIRONMENT****4.1 Introduction**

Describe the environment of the areas to be affected by the alternatives under consideration. Explain that this chapter presents relevant resource components of the existing baseline environment. Include all relevant physical, biological, social, and economic features of the human environment. The separate resource discussions should reflect the scope of the relevant issues presented in Chapter 2. Relevant issues or resources should receive more extensive discussion than issues that are not relevant. Use the same order or sequence of resources in Chapters 4 and 5.

The most relevant resources will usually be soils, wetlands, floodplains, water and air quality, critical habitat or endangered/threatened species, and historic and cultural resources. Others should be added if they relate to the proposed action.

**4.2 Relevant Affected Resources that are issues (identified in Chap. 2 as relevant issues)**

Include all relevant physical, biological, social and economic features of the human environment. Use the same order or sequence of resources in Chapters 4 and 5.

Resources X (Issue 1)

Resource Y (Issue 2)

Resource Z (Issue 3)

Etc....

**4.3 Relevant Affected Resources that are not issues (identified in Chap. 2)****5 ENVIRONMENTAL CONSEQUENCES****5.1 Introduction**

Explain that this chapter is arranged by alternatives and describes the predicted effects on all affected relevant environmental resources (identified in Chap 2 & 4)

**Template for Programmatic Environmental Assessment (Continued)**

**5.2 Effects of Alternative A (No Action relevant resources)**

Resource X (Issue 1)

Resource Y (Issue 2)

Resource Z (Issue 3)

Etc....

**5.3 Effects of Alternative B (Proposed Action relevant resources)**

Resource X (Issue 1)

Resource Y (Issue 2)

Resource Z (Issue 3)

Etc...

**5.4 Effects of Alternative C (reasonable alternative(s) relevant resources.**

Resource X (Issue 1)

Resource Y (Issue 2)

Resource Z (Issue 3)

Etc...

**5.5 Cumulative Impacts**

A cumulative impact is 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 other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Summarize the cumulative impacts of this project and the related activities. Pay particular attention to land use changes and air and water quality impacts. Summarize the results of the environmental impact analysis done for any of these related activities and/or your discussion with the sponsoring agencies. Attach available documentation of the analysis.

**Template for Programmatic Environmental Assessment (Continued)**

Potential cumulative impacts of the proposed action and alternatives will have been discussed resource by resource in the preceding sections. It may be useful to recapitulate these discussions in a single section addressing cumulative impacts on a whole-ecosystem basis, with additional emphasis on the potential additive or countervailing impacts of other reasonably foreseeable actions or programs.

**5.6 Unavoidable Adverse Effects**

Under NEPA, an agency does not have to avoid adverse or significant effects. The key is that the agency identify such effects and then disclose them. Hiding or not fully disclosing them is a dangerous omission in any EA or EIS.

**5.7 Relationship of Short Term Uses and Long Term Productivity**

The balance or trade-offs between short-term uses and long-term productivity is the main point of the section. The decision-makers and the public need to have a clear sense of what they are gaining or losing in the short and long-term.

**5.8 Irreversible and Irretrievable Commitments of Resources**

Irreversible commitments are those that cannot be reversed (i.e. when a species becomes extinct). Irretrievable commitments are those that are lost for a period of time. If a grazing allotment is in poor condition the gap between its current condition and its ideal (potential) productivity is an ongoing irretrievable loss.

**5.9 Any other Disclosures (If Needed)****6 REACTION TO PROPOSED ACTION**

Discuss any adverse or positive reaction to the proposed action.

**7 LIST OF PREPARERS****8 REFERENCES**

Cite any reference material used in support of the PEA in an alphabetical list. The information on this list will make full footnotes unnecessary. Use parenthetical citations when sources are referenced.

**Appendix A – Acronyms and Abbreviations****Appendix B – Definitions**

Template for Programmatic Environmental Assessment (Continued)

Provide a listing of any definitions needed to explain terms used in the PEA.

<b>Alternatives</b>	Different ways of achieving the project objectives
<b>Environmental Assessment</b>	Means a concise public document for which a Federal agency is responsible that serves to:  Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.  Aid an agency's compliance with the Act when no environmental impact statement is necessary.  Facilitate preparation of a statement when one is necessary.  It shall include brief discussions of the need for the proposal, of alternatives as required by section 102(2)(E), of the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted.
<b>FSA</b>	FSA is an agency of the United States Department of Agriculture
<b>Human environment</b>	As defined in the CEQ Regulations § 1502.14, the term <i>human environment</i> includes all relevant physical, biological, economic, and social factors.
<b>Programmatic Environmental Assessment</b>	An environmental document that records an environmental analysis of a program. Subsequent site-specific documents tier to the programmatic document, concentrating on the relevant issues specific to a particular place, incorporating by reference the general Discussions contained in the Programmatic Environmental Analysis. See CEQ Regulations § 1508.28 for a definition of <i>tiering</i> , § 102.4(c) for general directions on preparing Programmatic Environmental Assessments.
<b>Tier, Tiering</b>	Refers to the coverage of general matters in a broadly scoped Environmental Impact Statement or Environmental Assessment, such as this Program Environmental Assessment. See CEQ Regulations § 1508.18 for a complete definition of <i>tiering</i> .
<b>USDA</b>	United States Department of Agriculture

**Template for Programmatic Environmental Assessment (Continued)**

**Appendix C - Relevant Laws and Regulations**

List relevant Laws and regulations that have to be complied with in the implementation of this proposed CREP agreement.

**Appendix D - Agencies and Individuals Consulted**

List any agencies and/or individuals consulted in the process of completing this CREP agreement.

**Appendix E - Supporting Documents**

List and attach any supporting documents, maps etc.

Template for Programmatic Environmental Assessment (Continued)

**FINDING OF NO SIGNIFICANT IMPACT  
(FONSI)**

*(Insert title of CREP Agreement)*

*(Insert Date)*

In accordance with the National Environmental Policy Act and FSA's Environmental regulations at 7 CFR 799, implementing the regulations of the Council on Environmental Quality, 40 CFR 1500-1508, I find that the proposed action described in the attached Programmatic Environmental Assessment (PEA), implementing the (Insert State name or other name) Conservation Reserve Program Enhancement (CREP) Agreement, is not a major Federal action significantly affecting the quality of the human environment. Therefore, no Environmental Impact Statement will be prepared.

*Briefly summarize the preferred alternative or proposed action. Explain who wants to do what and where and why they want to do it. Reference the attached PEA and explain where readers can obtain copies. List and discuss the reasons and rationale that support the FONSI.*

For contracts completed under the *(insert name)* CREP Agreement, FSA will ensure that a site-specific environmental evaluation is completed to determine whether the individual actions of each contract will have any adverse effects upon the quality of the human environment.

APPROVED:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
Title