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July 16, 2014

Ms. Hannah Hadley  
U.S. Army Corps of Engineers  
CENWS-EN-ER  
P.O. Box 3755  
Seattle, Washington 98124-3755

Dear Ms. Hadley,

Washington NRCS appreciates the opportunity to review the draft integrated Feasibility Report and Environmental Impact Statement (draft FR/EIS) for the Skagit River Flood Risk Management General Investigation study. Our comments are combined into one response.

1.9 states:

“The Corps has been closely coordinating with NRCS with regard to the status of this GI and their conservation easement program.” Yet, I did not see any analysis of the effect of the various alternatives on our easement programs, specifically the Wetland Reserve Program (WRP) and the Farm and Ranch Lands Protection Program (FRPP). Have you determined if there are NRCS easements or other NRCS projects in the footprint of the alternatives and quantified the impact in terms of numbers of easements, acres involved, and dollars spent? If not, this needs to be done. If we have to modify existing easements or potentially change where we enroll future easements, the impact needs to be spelled out and the Corps needs to know what is involved. Our preference is for easements to be avoided, so they need to be mapped out within each alternative.

Section 4.19.1

Page 166, 2<sup>nd</sup> paragraph – Change National Resources Conservation Service to Natural Resources Conservation Service.

This section should quantify the impacts to prime farmland for each of the action alternatives. The No Action alternative should identify the acres of prime farmland within the project area, not just in the County. According to NRCS policy on the Farmland Protection Policy Act (FPPA):

“Each alternative considered in [an]...environmental impact statement (EIS) should have been evaluated for farmland protection, and the results of the evaluation shown in the discussion of the alternative. This will allow the cumulative impacts of each alternative to be judged and considered in the decision making process.”

Page 167, 1<sup>st</sup> paragraph, last sentence. The correct definition of Prime Farmland should be used. It is:

“Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary of Agriculture. Prime farmland includes land that possesses the above characteristics but is being used currently to

produce livestock and timber. It does not include land already in or committed to urban development or water storage.”

6.11

Recommended edits are shown below:

The **purposes of the** Farmland Protection Policy Act (FPPA, 7 U.S.C. § 4201 et seq., 7 CFR 658) are to:

- Minimize the extent to which Federal contribute to the unnecessary and irreversible conversion of important farmland to nonagricultural uses,
- Encourage alternative actions, if appropriate, that could lessen the adverse effects on farmland, and
- Assure that Federal programs are operated in a manner that, to the extent practicable, will be compatible with State, units of local government and private programs to protect farmland.

~~The FPPA protects Prime and Unique farmland, and land of statewide or local importance. The Farmland Protection Policy Act protects forestland, pastureland, cropland, or other land that is not water or urban developed land. The Farmland Protection Policy Act requires a Federal agency to consider the effects of its action and programs on the Nation’s farmlands. This Act is regulated by the NRCS. The NRCS is authorized to review Federal projects to see if the project is regulated by the Farmland Protection Policy~~

~~Act and establish what the farmland conversion impact rating is for a Federal project.~~ **NRCS is the agency responsible for ensuring that FPPA is implemented. As a Federal agency, USACE has a responsibility to lessen the effects of conversion activities on farmland and to ensure that actions are compatible, to the extent practicable, with State, local, and private programs to protect farmland. The FPPA applies to Federal actions that would convert important farmland to nonagricultural uses. Under FPPA, NRCS provides technical assistance to Federal agencies to help them limit the conversion of productive farmland to nonagricultural uses by providing site assessments that include a rating of the relative farmland value of alternative sites.**

The tentatively selected plan would affect prime farmland along the increased footprint of levee. ~~During feasibility level~~

~~design phase, USACE will provide the NRCS with project maps and descriptions to assess impacts on~~

~~Prime and Unique farmlands.~~ **[USACE should not wait until the feasibility level design phase, but do it prior to release of the Final EIS, so that impacts to prime farmland can be compared among the 3 action alternatives.]**

Sincerely,

Deborah Virgovic  
WA NRCS State Fisheries Biologist