

Kansas Department of Health and Environment
Bureau of Water
Public Water Supply Section

INSTRUCTIONS TO INITIATE THE ENVIRONMENTAL REVIEW PROCESS

One of the requirements, which must be completed to receive a loan through the Kansas Public Water Supply Loan Fund, is preparation of an “environmental clearance document” by KDHE. The environmental clearance document is based on comments received through the intergovernmental review process. It is the responsibility of each loan applicant to obtain these comments by following these steps:

1. The agencies listed on page 2 must be contacted in writing (see page 3 for a sample letter) for clearance/comment. Each agency must be provided with:
 - a. A narrative description of the project, including location expressed in Section, Township, and Range.
 - b. A site map (USGS or satellite map is acceptable) indicating the project site and the waterline alignment, if applicable.
 - c. A summary of the total cost or budget for the project.
 - d. An email address to respond to (this may speed up response time)
2. A review form (see page 4) should be sent to each of the reviewing agencies.
3. If the project will convert farmland to non farm use, a USDA Farmland Conversion Impact Rating form must be sent to the Natural Resources Conservation Service in addition to items 1 and 2. Forms and instructions start on page 5 of this packet.
4. Copies of ALL letters requesting clearances, and ALL responses should be submitted with Part II of the Public Water Supply Loan Fund application when all clearances/comments are received, or after the allowable review time has expired (30 days).
5. Projects that do not have a significant effect on the quality of the environment may be excluded from further environmental review requirements. If the municipality wishes to pursue exclusion for their project, please submit to KDHE a request along with copies of the environmental review letters. Such projects may include:
 1. Replacement projects of existing mechanical equipment or structures;
 2. Upgrading of existing treatment process and minor expansion of existing treatment works;
 3. Water transmission, distribution and storage projects, especially if the project remains in existing easements.

Agencies and Addresses to Contact for Clearance/Comments on the
Environmental Review Process for the Kansas Public Water Supply Loan Fund

Kansas Dept. of Wildlife and Parks
Environmental Services Section
512 SE 25th Avenue
Pratt, KS 67124-8174

Kansas State Historical Society
State Historic Preservation Office
6425 SW 6th Avenue
Topeka, KS 66615-1099

Kansas Corporation Commission
Conservation Division
130 S Market Room 2078
Wichita, KS 67202-3802

Kansas Dept. of Health & Environment
Donna Fisher, Division of Environment
Director's Office
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367

Kansas Dept. of Agriculture
Division of Water Resources
109 SW 9th St, 2nd Floor
Topeka, KS 66612-1283

Kansas Geological Survey
University of Kansas
1930 Constant Ave.,
Lawrence, KS 66047-3724

U.S. Department of Agriculture
Natural Resources Conservation Service
760 South Broadway
Salina, KS 67401-4642

Kansas Water Office
901 S Kansas Ave
Topeka, KS 66612-1249

State Conservation Commission
109 SW 9th St. – Suite 500
Topeka, KS 66612-1299

Kansas Biological Survey
University of Kansas
2101 Constant Ave., Higuchi Hall
Lawrence, KS 66047-3759

U.S. Fish and Wildlife Service
Ecological Services/Partners for Fish & Wildlife
2609 Anderson Avenue
Manhattan, KS 66502-2801

US Army Corps of Engineers
Kansas City District
700 Federal Building – 601 E 12th St
Kansas City, Missouri 64106-2896

Re: Name of Applicant
Kansas Public Water Supply Loan Fund
Project No. _____

The (name of applicant) is preparing a application to the Kansas Department of Health and Environment for a loan from the Kansas Public Water Supply Loan Fund for the referenced project. The proposed project will construct [Project Description including area details and Section Township and Range]

We would appreciate your review of the project description and location, and any comments you may have, within 30 days. A project review form is enclosed for your use.

Please call (contact) at (phone number) if you have any questions.

Instructions for completing Farmland Conversion Impact Rating Form

If the proposed project will convert farmland to non farm use, an additional form must be submitted to USDA Natural Resources Conservation Service. If the project will only construct water lines on farmland, Form NRCS-CPA-106, Farmland Conversion Impact Rating for Corridor Type Projects, must be submitted. Otherwise, Form AD-1006, Farmland Conversion Impact Rating, must be submitted. Both forms are included in this packet.

1. Complete Part 1 and Part 3. The system must complete these sections; disregard the statement “To be completed by Federal Agency”. If there are alternate project sites, please list each alternative separately in Part 3. Include the appropriate form with the letter and Agency Review Comment form sent to USDA Natural Resource Conservation Service (NRCS).
2. The NRCS will complete Part 2, 4, and 5, and then return the form with its Agency Comment Letter. If NRCS enters 0 on Part 5, no further action is required by the system.
3. If a value greater than 0 is entered in Part 5 by NRCS, then the system must complete Part 6 using the site assessment criteria numbering system as outlined on pages 10 and 11 of this packet.
4. Submit a copy of the form to KDHE along with the NRCS environmental review response letter and/or comment form.
5. KDHE will complete part 7.

FARMLAND CONVERSION IMPACT RATING

PART I <i>(To be completed by Federal Agency)</i>		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved EPA/Kansas DWSRF			
Proposed Land Use		County and State			
PART II <i>(To be completed by NRCS)</i>		Date Request Received By NRCS			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %		Amount of Farmland As Defined in FPPA Acres: %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
PART III <i>(To be completed by Federal Agency)</i>		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV <i>(To be completed by NRCS) Land Evaluation Information</i>					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or 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 <i>(To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)</i>					
PART VI <i>(To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
PART VII <i>(To be completed by Federal Agency)</i>					
Relative Value Of Farmland <i>(From Part V)</i>		100			
Total Site Assessment <i>(From Part VI above or local site assessment)</i>		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days. In the event NRCS fails to complete a response within the required period, the agency may proceed as though the site were not farmland.)
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.
- Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM (For Federal Agency)

Part I: When completing the "County And State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a State or Local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.

Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, FPPA suggests the agency consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites).

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

3. Date Of Land Evaluation Request:	4. Sheet 1 of _____
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1. Name of Project:	5. Federal Agency Involved: EPA/Kansas DWSRF
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2. Proposed Land Use:	6. County and State:
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PART II (To be completed by NRCS)

1. Date Request Received By NRCS	2. Person Completing Form:
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3. Does the corridor contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	4. Acres Irrigated	Average Farm Size
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5. Major Crop(s)	6. Farmable Land In Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %
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8. Name of Land Evaluation System Used	9. Name of State or Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
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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				
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B. Total Acres To Be Converted Indirectly				
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C. Total Acres In Site				
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PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland				
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B. Total Acres Statewide Important or Local Important Farmland				
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C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
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D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				
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PART V (To be completed by NRCS) Land Evaluation Criterion
Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria
(Criteria are explained in 7 CFR 658.5 b & c. For Non-Corridor project use form AD-1006)

	Maximum Points	Corridor A	Corridor B	Corridor C	Corridor D
1. Area In Non-urban Use	(15)				
2. Perimeter In Non-urban Use	(10)				
3. Percent Of Corridor Being Farmed	(20)				
4. Protection Provided By State and Local Government	(20)				
5. Size Of Present Farm Unit Compared To Average	(10)				
6. Creation Of Non-farmable Farmland	(25)				
7. Availability Of Farm Support Services	(5)				
8. On-Farm Investments	(20)				
9. Effects Of Conversion On Farm Support Services	(25)				
10. Compatibility With Existing Agricultural Use	(10)				
TOTAL CORRIDOR ASSESSMENT POINTS	160				

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or local site assessment)	160				
TOTAL POINTS (Total of above 2 lines)	260				

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Federal agency representative completing this form:	Date:
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NOTE: Complete one form for each segment with more than one Alternate Corridor

(See Instructions on reverse side)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

(Use this form only for Corridor type projects. Other projects use form AD-1006)

Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Non-Corridor type projects, the Federal agency shall use form AD-1006 in place of form NRCS-CPA-106

Step 2 - Originator will send one original copy of the form together with appropriate scaled maps indicating location(s)of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the State Conservationist and State Office in each State.)

Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days. In the event NRCS fails to complete a response within the required period, the agency may proceed as though the site were not farmland.)

Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.

Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.

Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County And State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

- 3. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
- 4. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a State or Local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5(b and c) of CFR. In cases of corridor-type project such as transportation, powerline and flood control, criteria #5 and #6 do not apply or show on form CPA-106, however, original criterion #8 will be weighed a maximum of 25 points and original criterion #11 a maximum of 25 points.

Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points are equal to or exceed 160, FPPA suggests the agency consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites).

In rating alternative corridors, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Corridors most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Corridor Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Corridor A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Corridor A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees consult the FPPA Manual and/or policy for additional instructions to complete form NRCS-CPA-106.

SITE ASSESMENT CRITERIA

Use to complete Part 6 (If using NRCS-CPA-106, items 5 and 6 are not used)

(1) How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent—15 points

90 to 20 percent—14 to 1 point(s)

Less than 20 percent—0 points

(2) How much of the perimeter of the site borders on land in non-urban use?

More than 90 percent—10 points

90 to 20 percent—9 to 1 point(s)

Less than 20 percent—0 points

(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?

More than 90 percent—20 points

90 to 20 percent—19 to 1 point(s)

Less than 20 percent—0 points

(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?

Site is protected—20 points

Site is not protected—0 points

(5) How close is the site to an urban built-up area? (Not used in NRCS-CPA-106)

The site is 2 miles or more from an urban built-up area—15 points

The site is more than 1 mile but less than 2 miles from an urban built-up area—10 points

The site is less than 1 mile from, but is not adjacent to an urban built-up area—5 points

The site is adjacent to an urban built-up area—0 points

(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use? (Not used in NRCS-CPA-106)

None of the services exist nearer than 3 miles from the site—15 points

Some of the services exist more than 1 but less than 3 miles from the site—10 points

All of the services exist within 1/2 mile of the site—0 points

(7) ((5) if using NRCS-CPA-106) Is the farm unit(s) 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.)

As large or larger—10 points

Below average—deduct 1 point for each 5 percent below the average, down to 0 points if

50 percent or more below average—9 to 0 points

(8) ((6) if using NRCS-CPA-106) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project—10 points (25 points if NRCS-CPA-106 is used)

Acreage equal to between 25 and 5 percent of the acres directly converted by the project—9 to 1 point(s) (24 to 1 points if NRCS-CPA-106 is used)

Acreage equal to less than 5 percent of the acres directly converted by the project—0 points

(9) ((7) if using NRCS-CPA-106) 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?

All required services are available—5 points

Some required services are available—4 to 1 point(s)

No required services are available—0 points

(10) ((8) if using NRCS-CPA-106) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment—20 points

Moderate amount of on-farm investment—19 to 1 point(s)

No on-farm investment—0 points

(11) ((9) if using NRCS-CPA-106) 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?

Substantial reduction in demand for support services if the site is converted—10 points (25 points if NRCS-CPA-106 is used)

Some reduction in demand for support services if the site is converted—9 to 1 point(s) (24 to 1 points if NRCS-CPA-106 is used)

No significant reduction in demand for support services if the site is converted—0 points

(12) ((10) if using NRCS-CPA-106) 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?

Proposed project is incompatible with existing agricultural use of surrounding farmland—10 points

Proposed project is tolerable to existing agricultural use of surrounding farmland—9 to 1 point(s)

Proposed project is fully compatible with existing agricultural use of surrounding farmland—0 points