

FINDING OF NO SIGNIFICANT IMPACT FROM IMPLEMENTATION OF THE CONSERVATION STEWARDSHIP PROGRAM (CSP)

The National Environmental Policy Act (NEPA) requires Federal agencies to prepare an Environmental Impact Statement (EIS) for major Federal actions significantly affecting the quality of the human environment. The Natural Resources Conservation Service (NRCS) has completed a Programmatic Environmental Assessment (EA) of its proposal to promulgate a revised regulation implementing the changes made to CSP by the Agricultural Improvement Act of 2018 (2018 Farm Bill) and making other minor administrative changes. The NRCS Chief, the responsible Federal official, must determine if the proposed action, Alternative 2 of the EA, constitutes a major Federal action significantly affecting the quality of the human environment such that an EIS should be prepared.

CSP is a voluntary program that helps agricultural producers maintain and improve their existing conservation systems and adopt additional conservation activities to address priority resources concerns. Participants earn CSP payments for conservation performance—the higher the performance, the higher the payment. In developing its proposed action, NRCS had to ensure CSP would be implemented in a manner that achieves the purposes for which CSP has been authorized. As stated in the legislation, the purpose of CSP under the 2018 Farm Bill is to encourage agricultural producers to address priority resource concerns and to improve and conserve the quality and condition of natural resources in a comprehensive manner by undertaking additional conservation activities and improving, maintaining, and managing existing conservation activities.

Most of the changes Congress made to CSP in the 2018 Farm Bill are administrative in nature, have limited potential to adversely impact the environment, and leave little discretion for NRCS to exercise in updating the regulations implementing CSP. The changes reflect the intent of Congress that NRCS's administration of CSP be streamlined and aligned with the Environmental Quality Incentives Program (EQIP), including applications, contracting, conservation planning, conservation practices, and related administrative procedures.

The Programmatic EA accompanying this statement has provided the analysis needed to assess the significance of the impacts of the proposed action. CSP authorizes activities that improve and conserve our Nation's natural resources, and the impacts of these activities under CSP provide many environmental benefits (EA pages 25 - 36). I have determined, for the reasons outlined below, that there will be no significant individual or cumulative impacts on the quality of the human environment as a result of implementing CSP or the modifications to CSP made by the interim final rule, particularly when focusing on the significant adverse impacts which NEPA is intended to help decisionmakers avoid and mitigate. Therefore, an EIS will not be prepared.

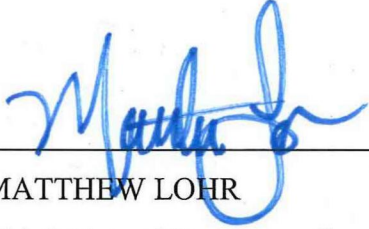
- 1) The Programmatic EA evaluated both the beneficial and adverse impacts of the proposed action, which is to implement CSP as authorized by the 2018 Farm Bill. CSP provides many benefits to the environment and would have few, if any, adverse short-term impacts to resources. Unintended short-term adverse impacts would be mitigated to the maximum extent possible and would lead to a higher level of long-term productivity for natural resources. The long-term productivity would result from conservation planning efforts and activities designed to enhance soil, water, air, plant, animal, and energy resources above the stewardship threshold level. These considerations would all be factored into the site-specific environmental evaluation process described on pages 12 – 13 of the EA for CSP-funded activities. Thus, any potential adverse effects that may result from this program will occur at a much lower threshold than the EIS threshold.
- 2) The proposed action will not result in significant adverse effects on public health or safety. The application of conservation activities is anticipated to provide long-term beneficial impacts to improve natural ecosystem functions, and appropriate measures will be taken on a site-specific basis to mitigate the potential for adverse effects to occur to public health and safety.
- 3) There is no evidence indicating there will be any significant adverse effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas from selection of the proposed action, particularly on a national basis. CSP provides payments to agricultural producers for maintaining existing conservation practices, adopting a resource-conserving crop rotation, and for installing new conservation activities. Minor short-term adverse impacts from installing new activities will be avoided by following NRCS procedures as outlined in the EA and

consulting as required with other agencies having jurisdiction over these resources.

- 4) The effects of CSP on the quality of the human environment are not controversial. CSP helps agricultural producers maintain and improve their existing conservation systems and adopt additional conservation activities. It is only through the implementation of additional conservation activities that CSP affects the environment. All conservation activities are covered under NRCS conservation practice standards that are published for public comment in the Federal Register before being adopted to ensure integration of appropriate science and to identify and resolve any related controversy. Any controversies that may arise from a site-specific application will be identified during the environmental evaluation process and appropriate mitigation measures applied. If necessary, an EA or EIS may be prepared in addition to this Programmatic EA to ensure compliance with NEPA.
- 5) The proposed action is not considered highly uncertain and does not involve unique or unknown risks. NRCS has been implementing CSP for more than a decade. Moreover, conservation activities implemented under CSP are supported by science and have been demonstrated to improve natural resource conditions. The effects of the conservation activities to be applied are analyzed at a broad scale in the Programmatic EA and have been detailed in Conservation Practice Network Effects Diagrams that are incorporated in the Programmatic EA. Conservation practice standards also are published for public comment before adoption by NRCS and are reviewed and revised as new science becomes available. Each of these reasons helps ensure CSP does not involve unique or unknown risks.
- 6) The proposed action will not establish a precedent for future actions with significant adverse effects, nor does it represent a decision in principle about future considerations. The proposed action involves publishing a rule that adopts legislative changes made by Congress in the 2018 Farm Bill and describes how NRCS will implement these mandatory changes to CSP. No significant direct, indirect, or cumulative impacts were identified in the EA.
- 7) The proposed action will result in improvement of natural resource conditions on agricultural and non-industrial forest lands across the United States. As discussed in the EA, the impact of CSP activities is expected to be beneficial to natural resources. Though

some minor, short-term adverse effects may occur in some locations from implementation of new activities, the cumulative effect of these individual actions on the quality of the human environment are not expected to be nationally significant, particularly when focusing on the significant adverse impacts that NEPA is intended to help decisionmakers avoid, minimize, or mitigate. As the EA also indicates, to the extent there are indications that site-specific CSP activities may have potential to result in significant adverse effects to the quality of the human environment, an EA or EIS may be prepared separately from the CSP Programmatic EA.

- 8) The proposed action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historical resources. As stated in the EA, NRCS follows the Advisory Council on Historic Preservation's regulations for implementation of Section 106 of the National Historic Preservation Act of 1966 and related policy guidance to ensure historic properties are taken into account during project and program planning. NRCS also enters into programmatic agreements to ensure it takes appropriate steps to identify and avoid adversely affecting these resources as it implements conservation activities.
- 9) The proposed action will not adversely affect endangered or threatened species, marine mammals, or critical habitat to any significant degree. As discussed in the Programmatic EA, NRCS consults with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as applicable, to ensure these species are not jeopardized, adverse effects are minimized, and that there are no adverse modifications to designated critical habitat. NRCS also enters into programmatic agreements to ensure conservation measures are implemented in conjunction with the proposed conservation activities in order to make "no effect" and "may affect, not likely to adversely affect" determinations.
- 10) The proposed action does not violate Federal, State, or local requirements imposed for protection of the environment. The NRCS Environmental Evaluation (EE) Worksheet identifies requirements for protection of the environment to ensure they are considered and that adverse effects are addressed during the EE process, normally by consultation with the agency having jurisdiction. As a result, the proposed action is consistent with the requirements of these laws and related policies.



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Chief, Natural Resources Conservation Service

U.S. Department of Agriculture

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DATE