Appendix C

Farmland

This memo was updated based on design changes resulting from the public hearing. The only changes were to numeric values and the determinations and conclusions listed in this memo have not changed.

Memo

Date:	February 20, 2024
Project:	32319: Norfolk – Wisner (S-275-6(1052))
Subject:	Rationale for NRCS-CPA-106

The federal Farmland Protection Policy Act of 1981 (FPPA; 7 CFR 658) was enacted to minimize unnecessary conversion of farmland to other uses as a result of federal decisions. In addition, the FPPA states that federal programs should be compatible with state and local policies or programs that protect farmland. The Natural Resources Conservation Service (NRCS) oversees FPPA compliance. The NRCS-CPA-106 (Farmland Conversion Impact Rating For Corridor Type Projects) form is used to evaluate farmland impacts from federal projects. A separate CPA-106 form was completed for Stanton and Cuming County and the rationale for the applicant's responses for each county is detailed below.

Stanton County

Part III.

A. Total Acres to be Converted Directly = acreage of farmland in the preliminary impact area – ~~213~~ *217* acres

C. Total Acres in Corridor = acreage of farmland that would be converted directly or indirectly – ~~213~~ *217* acres

Part VI.

1. *How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?* (0 to 15 pts.)

Area in non-urban use within 1 mile of the centerline of the project was determined to be approximately 99%. This determination was made quantitatively based on a 1-mile buffer of the alignment compared to the latest census boundaries for cities (Pilger).

Points assigned: 15

2. *How much of the perimeter of the site borders on land in nonurban use* (0 to 10 pts.)

The perimeter of project is 50% non-urban use.

Points assigned: 5

3. *How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?* (0 to 20 pts.)

Total area of farmland within the corridor is ~~213~~ *217* acres and 91% is being farmed.

Points assigned: 20

4. *Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?* (0 or 20 pts.)

Nebraska has no local or state protection programs specifically addressing conversion of Prime Farmland.

Points assigned: 0

5. *Are the farm units containing the site (before the project) as large as the average-size farming unit in the county?* (Average farm sizes in each county are available from the NRCS field offices in each State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with $1,000 or more in sales.) (0 to 10 pts.)

Average farm for Stanton County is 466 acres. The size of farmed parcels owned by the same entity and impacted by the Project ranges from 1 acre to 745 acres.

Points assigned: 2

6. *If the site is chosen for the project, how much of the remaining land on the farm will become nonfarmable because of interference with land patterns?* (0 to 25 pts.)

There would be no creation of non-farmable land with the project. No parcel of land would be inaccessible. All parcels adjacent to converted farmland would remain farmable.

Points assigned: 0

7. *Does the site have available adequate supply of farm support services and markets (i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets)? (0 to 5 pts.)*

Location has availability to all services.

Points assigned: 5

8. *Does the site have substantial and well-maintained on-farm investments, such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures? (0 to 20 pts.)*

25 of the 39 farms (defined as farmed parcels owned by the same entity) within and adjacent to the site have investments somewhere on the farm (beyond just the site). There are 16 farmsteads, outbuildings, and/or cattle operations, two terraces, 11 irrigation center pivots, and one reservoir within the affected farms. Most of these improvements are not within the site. There are eight pivots within the site, one grain silo, and one outbuilding. The portion of pivots within the site are the spray area and/or wheel tracks. These center pivots would need to be shortened by one to two wheel tracks. The irrigation wells or center pivot points within the site would not be impacted. Each farm was evaluated for improvements and given a score from 0 to 20 based on impacts on investments within the site but also considering impacts on the overall farm if the site impacts affected the operation of the remainder of the farm. The total score of farm investments was averaged across all the farms within the site. Due to the lack of on-farm investments physically within the site, the investments are considered moderate.

Points assigned: 10

9. *Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area? (0 to 25 pts.)*

There would not be a significant reduction in demand for support services if the ~~213~~ *217* acres of farmland are converted to NDOT ROW. The ~~213~~ *217* acres of farmland to be converted represents less than 1 percent of the 238,258 acres of farmland in Stanton County.

Points assigned: 0

10. *Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use? (0 to 10 pts.)*

Proposed project is fully compatible with existing agricultural use. Access to agricultural fields may be changed but will still be present following construction. The project would improve transportation and would benefit farmers in the Study Area. The project would not likely result in the conversion of surrounding farmland to nonagricultural use.

Points assigned: 0

Total Points assigned for Part VI: 57

Cuming County

Part III.

A. Total Acres to be Converted Directly = acreage of farmland in the preliminary impact area – 111 acres

D. Total Acres in Corridor = acreage of farmland that would be converted directly or indirectly – 111 acres

Part VI.

1. *How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?* (0 to 15 pts.)

Area in non-urban use within 1 mile of the center the centerline of project was determined to be approximately 98%. This determination was made quantitatively based on a 1-mile buffer of the alignment compared to the latest census boundaries for cities (Wisner).

Points assigned: 15

2. *How much of the perimeter of the site borders on land in nonurban use* (0 to 10 pts.)

The perimeter of project was estimated at 50% non-urban use.

Points assigned: 5

3. *How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?* (0 to 20 pts.)

Total area of farmland within the corridor is 111 acres and 94% is being farmed.

Points assigned: 20

4. *Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?* (0 or 20 pts.)

Nebraska has no local or state protection programs specifically addressing conversion of Prime Farmland.

Points assigned: 0

5. *Are the farm units containing the site (before the project) as large as the average-size farming unit in the county?* (Average farm sizes in each county are available from the NRCS field offices in each State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with $1,000 or more in sales.) (0 to 10 pts.)

Average farm for Cuming County is 452 acres. The size of farmed parcels owned by the same entity and impacted by the Project ranges from 3 acres to 860 acres.

Points assigned: 4

6. *If the site is chosen for the project, how much of the remaining land on the farm will become nonfarmable because of interference with land patterns?* (0 to 25 pts.)

There would be no creation of non-farmable land with the project. No parcel of land would be inaccessible. All parcels adjacent to converted farmland would remain farmable.

Points assigned: 0

7. *Does the site have available adequate supply of farm support services and markets (i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets)? (0 to 5 pts.)*

Location has availability to all services.

Points assigned: 5

8. *Does the site have substantial and well-maintained on-farm investments, such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures? (0 to 20 pts.)*

9 of the 13 farms (defined as farmed parcels owned by the same entity) within and adjacent to the site have investments somewhere on the farm (beyond just the site). There are 8 farmsteads, outbuildings, and/or cattle operations and 7 irrigation center pivots within the affected farms. Most of these improvements are not within the site. There are four pivots within the site with the portion of pivots within the site being the spray area, wheel tracks, and/or irrigation wells. One center pivot would need to be shortened by one to two wheel tracks. Three irrigation wells or center pivot points would potentially need to be relocated. Each farm was evaluated for improvements and given a score from 0 to 20 based on impacts on investments within the site but also considering impacts on the overall farm if the site impacts affected the operation of the remainder of the farm. The total score of farm investments was averaged across all the farms within the site. Due to the lack of on-farm investments physically within the site, the investments are considered moderate.

Points assigned: 10

9. *Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area? (0 to 25 pts.)*

There would not be a significant reduction in demand for support services if the 91 acres of farmland are converted to NDOT ROW. The 91 acres of farmland to be converted represents less than 1 percent of the 383,286 acres of farmland in Cuming County.

Points assigned: 0

10. *Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use? (0 to 10 pts.)*

Proposed project is fully compatible with existing agricultural use. Access to agricultural fields may be changed but will still be present following construction. The project would improve transportation and would benefit farmers in the Study Area. The project would not likely result in the conversion of surrounding farmland to nonagricultural use.

Points assigned: 0

Total Points assigned for Part VI: 59

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

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

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request 2/20/24	4. Sheet 1 of 2
1. Name of Project **Norfolk - Wisner**	5. Federal Agency Involved **Federal Highway Administration**	
2. Type of Project **Expressway**	6. County and State **Stanton County, Nebraska**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☐ NO ☐		4. Acres Irrigated / Average Farm Size
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS

PART III *(To be completed by Federal Agency)*		Alternative Corridor For Segment _____			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		217			
B. Total Acres To Be Converted Indirectly, Or To Receive Services		0			
C. Total Acres In Corridor		217			
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*					
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	5			
3. Percent Of Corridor Being Farmed	20	20			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	2			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availablility Of Farm Support Services	5	5			
8. On-Farm Investments	20	10			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	57	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	57	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	57	0	0	0

1. Corridor Selected: **A**	2. Total Acres of Farmlands to be Converted by Project: **217**	3. Date Of Selection: **2/20/24**	4. Was A Local Site Assessment Used? YES ☐ NO ☑

5. Reason For Selection:

Engineering considerations

Signature of Person Completing this Part: **Carmen Modrcin, HDR**

DATE **2/20/24**

NOTE: Complete a form for each segment with more than one Alternate Corridor

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FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request 2/20/24	4. Sheet 1 of 2
1. Name of Project **Norfolk - Wisner**	5. Federal Agency Involved **Federal Highway Administration**	
2. Type of Project **Expressway**	6. County and State **Cuming County, Nebraska**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☐ NO ☐		4. Acres Irrigated / Average Farm Size
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS

PART III *(To be completed by Federal Agency)*		Alternative Corridor For Segment _____			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		111			
B. Total Acres To Be Converted Indirectly, Or To Receive Services		0			
C. Total Acres In Corridor		111			
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*					
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	5			
3. Percent Of Corridor Being Farmed	20	20			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	4			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availablility Of Farm Support Services	5	5			
8. On-Farm Investments	20	10			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	59	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	59	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	59	0	0	0

1. Corridor Selected: **A**	2. Total Acres of Farmlands to be Converted by Project: **111**	3. Date Of Selection: **2/20/24**	4. Was A Local Site Assessment Used? YES ☐ NO ☑

5. Reason For Selection:

Engineering considerations

Signature of Person Completing this Part: **Carmen Modrcin, HDR**

DATE **2/20/24**

NOTE: Complete a form for each segment with more than one Alternate Corridor