

Appendix A: Council Member Applicant and Proposal Information Summary Sheet

Council Member: USDA	Point of Contact: Shannon Weaver, USDA-NRCS <hr/> Phone: 334-887-4533 <hr/> Email: Shannon.weaver@al.usda.gov
Project Identification	
Project Title: Mobile Bay and Beyond – Watershed Implementation to enhance Marsh, Marine, and Estuarine Ecosystems Project	
State(s): Alabama	County/City/Region: Baldwin & Mobile Counties
General Location: <i>Projects <u>must</u> be located within the Gulf Coast Region as defined in RESTORE Act. (attach map or photos, if applicable)</i> Southern Baldwin County and Southern Mobile County	
Project Description	
RESTORE Goals: <i>Identify all RESTORE Act goals this project supports. Place a P for Primary Goal, and S for secondary goals.</i>	
<input type="checkbox"/> S Restore and Conserve Habitat <input type="checkbox"/> P Restore Water Quality <input type="checkbox"/> S Restore and Revitalize the Gulf	<input type="checkbox"/> S Replenish and Protect Living Coastal and Marine Resources <input type="checkbox"/> S Enhance Community Resilience
RESTORE Objectives: <i>Identify all RESTORE Act objectives this project supports. Place a P for Primary Objective, and S for secondary objectives.</i>	
<input type="checkbox"/> S Restore, Enhance, and Protect Habitats <input type="checkbox"/> P Restore, Improve, and Protect Water Resources <input type="checkbox"/> S Protect and Restore Living Coastal and Marine Resources <input type="checkbox"/> S Restore and Enhance Natural Processes and Shorelines	<input type="checkbox"/> S Promote Community Resilience <input type="checkbox"/> S Promote Natural Resource Stewardship and Environmental Education <input type="checkbox"/> S Improve Science-Based Decision-Making Processes
RESTORE Priorities: <i>Identify all RESTORE Act priorities that this project supports.</i>	
<input checked="" type="checkbox"/> X Priority 1: Projects that are projected to make the greatest contribution <input checked="" type="checkbox"/> X Priority 2: Large-scale projects and programs that are projected to substantially contribute to restoring <input checked="" type="checkbox"/> X Priority 3: Projects contained in existing Gulf Coast State comprehensive plans for the restoration <input checked="" type="checkbox"/> X Priority 4: Projects that restore long-term resiliency of the natural resources, ecosystems, fisheries ...	
RESTORE Commitments: <i>Identify all RESTORE Comprehensive Plan commitments that this project supports.</i>	
<input checked="" type="checkbox"/> X Commitment to Science-based Decision Making <input checked="" type="checkbox"/> X Commitment to Regional Ecosystem-based Approach to Restoration <input checked="" type="checkbox"/> X Commitment to Engagement, Inclusion, and Transparency <input checked="" type="checkbox"/> X Commitment to Leverage Resources and Partnerships <input checked="" type="checkbox"/> X Commitment to Delivering Results and Measuring Impacts	
RESTORE Proposal Type and Phases: <i>Please identify which type and phase best suits this proposal.</i>	
<input checked="" type="checkbox"/> X Project <input checked="" type="checkbox"/> X Planning <input checked="" type="checkbox"/> X Technical Assistance <input checked="" type="checkbox"/> X Implementation _____ Program	
Project Cost and Duration	
Project Cost Estimate: Total : \$6.75 M	Project Timing Estimate: Date Anticipated to Start: January 1, 2016 Time to Completion: <u> 5 </u> years Anticipated Project Lifespan: <u> 5-25 </u> years

Executive Summary

General information pursuant to Comprehensive Plan Goals and Objectives

This project will restore **water quality** in select watersheds through installation of conservation practices, primarily on private land. These conservation practices will reduce sediment, pesticides, nutrients, and fecal coliform entering priority watersheds near the Gulf, improving water quality of fresh, estuarine and marine waters. This project will include installing structures for sediment and erosion control; livestock stream exclusion; stream restoration — such as re-planting hardwoods and expanding buffers, sod-based rotation on cropland, precision placement of pesticides, nutrient management, cover crops, hydrologic restoration, and innovative urban/rural interface projects. Even though the primary objective is water quality, a secondary result will be **restoration and conservation of habitat**, through improved aquatic resources.

Implementation

Implementation can commence immediately upon funding. The USDA-Natural Resources Conservation Service, Soil & Water Conservation Districts, Clean Water Partnership, Auburn University and other partners have the capacity to start work immediately. Priorities and Ranking will be developed using the NRCS State Technical Committee structure. Public announcements, field days, outreach meetings, and press releases will notify private landowners that they may sign up at their local Soil & Water Conservation District office. Site evaluations and practice designs will take up to 4 months, with on the ground implementation beginning no later than 6 months after notification of proposal selection. Each 12 digit HUC watershed will take between 3-5 years for full implementation and treatment.

Monitoring and measures of success of the proposal

There are many existing water quality monitoring efforts that can be utilized to establish a benchmark and to measure success. Partners for this effort would include the Alabama Department of Environmental Management, Alabama Department of Conservation and Natural Resources, Geological Survey of Alabama, and Water Watch Volunteers. New efforts to monitor water quality will be explored through Auburn University, University of South Alabama, and the Gulf of Mexico Alliance. USDA will measure acres treated and will keep a geospatial database of installed practices, including calculations of sediment reduction rates.

Uncertainties and risks associated with the proposal

This project relies on voluntary-incentives based conservation on private land and herein lies the risk. It is possible that landowners who need to participate will not choose to participate. However, the RESTORE Act allows flexible incentives, providing a way to entice landowners to address resource concerns. In addition, key partners in this project are the Soil & Water Conservation Districts, who are landowners, themselves. This group of conservation minded volunteers provides a bridge of trust, a way to gain access and cooperation to private land and landowners.

Proposal Narrative

Introduction and background

The USDA recognizes the many on-going efforts to restore Gulf Coast Resources (NRDA, NFWF Gulf Environmental Benefits Fund, etc.). To build upon and enhance these on-going and future efforts, USDA proposes to utilize RESTORE Act Funding to treat entire watersheds that drain to these projects. We are offering this proposal under the auspices of the Resources and Ecosystems Sustainability, Tourism Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) Act and other applicable statutory authorities. USDA has a unique capacity through its Memorandum of Understanding with Soil & Water Conservation Districts to treat land on a watershed basis and engage private landowners. This project will implement conservation treatment on 15,000 acres to improve hydrologic condition and water quality.

This project will be implemented in phases, where Phase 1 will focus on water quality efforts in select watersheds draining directly into the Mississippi Sound and Mobile Bay (Figure 1). The selection of Phase 1 watersheds builds upon on-going and planned work, such as NRDA and NFWF Projects. Future phases of work, if funded, will be selected in a similar fashion. As new coastal projects are identified and funded, this USDA project will treat the upstream landscapes and improve waters draining to coastal and marine restoration areas.

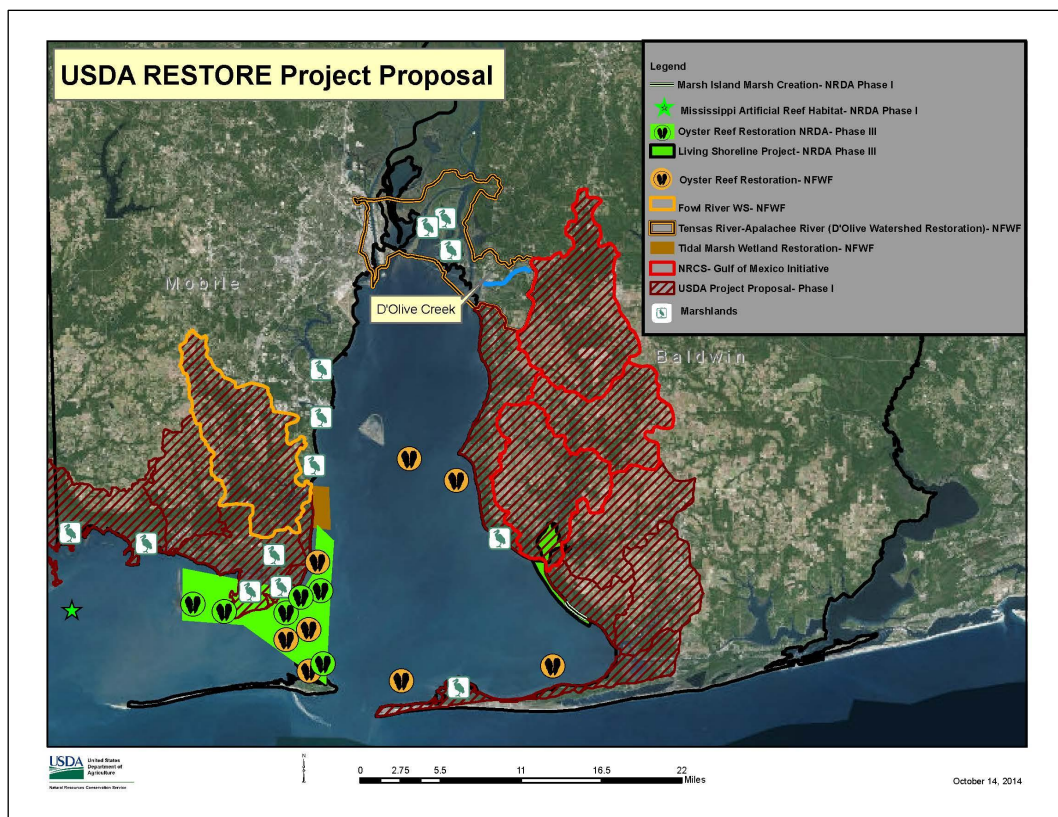


Figure 1. Phase 1 Project Area and associated downstream Restoration Efforts.

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This project will build upon past Natural Resources Conservation Service (NRCS) successes with the Environmental Quality Incentives Program, Gulf of Mexico Initiative and Emergency Watershed Protection efforts. For example, over a three year period within the Fish River Watershed, NRCS wrote 45 contracts covering 12,545 acres. This effort encompassed 143 conservation practices at a cost of \$1.06M (Federal) and approximate \$350,000 landowner match. While these programs are successful, they do have program guidelines that limit USDA activity. However, the RESTORE Act funds can be more flexibly administered and can allow treatment and conservation practices beyond that of EQIP and other Farm Bill Programs.

In addition to building upon the Environmental Quality Incentive Program, this project is foundational in several other ways: 1) its watershed scale approach of improving water quality and hydrologic function, 2) it complements downstream restoration activities such as oyster reef, coastal marsh, and fishery recovery, and 3) it contributes to a good Return on Investment (ROI) for those downstream restoration projects by improving water quality and contributing to their long term success.

NRCS program definitions are included below for relevance to potential RESTORE watershed projects:

- The Environmental Quality Incentives Program (EQIP) promotes agricultural production, forest management, and environmental quality as compatible goals, and optimizes environmental benefits. Through EQIP, the NRCS provides assistance to eligible farmers to address soil, water, and air quality, wildlife habitat, surface and groundwater conservation, and related natural resource concerns. EQIP's financial and technical assistance helps producers comply with environmental regulations and enhance agricultural and forested lands in a cost-effective and environmentally beneficial manner. The purposes of the program are achieved by planning and implementing conservation practices on eligible land.
- Through Emergency Watershed Protection, NRCS implements emergency recovery measures for runoff retardation and erosion prevention to relieve imminent hazards to life and property created by a natural disaster that causes a sudden impairment of a watershed.

Approximately 80% of the coastal watersheds in the project area are privately owned and a grassroots organization is crucial to reaching these landowners. Soil & Water Conservation Districts are the only New Deal grassroots operation that still exists today. They are able to “manage” the land as a single ecological unit, through their ability to get farmers to enter contracts with them, USDA, and even EPA (319). A 2004 study by Zeynep and Libecap describes this ability in more detail and even gives credit to the Soil Conservation Districts for preventing a second Dust Bowl. In a similar fashion, they have the ability to affect restoration along the coast.

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In Baldwin County and Mobile County watersheds, project and conservation practices will be installed to improve water quality. Examples of these practices are illustrated below.



Figure 2.

Typical Cropland and Pastureland Fields.

Landowners will be offered incentives to increase conservation buffer widths and to plant vegetated filters.



Figure 3.

Cattle access to streams and sensitive areas can be controlled by installing cross-fencing and crossings that improve water quality and streambank stability



Figure 4.

Before and after photo of a Stream Crossing.

Installed October 2014. Photo taken just days after construction. Vegetation and mulching to be completed.

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One of the key treatments of this proposed project is stabilizing gullies in the Fish River/Mobile Frontal Bay 10 digit HUC watershed. See Figures 5-9.



Figures 5 and 6 (above) – Active gully erosion in southern Baldwin County



Figures 7 & 8 (above). Gully erosion in Baldwin County

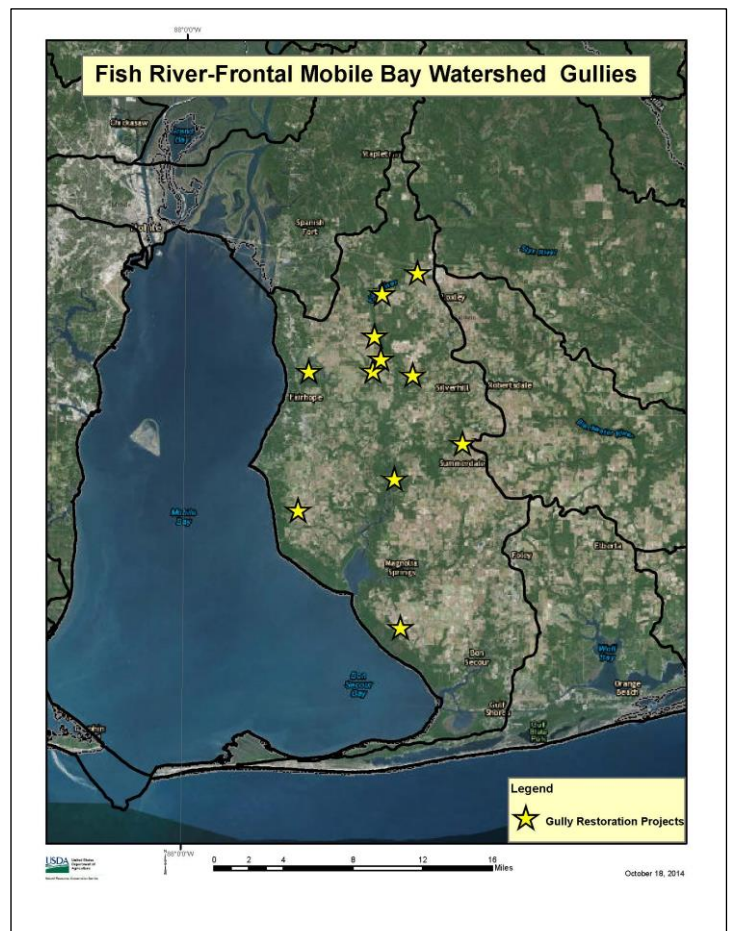


Figure 9. Known gully erosion sites targeted for treatment

This project will also target those practices designed to improve hydrologic function. A few examples are shown below.



Figure 10. Wet Swale. (ACES, 2014, Alabama Low Impact Development Handbook)



Figure 11. Constructed Stormwater Wetland Schematic. (ACES, 2014, Alabama Low Impact Development)



Figure 12. Wetland Creation and Enhancement

Restores hydrology of prior converted wetlands, improves water quality, groundwater recharge, and waterfowl habitat



Figure 13. Residue Management
Improves soil organic matter which will increase infiltration and soil filtration. Plus there will be less runoff for improved water quality



Figure 14. Baldwin County crop field with no residue

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Conservation Practices, designed and implemented according to NRCS specifications have a lifespan of 1 to 20 years, depending upon the practice. Table 1 lists a few of the key Conservation Practices to be implemented and their corresponding Life Spans.

Table 1. Conservation Practices and Life Spans		
Practice Name	Unit Type acres (ac) square feet (SF) feet (FT) each (EA)	Practice Life Span Year(s)
Ag-Chemical Handling Facility	SF	15
Brush Management	AC	10
Conservation Cover	AC	5
Conservation Crop Rotation	AC	1
Contour Buffer Strips	AC	5
Cover Crop	AC	1
Critical Area Planting	AC	10
Fence	FT	20
Filter Strip	AC	10
Forage and Biomass Planting	AC	5
Forest Trails and Landings	FT	5
Grade Stabilization Structure	Ton	15
Grassed Waterway	AC	10
Heavy Use Area Protection	SF	10
Mulch	AC	1
Nutrient Management	AC	1
Prescribed Grazing	AC	1
Residue and Tillage Management – Mulch Tillage	AC	1
Restoration and Management of Rare and Declining Species	AC	1
Riparian Forest Buffers	AC	15
Stream Crossing	SF	10
Streambank and Shoreline Protection	FT	20
Terrace	FT	10
Tree/Shrub Establishment	AC	15
Water and Sediment Control Basin	CY	10
Wetland Creation	EA	15

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In summary, this proposal addresses comprehensive Gulf-wide ecosystem restoration through its watershed approach, through the ability to reach a large number of private landowners, through its linkage to downstream projects that have already met a vetting process for Gulf Coast Restoration, through the enhancement of water quality that will aid in the success of future downstream restoration efforts, and through partnership efforts to leverage new resources.

Implementation methodology

Priorities and ranking will be developed using the NRCS State Technical Committee structure, with locally led conservation through the Soil & Water Conservation Districts. Public announcements, field days, outreach meetings, and press releases will notify private landowners that they may sign up at their local Soil & Water Conservation District office. Most site evaluations and practice designs will take up to 4 months, with on the ground implementation beginning no later than 6 months after notification of proposal selection. Very complex sites may require longer than 4 months for survey and design. Each 12 digit HUC watershed will take between 3-5 years for full implementation and treatment.

The USDA will enter into partner agreements for the majority of the implementation. While NRCS will work hand in hand with conservation partners, they will still utilize their own forces for much of the conservation planning and design. USDA anticipates that some work will be through Federal Construction Contracts and Cooperative Agreements, utilized, as necessary, to maximize partnership efforts and ensure timely implementation. Most of the work, however, will be small projects, locally contracted by the participating landowners and partners. Economic community benefits will be achieved from this utilization of local workers and local construction supply businesses.

Technical standards and criteria have been established for all conservation practices. They provide the guidance and direction needed to assure that the practices meet the intended purpose and are of the quality needed to meet the design life. Standards and criteria are developed in consultation with universities, research institutions, and individual industrial and private firms and individuals. Research information and practical experience are used in setting standards. Changes and new technical standards and criteria are prepared in the same manner as set out above.

Monitoring and adaptive management of the project or program

The USDA-NRCS utilizes a 9-step planning process. This process, illustrated below in Figure 15, is iterative, and allows for adaptive management. During the implementation process, professional conservationists and/or engineers will make site visits to ensure project construction is proceeding according to design and will evaluate whether changes are needed. Once completed, USDA will monitor each site for one year to ensure the practice is operating as designed.

NRCS Planning Process

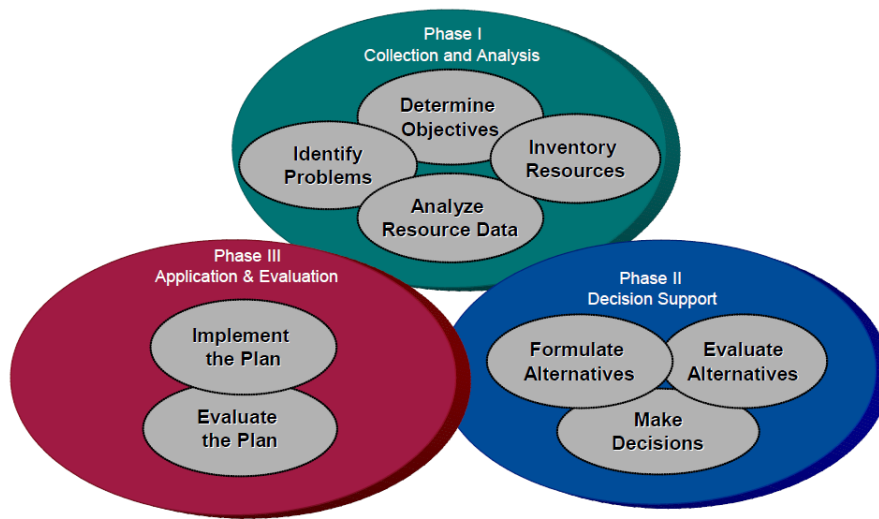


Figure 15 : An illustration of the dynamic nature of the planning process

Measures of success for the proposed project or program

The first measure of success will be acres treated. The goal for this project is to treat 15,000 acres. The installed conservation practices will be digitized into a GIS system, and modeling will show anticipated water quality improvement. USDA will also calculate sediment loss before and after project implementation. In addition, many partners are already monitoring water quality. This data can be used to measure success by showing improvements in turbidity, nutrient concentrations, pesticide concentrations, and fecal coliforms. Long term resilience will be demonstrated by healthy aquatic downstream ecosystems.

Risks and uncertainties of the proposed activities

Because this project follows a watershed and implementation model developed over 50 years of conservation technical assistance, the risks are relatively low. These previous programs include Watershed and Flood Prevention Program (Public Law 566), Gulf of Mexico Initiative, etc.

Hurricanes and Tropical Storms present some risk to construction projects. In some cases, work under construction or with a year of construction may need remedial work using RESTORE funds.

As mentioned in the executive summary, a voluntary incentives project carries some inherent uncertainty, since land with critical need may not have a willing landowner. Likewise, the most interested and engaged landowners may not be the ones with the most critical resource concerns.

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However, as described above, the local Soil & Water Conservation Districts have the networks and capacity to engage their neighbors and provided the needed grassroots support and cooperation.

Outreach and education opportunities

Once funded, the partners will publicize availability of RESTORE funds through press releases and public meetings. The Soil & Water Conservation District will send letters to all landowners in the watersheds, inviting them to these meetings and encouraging them to visit the office to discuss the program and opportunities, and to sign up. Successfully implemented conservation practices will be showcased during field days for landowners and partners to demonstrate and promote these practices and help encourage other landowners to adopt these same practices. Where aerial imagery, watershed plans and/or partners have identified critical treatment needs, the Soil & Water Conservation Districts will make personal contacts with landowners to target those areas.

In addition, USDA will provide updates to the Mobile Bay NEP's Project Implementation Committee to share project progress and milestones. This effort will provide outreach and coordination with local, state and federal agencies, private partners and non-profits who may be partners on future efforts. Plus, this will help dovetail NRCS efforts with other projects.

Leveraging of resources and partnerships

Alabama Association of Resource Conservation & Development Councils (RC&D) – The mission of the Alabama Association of RC&D is to accelerate the conservation, development, and utilization of natural resources; to improve the general level of economic activity; and to enhance the quality of life in Alabama. This organization administers a grant program which can be used to leverage RESTORE Act Funds and can assist with outreach and urban/rural interface projects.

Alabama Clean Water Partnership – The Alabama Clean Water Partnership brings stakeholders together to educate the public and puts projects on the ground to protect and preserve water quality. This non-profit organization can assist with outreach, demonstration projects and identification of potential water quality projects.

Alabama Cooperative Extension System – With large contact base, Extension Agents and Specialists in the Alabama Cooperative Extension System can bring potential landowners into the program. In addition this organization has the resources and ability to assist with implementation through demonstrations and educational programs.

Alabama Department of Environmental Management – The Alabama Department of Environmental Management will assist with landowner education, water quality monitoring, and

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where possible, leverage of Clean Water Act Section 319 funding to address nonpoint source runoff.

Alabama Forestry Commission – The Alabama Forestry Commission assists with landowner education and implementation of Forestry Best Management Practices. They may also be able to provide heavy equipment as in-kind services.

Alabama Soil & Water Conservation Committee – The Alabama Soil & Water Conservation Committee will provide technical and administrative assistance to NRCS and the Soil & Water Conservation Districts in working with landowners to implement conservation practices. This state government organization has nearly 30 years' experience guiding and administering the Alabama Agricultural and Conservation Development Commission Program, enacted by the Legislature of Alabama on April 29, 1986. The purpose of this program is to provide financial assistance through cost-share grants to owners of land used for agricultural or timber production for applying soil conservation, water quality improvement, or reforestation and forest improvement practices in the State.

Auburn University – Auburn University has expertise in GIS analysis, remote sensing, hydrologic restoration, low impact development techniques, water quality modeling and monitoring.

Baldwin County Soil & Water Conservation District – This grass roots organization will assist with determining local priorities, contacting landowners, hosting field days, accepting applications, assisting landowners with implementing conservation practices and processing payments to landowners.

Mobile Bay National Estuary Program (NEP) – Through a Gulf Environmental Benefits Fund grant, the Mobile Bay NEP is developing a watershed Plan for Fowl River. This watershed plan will be used to help rank and prioritize treatment areas. The Mobile Bay NEP also has other watershed plans developed or pending that will help guide and prioritize treatment areas.

Mobile County Soil & Water Conservation District - This grass roots organization will assist with determining local priorities, contacting landowners, hosting field days, accepting applications, assisting landowners with implementing conservation practices and processing payments to landowners.

Gulf Coast Resource Conservation and Development Council – This 501(c)(3) organization has a Board of Directors and a plan of work for its area, which protects, enhances, and develops the area's natural and human resources. The Council can assist with outreach and urban/rural interface projects. In addition, the Council offers grants which can leverage RESTORE Act Funds.

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The Nature Conservancy – The Nature Conservancy can help bring potential landowners into the program and will assist with project and conservation practice implementation.

Poarch Band of Creek Indians – Tribal members will be contacted for region wide Tribal consultation and may engage in implementation of project and conservation practices, especially Phase II and III projects.

Private Landowners – Will provide up to 25% cash or in kind services to implement conservation measures on their property. Through over 50 years of working with landowners, NRCS and the Soil & Water Conservation Districts have experience that shows that landowners with “skin in the game” have more ownership and buy in if they contribute toward the project implementation. This leads to sustainability over time. In addition, landowners will be responsible for long term Operation & Maintenance costs for their respective conservation practices.

USDA-Natural Resources Conservation Service – USDA’s Natural Resources Conservation Service (NRCS) has significant authority and opportunity to leverage past, present, or future funds from the Environmental Quality Incentives Program, Wetland Reserve Program dollars, and Agricultural Conservation Enhancement Program. NRCS will also provide technical and administrative assistance, such as survey, design, practice check-out, and administering cooperative agreements.

US Fish & Wildlife Service – In addition to Endangered Species Act (ESA) consultations, the US Fish & Wildlife Service will support NRCS efforts to implement natural stream channel restoration projects, wetland restoration, and other conservation practices that address habitat restoration.

Proposal project/program benefits

The implementation of conservation practices will directly result in water quality improvements, especially when implemented on a watershed scale. Based upon the Conservation Effects Assessment Project (CEAP), applying a comprehensive suite of conservation practices on the high-treatment need acres in most regions of the country would achieve a 60 percent or more reduction in sediment losses (USDA, 2013).

This project will follow the model demonstrated in a 1996-2002 Study (GSA, 2002), conducted by the Geological Survey of Alabama, Covington County Soil & Water Conservation District, NRCS, and the Covington County Commission. A small watershed (Figure 16) was selected and all non-point sources were treated. GSA monitored the site pre and post treatment. As a result of the treatments, significant water quality improvements were made, including a 71% reduction

of nitrate, a 92% reduction in bedload sediment, and an 11% reduction in fecal coliform bacteria in the 4-S watershed. See Figures 17-19.

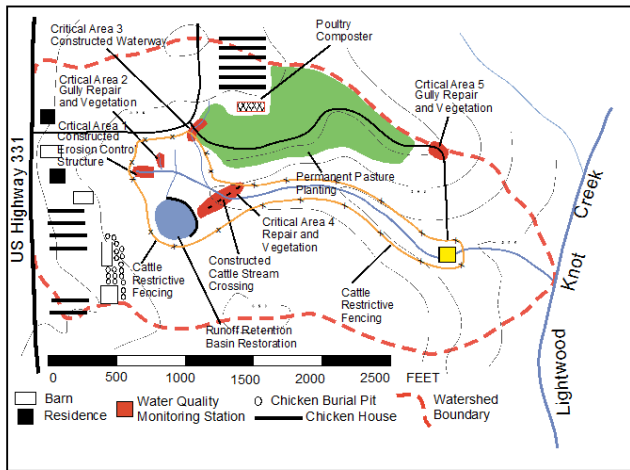


Figure 16. Lightwood Knot Creek Small

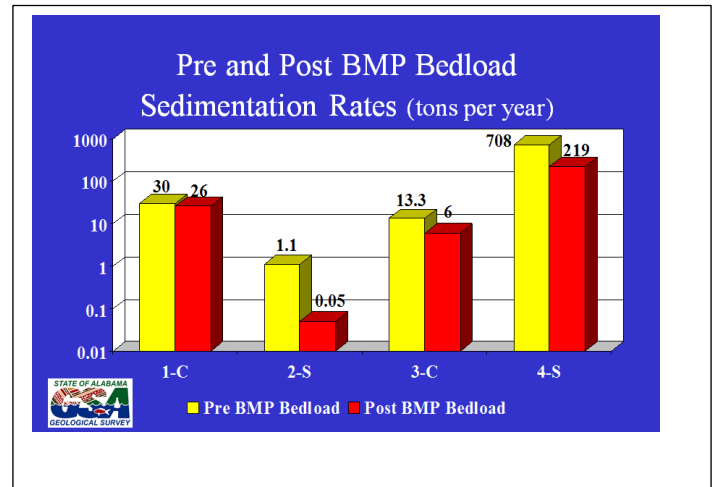


Figure 17. Lightwood Knot Creek Treatment Results

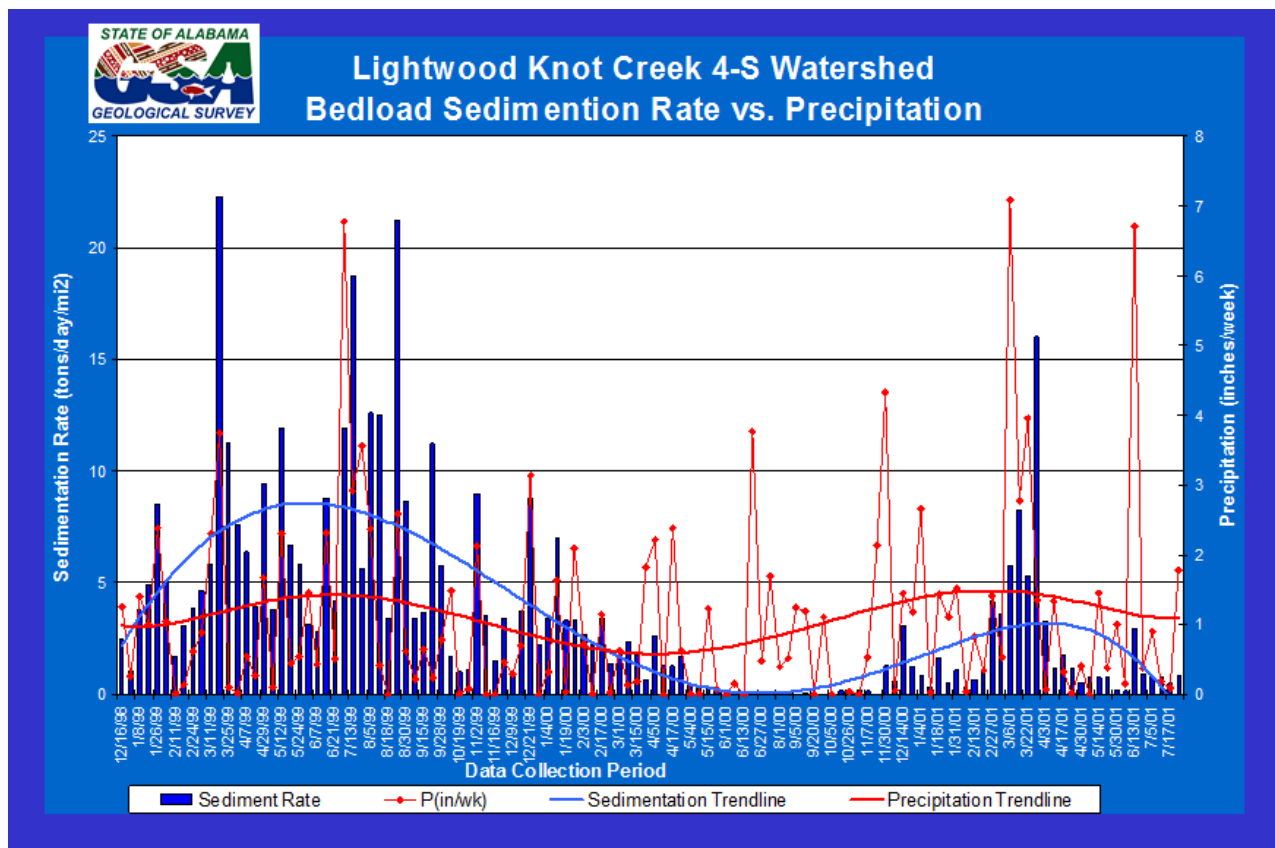


Figure 18. Lightwood Knot Creek Treatment Results – Sediment Load

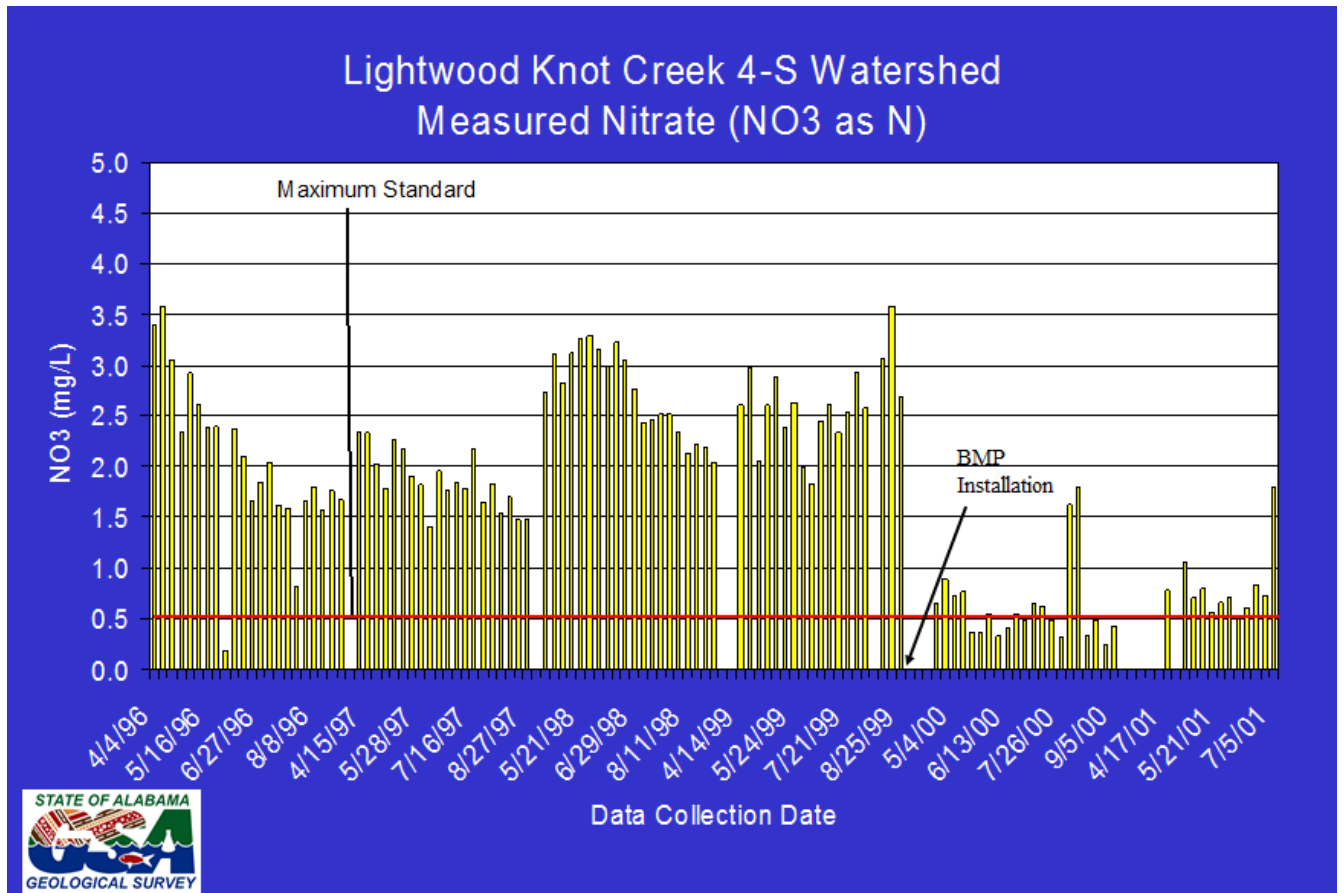


Figure 19. Lightwood Knot Creek Treatment Results – Nitrates

This RESTORE project, if funded, will identify critical treatment areas and will aim to treat at least 90% of the identified critical treatment areas. The resulting benefits will be improvements in soil health, infiltration, recharge, water quality and hydrologic condition and will lead to long term resiliency of the region. Just as the Lightwood Know Project was successful, this project is likely to succeed, since it follows the same proven model.

Location Information

Phase I of this project is located in the Mobile Bay and Mississippi Sound Watersheds, including Fish River, Bayou La Batre, Grand Bay and Fowl River watersheds in Baldwin and Mobile Counties. Later phases will include select watersheds in the Escatawpa, Perdido Bay, and Pensacola Watersheds. These watersheds and project work are illustrated in Figures 1, 9, and 20. Latitude/longitude coordinates are shown in Figure 20.

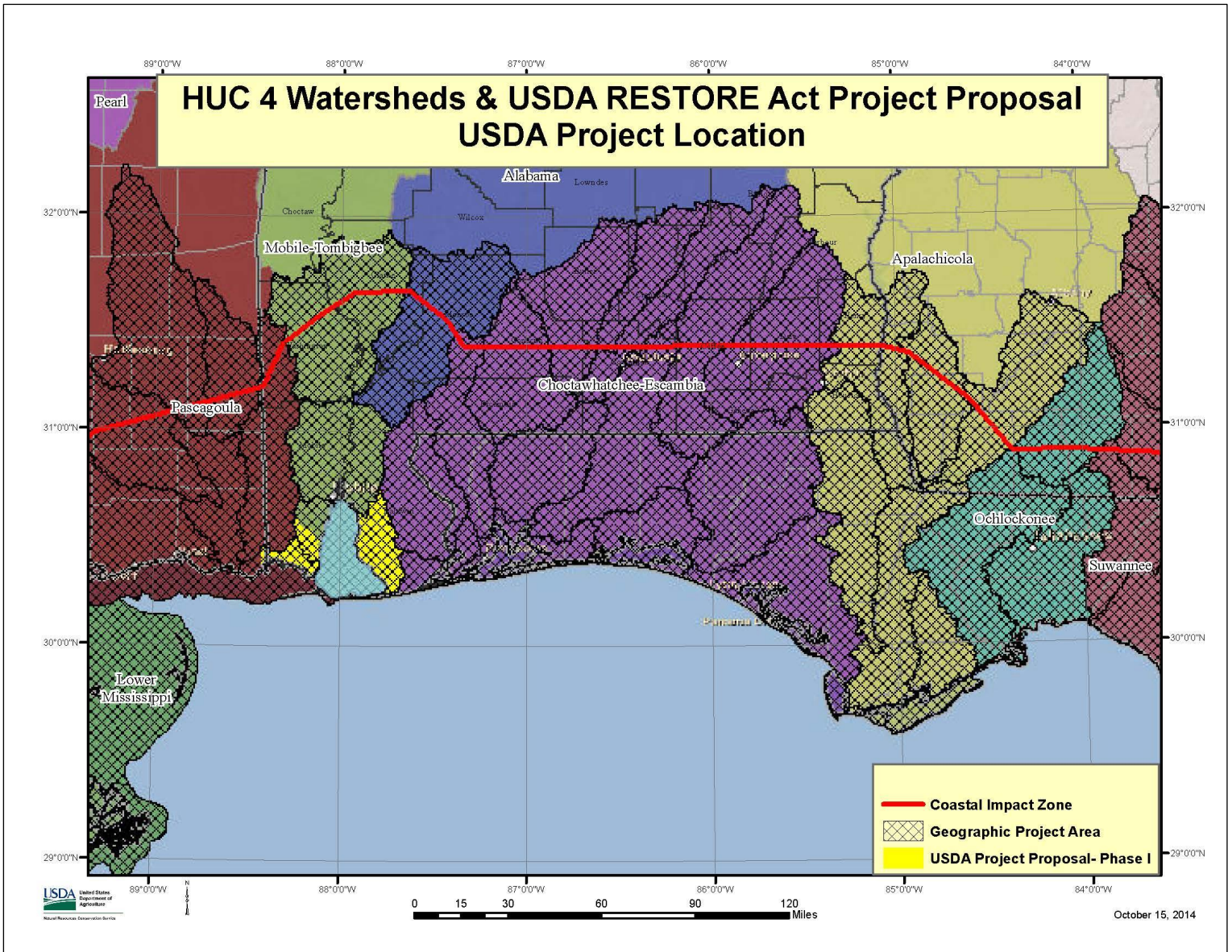


Figure 20. Region Wide USDA Proposal, with Phase I identified in bright yellow.

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High-Level Budget Narrative

General Budget Outline (overhead is included within each component):

Conservation Practice Construction & Implementation Costs	\$ 4,500,000
Conservation Planning and Technical Assistance	\$ 450,000
Outreach/Publicity	\$ 112,500
Structure Design	\$ 450,000
Environmental Evaluation and Compliance	\$ 225,000
Contract Administration -	\$ 675,000
Program Evaluation and Monitoring	\$ 337,500
Total Project	\$ 6,750,000

Leveraged Costs:

Landowner contribution for Conservation Practice Construction	\$ 900,000
Landowner Operation & Maintenance (5 year)	\$ 1,250,000
Total Project Leverage	\$ 2,150,000

Note: Operation and Maintenance costs will be the responsibility of the landowner. An estimated cost of this in kind contribution is \$250,000 annually. Most conservation practices will be leveraged with a 25% landowner contribution. Practices with greater environmental benefit, such as riparian forest buffers and active gully remediation, that have higher associated costs, will require a lower landowner contribution (~0% and 5%).

Environmental Compliance – See Checklist (Appendix B)

Each individual conservation project and land treatment will undergo an Environmental Evaluation using the NRCS-CPA-52 Form. **Most projects will fall under an approved Categorical Exclusion.** NRCS will utilize its Programmatic Agreement with the Advisory Council on Historic Preservation and the National Conference of State Preservation Officers, as well as a State Level agreement with the State Historic Preservation Office (SHPO) for cultural resources coordination and compliance. Furthermore, Alabama NRCS employs a full time Archeologist/Cultural Resources Specialist who will ensure compliance with Section 106 of the National Historic Preservation Act. Likewise, NRCS has an Alabama programmatic consultation with the US Fish & Wildlife Service that addresses how conservation practices will be implemented in compliance with the Endangered Species Act.

Appendix B includes:

- Environmental Compliance Checklist
- NRCS-CPA-52 Form
- NRCS Categorical Exclusions
- State Level Agreement with the Alabama Historical Commission
- NRCS Conservation Practice Consultation Matrix for Threatened & Endangered Species

Data / Information sharing plan

- a) Environmental data and information that will be created during the course of the project include Environmental Evaluations, Cultural Resources Forms, Case File Notes, Reports to the State Historic Preservation Officer, and Tribal Historic Preservation Officer, and partner information. Information located within a client's Case File is protected by the Privacy Act.
- b) USDA will utilize NRCS Conservation Practice Standards where applicable. Engineering work will be performed by a Professional Engineer or will fall within NRCS's Engineering Job Approval Authority. As applicable, Best Management Practices for Forestry, Low Impact Development, and/or Erosion & Sediment Control will be followed.
- c) Data stewardship and preservation will follow the policy outlined in the NRCS General Manual. Conservation plans will be developed electronically in Customer Service Toolkit, a National Conservation Planning Database maintained and archived by the NRCS Information Technology Center located at the Natural Resources Research Center in Fort Collins, Colorado. Customer Service Toolkit is integrated with Microsoft Office and ArcGIS software for the development and management of Conservation Plans, using tabular data and spatial data. The customer data is only available to USDA employees and agents with assigned roles and Level II eAuthentication.
- d) Individual landowner information will not be shared without that landowner's written permission. All partners must sign confidentiality agreements if afforded access to client information. Accomplishments will be reported internally through the NRCS Performance Results System, where aggregated county data will publically available.

Reference list of literature cited in the proposal

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Other (pages follow)

- Acronym Index
- Figure 1, Expanded View
- Figure 20, Expanded View
- Letters of Support , including Alabama Water Watch Monitoring Sites
- USDA Blog:
 - An Alabama Family Farm Helps Send Cleaner Water to the Gulf of Mexico
<http://blogs.usda.gov/2014/10/15/an-alabama-family-farm-helps-send-cleaner-water-to-the-gulf-of-mexico/>

USDA Sponsored RESTORE Act Project Proposal

Acronym Index

Acronym	Full Description
ESA	Endangered Species Act
EQIP	Environmental Quality Incentives Program
EWP	Emergency Watershed Protection
FOTG	Field Office Technical Guide
FWS	US Fish and Wildlife Service (US Department of Interior)
GIS	Geographic Information System
GOMI	Gulf of Mexico Initiative
GSA	Geological Survey of Alabama
IPM	Integrated Pest Management
MOU	Memorandum of Understanding
NEP	National Estuary Program
NEPA	National Environmental Policy Act
NFWF	National Fish and Wildlife Foundation
NRCS	Natural Resources Conservation Service (US Department of Agriculture)
NRCS-CPA-52 Form	A form used by NRCS for Environmental Evaluations
NRDA	Natural Resources Damage Assessment
RC&D	Resource Conservation & Development [Councils]
SHPO	State Historic Preservation Officer
THPO	Tribal Historic Preservation Officer
TNC	The Nature Conservancy
USDA	United States Department of Agriculture
USFS	US Forest Service (US Department of Agriculture)

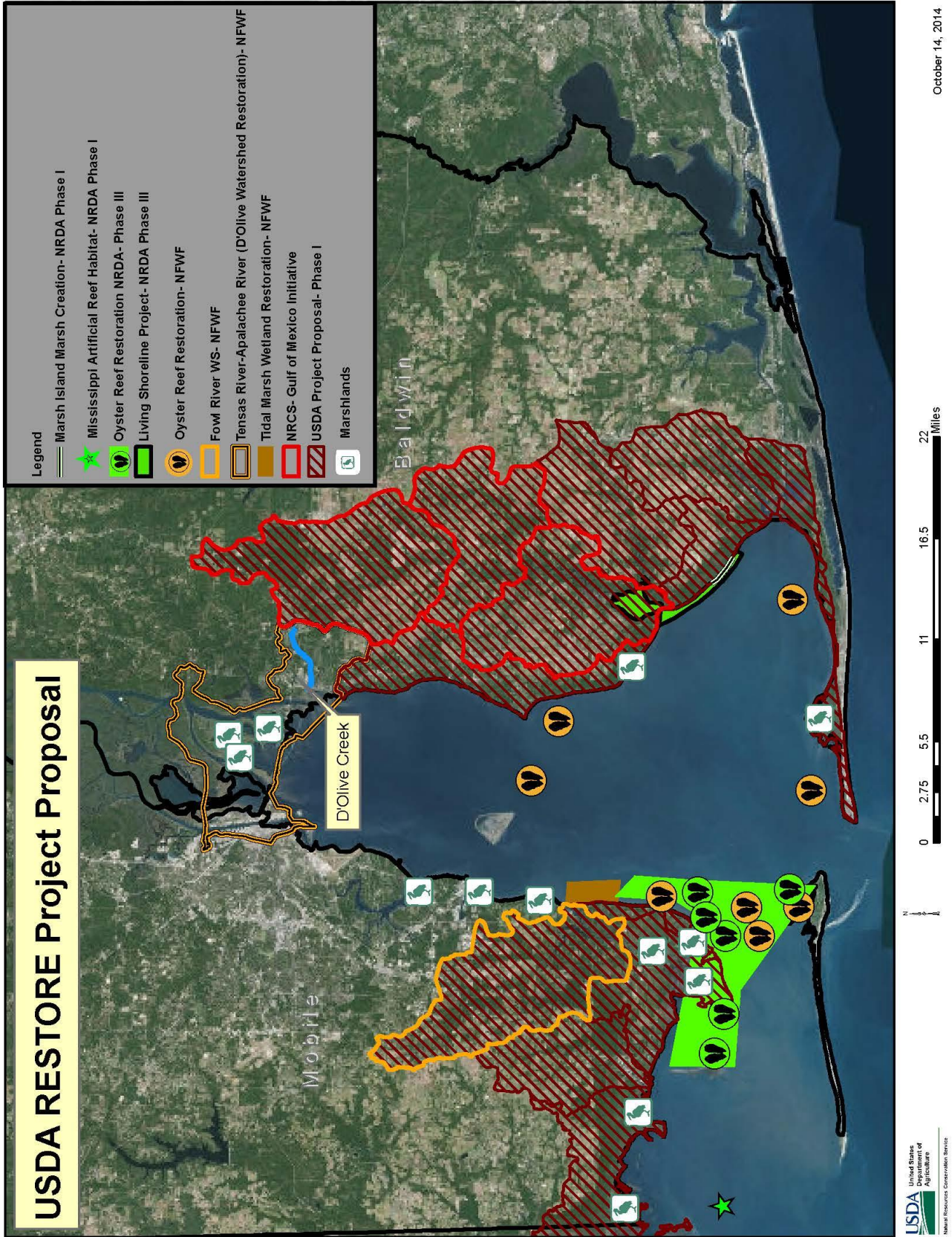


Figure 1. Expanded View.

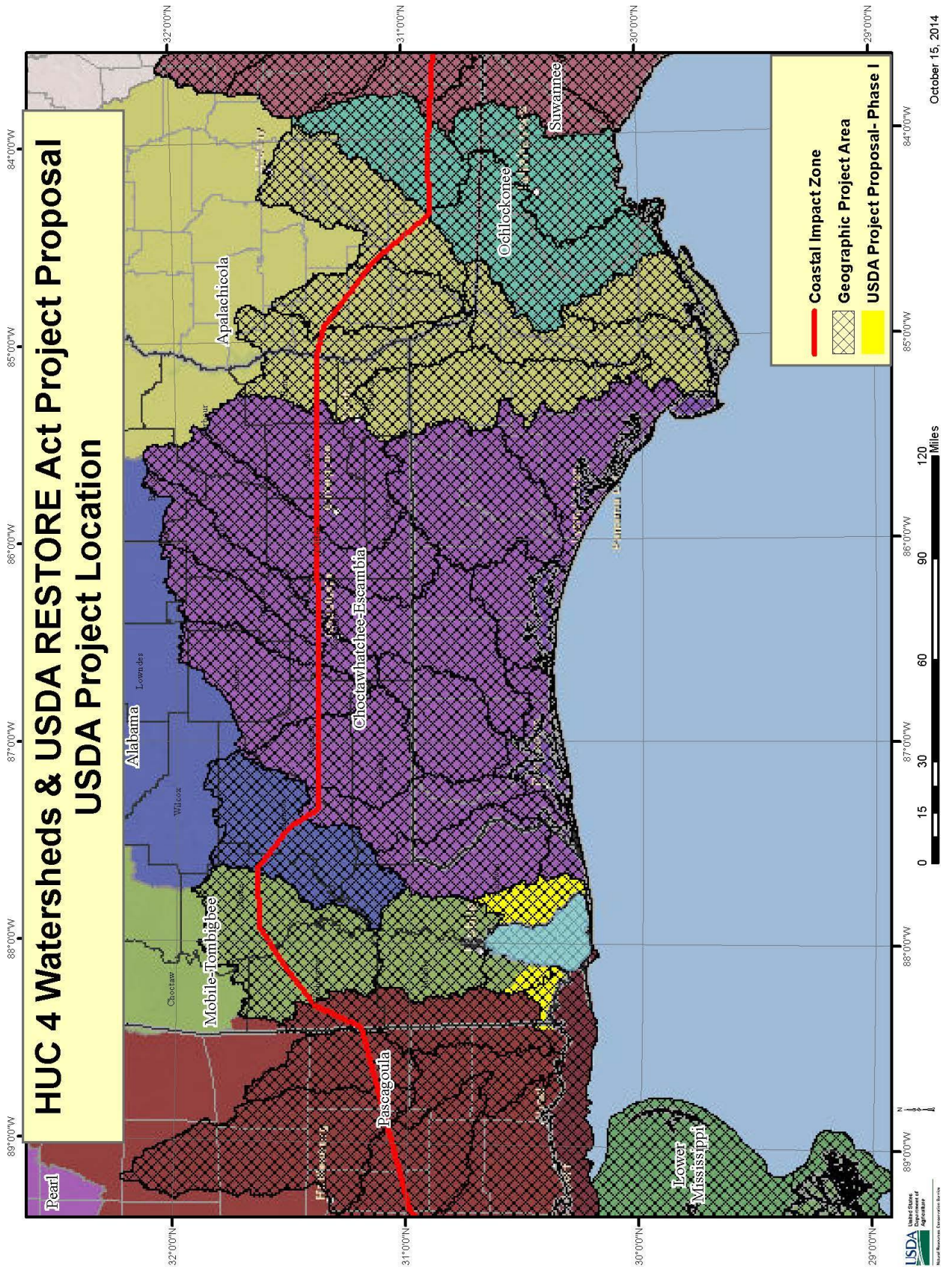


Figure 20. Expanded View.

November 13, 2014

Dr. William Puckett
State Conservationist
USDA-NRCS
3381 Skyway Drive
Auburn, Alabama 36830

Dear Dr. Puckett,

I am writing on behalf of The Nature Conservancy to express our view that the project, titled *Mobile Bay and Beyond – Watershed Implementation to enhance Marsh, Marine, and Estuarine Ecosystems*, being submitted by the Alabama office of the Natural Resource Conservation Service to the Gulf Coast Ecosystem Restoration Council for funding under the provisions of the RESTORE Act is a sound project deserving of strong consideration for approval by the Council.

The proposal being submitted by NRCS reflects restoration priorities set out in the Council's comprehensive plan and is consistent with the Conservancy's goals for Gulf restoration. We appreciate the NRCS's commitment to implementing solutions to issues previously identified through Mobile Bay National Estuary Program's multi-agency, organization and stakeholder driven watershed planning processes. The *Mobile Bay and Beyond* proposal addresses widely recognized water quality problems affecting important natural resources across Alabama's coast and targets improving water quality, while also enhancing habitats; for example, tackling sedimentation caused by gully erosion and enhancement of riparian buffers.

The proposal advances two of the Conservancy's primary goals for Gulf restoration:

- Restoring healthy shorelines
- Protecting freshwater resources

By focusing on work with private landowners, NRCS will implement established delivery mechanisms to deliver results in a cost-effective manner, using recommendations from existing and in-process plans to prioritize individual project sites.

Given TNC's extensive on-the-ground conservation and restoration experience, we believe this project can provide tangible on the ground results.

Thank you for your consideration.

Sincerely,



Chris Oberholster
State Director



Mobile County Soil and Water Conservation District
1070 Schillinger Road, North
Mobile, Alabama 36608
Phone: 251-441-6505
Fax: 251-441-6652

14 November 2014

RESTORE Council Members
c/o Secretary Penny Pritzker
U.S. Department of Commerce 1401 Constitution Ave., NW
Washington, D.C. 20230

It is my privilege to provide this letter on behalf of the Mobile County Soil and Water Conservation District in support of the USDA sponsored RESTORE Act Project Proposal for Alabama. The financial funding will be beneficial to South Alabama coastal land management, with water quality as our primary objective, the secondary result will be restoration and conservation of habitat, through improved aquatic resources. Mobile County Soil & Water is ready and willing to take on the role deemed necessary to make this project a successful endeavor.

The Mobile County Soil & Water Conservation District is comprised of a voluntary board of landowners who have the highest regards for soil and water conservation practices applied to a variety of land uses. "Conservation from the ground up" is the motto often sounded by the local Soil & Water Conservation Districts. One of our goals is to provide incentive-based conservation practices on all types of land uses, this project will fit in perfect for our organizations ability to get conservation on the ground with a diverse population.

The District, in order to provide conservation led programs and activities, works closely throughout the year with the Natural Resources Conservation Service, Alabama Cooperative Extension System, Alabama Forestry Commission, US Fish & Wildlife, The Nature Conservancy and Auburn University. These projects and programs have a direct benefit to the Alabama Coastal lands that flow directly into the Gulf of Mexico, working to improve forest-lands, pasture-lands, and crop-land or to restore native species to the area, while protecting Endangered or Threatened Species

The Soil & Water Conservation District has influence and ties to all areas of the county, working with individuals and groups to encourage good land management practices. A primary mission of the District is to lead the effort to apply voluntary based conservation on private lands working with individual landowners to improve water quality and reduce soil erosion.

It is my belief that the activities in the project proposal will be of significant benefit to the Alabama Coastal lands and to the Waters of the Gulf of Mexico, and will involve a diverse group of organizations, partners and individuals working towards a common goal—RESTORE our lands.

DAVID SESSIONS
13000 Hugh Fort Rd.
Grand Bay, AL 36541

DARRELL DRISKELL
14351 Cat Deakle Rd.
Grand Bay, AL 36541

VACANT

BRIAN KELLER
Post Office Box 727
Grand Bay, AL 36541

MORRIS MALONE
13900 Malone Rd.
Chunchula, AL 36521

Secretary Penny Pritzker

14 November 2014

p. 2 of 2

The Mobile County Soil & Water Conservation District fully supports the USDA Sponsored RESTORE ACT Project Proposal for Alabama, and I would be glad to provide additional information that would be useful to you or to the other members of the Council.

Respectfully,



Darrell Driskell

Chairman,

Mobile County Soil & Water Conservation District

Cc: Steve Cauthen,
Alabama Soil & Water Committee



COLLEGE OF AGRICULTURE

November 13, 2014

Dr. William Puckett
State Conservationist
USDA-NRCS
3381 Skyway Dr.
Auburn, AL 36830

Dear Dr. Puckett:

As you know, the Alabama Clean Water Partnership has been working in river basins state-wide to bring stakeholders together in order to educate the public and put projects on the ground that protect and preserve Alabama's incredible water resources and aquatic ecosystems. In the coastal basin efforts are underway to develop and implement comprehensive watershed management plans in all of our tidally influenced HUC12 watersheds. This effort is being led by the Mobile Bay National Estuary Program and a host of local, state and federal partners. With the tremendous opportunity to restore coastal resources that were damaged by the Deepwater Horizon spill, it is imperative that we protect these projects by working up into the watersheds to encourage land use practices that will improve water quality in our coastal rivers and streams that flow into Mobile Bay.

The Alabama Clean Water Partnership fully supports the goals and objectives of the Mobile Bay RESTORE Act project to implement watershed projects to enhance marsh, marine and estuarine ecosystems in coastal Alabama. We appreciate the efforts of NRCS in coastal Alabama to address the impacts related to erosion and sedimentation in our watersheds and feel that this project will be a great help in improving water quality and benefit river, estuarine and marine habitats. Please don't hesitate to request further assistance if needed.

Best regards,

Christian L. Miller
Coastal Basin Facilitator
Alabama Clean Water Partnership

SCHOOL OF FISHERIES,
AQUACULTURE AND AQUATIC
SCIENCES

203 SWINGLE HALL
AUBURN, AL 36849-5419

AUBURN UNIVERSITY MARINE
EXTENSION & RESEARCH CENTER

118 NORTH ROYAL ST.
SUITE 800
MOBILE, AL 36602

TELEPHONE:
251-438-5690

FAX:
251-438-5670



October 30, 2014

Shannon Weaver
Assistant State Conservationist – Technology
USDA-NRCS
Auburn, Alabama

Dear Shannon:

Alabama Water Watch supports your proposal “*Mobile Bay and Beyond – Watershed Implementation to enhance Marsh, Marine, and Estuarine Ecosystems*” being submitted to the USDA Sponsored RESTORE Act Grant Program. Alabama Water Watch will be glad to support you and your team in the implementation of this project if it is funded.

Alabama Water Watch believes that there is a great need for this project. We feel that the proposed installation of conservation practices in the identified priority watersheds will not only intercept nonpoint source pollutants thus improving water quality in the Gulf, but also provide powerful outreach opportunities for promoting watershed and Gulf stewardship.

If this project is funded, we agree to assist in community outreach through our network of coastal AWW volunteer monitor groups, and act as liaisons with landowners where possible.

We support the proposed program and look forward to working with you and your team. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Eric Reutebuch". The signature is written in a cursive style with a large, sweeping initial "E".

Eric Reutebuch
AWW Program Director



Eve Brantley, PhD
Water Resources Program
Department of Crop, Soil and Environmental Sciences
Auburn University
Auburn, AL 36849

November 5, 2014

Dr. Bill Puckett, State Conservationist
USDA Natural Resources Conservation Service
Auburn, Alabama

Dear Dr. Pucket,

On behalf of the Alabama Cooperative Extension System Water Program, please accept our support of your proposal “*Mobile Bay and Beyond – Watershed Implementation to enhance Marsh, Marine, and Estuarine Ecosystems*” being submitted to the Restore Act Federal Council. The Alabama Cooperative Extension System will be glad to support you and your team in demonstration, Extension, and outreach efforts of this project if it is funded.

The proposed project is a great opportunity to meaningfully improve watershed conditions now and long-term in the coastal area. Additionally, it will serve as a case study that may be transferred among coastal states to prioritize and implement actions that impact water quality and habitat quality.

We support the proposed program and look forward to working with you and your team members.

Sincerely,

A handwritten signature in black ink that reads 'Eve Brantley'.

Eve Brantley, PhD
Associate Professor and Extension Specialist
Alabama Cooperative Extension System
Department of Crop, Soil and Environmental Sciences
Auburn University



Soil & Water Conservation District
207 Faulkner Drive, Suite 107 . Bay Minette, AL 36507
(251) 937-3297, Ext 3 . Fax (855) 292-1673

11/13/2014

Dr. William E. Puckett
State Conservationist
P.O. Box 311
Auburn, AL 36830

Dear Dr. Puckett;

As you are aware, many of our watersheds being considered for Restore Act projects are designated as Outstanding Alabama Waters, so protection of water quality in these waters, as well as improving the quality of the considered watersheds that have not yet made the outstanding list is a great concern for the Baldwin County SWCD. It is our understanding that the Alabama NRCS RESTORE Act proposal for our county will target gully erosion which leads to a large portion of the sedimentation within the proposed watersheds. We realize that targeting some of these severe impairments within the proposed watersheds will have a positive benefit on the diverse ecological habitats that exist within the watersheds and surrounding uplands in addition to increasing water quality. We also understand that the proposal will ultimately have a drastic positive impact on the quality of the water flowing into Mobile Bay and the Gulf of Mexico from our uplands within these watersheds.

As we have the past three years with the Gulf of Mexico Initiative (GoMI), the Baldwin County SWCD supports the goals and objectives of the Alabama NRCS RESTORE Act proposal. We have seen the benefits, as well as heard the positive message from our landowners in the county for the efforts put forth by our NRCS Field Office and staff here in Baldwin County the past three years as they have carried out the GoMI projects. The SWCD board realizes that the conservation practices that have been implemented, as well as proposed conservation practices will be beneficial to the watersheds within our county, habitats associated with the watersheds, and ultimately the water quality entering the Gulf of Mexico. Please do not hesitate to request further support if needed.

Sincerely,


Bill Perry
Baldwin County SWCD, Chairman

Bill Perry
Chairman
12015 County Rd 54
Daphne, AL 36526

Ronnie Northcutt
Vice Chairman
3144 County Rd 68
Loxley, AL 36551

Wm T. Cleverdon
Secretary/Treasurer
17509 Underwood Rd
Foley, AL 36534

Randall Hastings
Member
40701 Pine Grove Rd
Bay Minette, AL 36507

Frank Trione
Member
10210 Plantation Dr
Daphne, AL 36526

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October 2014							
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6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30	31			
« Sep							Nov »

Tag Cloud

An Alabama Family Farm Helps Send Cleaner Water to the Gulf of Mexico

Posted by [Fay Garner](#), [Natural Resources Conservation Service, Alabama](#), on October 15, 2014 at 2:00 PM



Tim Mullek and his family, who grow cotton, peanuts, soybeans, wheat, and corn on about 2,500 acres in the Fish River watershed in Alabama, plant cover crops on all of their cropland. NRCS photo.

Days before planting season in April, up to 26 inches of rain had fallen in southern Alabama over a span of two days. This [rain event](#) caused historic flooding in [Baldwin County](#) in a coastal part of the state, where farmers had freshly tilled fields in preparation for planting crops.

These tilled fields lost valuable topsoil during the flood. But the outcome was different for Tim Mullek and his family, who grow cotton, peanuts, soybeans, wheat and corn on about 2,500 acres in the Fish River watershed, located about 20 miles from the Gulf of Mexico.

Mullek is a [no-till farmer](#) whose fields were planted to cover crops when the rains fell. He said soil losses were minimal, proving that cover crops protected the land and ultimately the quality of runoff water delivered to the Gulf.

“We are a no-till farm, and we had very little soil erosion,” Mullek said.

The Mulleks worked with USDA’s [Natural Resources Conservation Service](#) to develop a conservation plan that includes water and soil quality improvements, along with implementing conservation practices that improve soil health, manage nutrients and reduce the amount of sediment and pesticides that leave their property. The benefits of implementing these practices became apparent after the rain event.

They also use precision agriculture technology to apply nutrients and pesticides using a global positioning system, or GPS, and programs like “swath control,” which can turn sections of a planter on or off to guarantee the fields are not over-seeded or over-fertilized.

“I want to be a good steward of the land,” Mullek said. “I want to keep the fertilizer in my field and not in the creek. I want the land to be here when I am gone.”

The family has been receiving technical assistance from NRCS for many years. Through the [Gulf of Mexico Initiative](#), they have received financial assistance through the [Environmental Quality Incentives Program](#) to plant cover crops and implement precision agriculture.

The Mulleks plant cover crops and practice no-till and strip-till farming on all of their land. They are certain that planting cover crops and using crop rotation has also increased organic matter in their fields. Healthy soils can absorb and retain more water, making them less susceptible to runoff and erosion and makes more water will be available for crops when needed.

AMS APHIS ARRA ARS California
Conservation drought Energy
 Farm Bill Farmers FAS FNS Food
 and Nutrition Food Farm and Jobs Bill
 Food Safety **Forestry FS FSA**
 FSIS HealthierNextGen Kathleen Merrigan
 KYF2 Let's Move NASS National School Lunch
 Program NIFA **NRCS** Nutrition People's
 Garden **President Obama** Producers
 Ranchers RD Rural America **Rural**
Development Science Science
 Tuesday Secretary's Column SNAP South
 Dakota Texas **Tom Vilsack** Trade
 Tribal USDA

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“The assistance provided by NRCS to the Mulleks has been very beneficial in helping them carry out their farming plans,” said Joey Koptis, NRCS district conservationist in Baldwin County. “The technical and financial assistance provided support for their goals of operating a productive farm while protecting our natural resources.

“The family is concerned about conserving soil resources and recognizes the importance of protecting water quality. This is apparent by their participation in NRCS programs. I enjoy working with them.”



The Mulleks live and farm near the Gulf of Mexico, and helping protect water quality is a priority for them. NRCS photo.

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Tags: #NextGenAg, Alabama, Conservation, cover crops, EQIP, Farmers, Gulf of Mexico Initiative, NRCS

Conservation

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Name (required)

Mail (will not be published) (required)

Appendix B
ENVIRONMENTAL COMPLIANCE CHECKLIST

Environmental Compliance Type	Yes	No	Applied For	N/A
Federal				X
National Marine Sanctuaries Act (NMSA)				X
Coastal Zone Management Act (CZMA)	X			
Fish and Wildlife Coordination Act				X
Farmland Protection Policy Act (FPPA)				X
NEPA – Categorical Exclusion	X			
NEPA – Environmental Assessment	X			
NEPA – Environmental Impact Statement				X
Clean Water Act – 404 – Individual Permit (USACOE)				X
Clean Water Act – 404 – General Permit(USACOE)	X			
Clean Water Act – 404 – Letters of Permission(USACOE)				X
Clean Water Act – 401 – WQ certification				X
Clean Water Act – 402 – NPDES	X			
Rivers and Harbors Act – Section 10 (USACOE)				X
Endangered Species Act – Section 7 – Informal and Formal Consultation (NMFS, USFWS)	X			
Endangered Species Act – Section 7 - Biological Assessment (BOEM,USACOE)	X			
Endangered Species Act – Section 7 – Biological Opinion (NMFS, USFWS)				X
Endangered Species Act – Section 7 – Permit for Take (NMFS, USFWS)				X
Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat (EFH) – Consultation (NMFS)				X
Marine Mammal Protection Act – Incidental Take Permit (106) (NMFS, USFWS)				X
Migratory Bird Treaty Act (USFWS)				X
Bald and Golden Eagle Protection Act – Consultation and Planning (USFWS)	X			
Marine Protection, Research and Sanctuaries Act – Section 103 permit (NMFS)				X
BOEM Outer Continental Shelf Lands Act – Section 8 OCS Lands Sand permit				X
NHPA Section 106 – Consultation and Planning ACHP, SHPO(s), and/or THPO(s)	X			
NHPA Section 106 – Memorandum of Agreement/Programmatic Agreement	X			
Tribal Consultation (Government to Government)	X			
Coastal Barriers Resource Act – CBRS (Consultation)				X
State				
As Applicable per State				X

This project has the necessary environmental compliance measures already in place so that work can begin as soon as funding is made available.

U.S. Department of Agriculture Natural Resources Conservation Service		NRCS-CPA-52 4/2013		A. Client Name:	
ENVIRONMENTAL EVALUATION WORKSHEET				B. Conservation Plan ID # (as applicable): Program Authority (optional):	
D. Client's Objective(s) (purpose):				C. Identification # (farm, tract, field #, etc. as required):	
E. Need for Action:		H. Alternatives			
		No Action ✓ if RMS <input type="checkbox"/>		Alternative 1 ✓ if RMS <input type="checkbox"/>	
Resource Concerns					
In Section "F" below, analyze, record, and address concerns identified through the Resources Inventory process. (See FOTG Section III - Resource Planning Criteria for guidance).					
F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. Effects of Alternatives				
	No Action		Alternative 1		Alternative 2
Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC
SOIL: EROSION					
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
SOIL: SOIL QUALITY DEGRADATION					
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
WATER: EXCESS / INSUFFICIENT WATER					
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
WATER: WATER QUALITY DEGRADATION					
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC
	<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC		<input type="checkbox"/> NOT meet PC

Appendix B

F. Resource Concerns and Existing/ Benchmark Conditions (Analyze and record the existing/benchmark conditions for each identified concern)	I. (continued)					
	No Action		Alternative 1		Alternative 2	
	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC	Amount, Status, Description <i>(Document both short and long term impacts)</i>	✓ if does NOT meet PC
AIR: AIR QUALITY IMPACTS						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
PLANTS: DEGRADED PLANT CONDITION						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ANIMALS: INADEQUATE HABITAT FOR FISH AND WILDLIFE						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ANIMALS: LIVESTOCK PRODUCTION LIMITATION						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
ENERGY: INEFFICIENT ENERGY USE						
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		NOT meet PC		NOT meet PC		NOT meet PC
HUMAN: ECONOMIC AND SOCIAL CONSIDERATIONS						

Appendix B

Special Environmental Concerns: Environmental Laws, Executive Orders, policies, etc.						
<p>In Section "G" complete and attach Environmental Procedures Guide Sheets for documentation as applicable. Items with a "•" may require a federal permit or consultation/coordination between the lead agency and another government agency. In these cases, effects may need to be determined in consultation with another agency. Planning and practice implementation may proceed for practices not involved in consultation.</p>						
G. Special Environmental Concerns (Document existing/ benchmark conditions)	J. Impacts to Special Environmental Concerns					
	No Action		Alternative 1		Alternative 2	
	Document all impacts (Attach Guide Sheets as applicable)	✓ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	✓ if needs further action	Document all impacts (Attach Guide Sheets as applicable)	✓ if needs further action
•Clean Air Act <i>Guide Sheet FS1 FS-2</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Clean Water Act / Waters of the U.S. <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Coastal Zone Management <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Coral Reefs <i>Guide Sheet Fact Sheet</i> Not Applicable	No Effect	<input type="checkbox"/>	No Effect	<input type="checkbox"/>		<input type="checkbox"/>
•Cultural Resources / Historic Properties <i>Guide Sheet Fact Sheet</i> See Alabama State Site File & <u>notes in case file</u>	See Documentation	<input type="checkbox"/>	See Documentation	<input type="checkbox"/>		<input type="checkbox"/>
•Endangered and Threatened Species <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Environmental Justice <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Essential Fish Habitat <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Floodplain Management <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Invasive Species <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Migratory Birds/Bald and Golden Eagle Protection Act <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Natural Areas <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Prime and Unique Farmlands <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Riparian Area <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Scenic Beauty <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Appendix B

•Wetlands <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
•Wild and Scenic Rivers <i>Guide Sheet Fact Sheet</i>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
K. Other Agencies and Broad Public Concerns	<i>No Action</i>		<i>Alternative 1</i>		<i>Alternative 2</i>	
Easements, Permissions, Public Review, or Permits Required and Agencies Consulted.						
Cumulative Effects Narrative (Describe the cumulative impacts considered, including past, present and known future actions regardless of who performed the actions)						
L. Mitigation (Record actions to avoid, minimize, and compensate)						
M. Preferred Alternative	Preferred alternative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Supporting reason					
N. Context (Record context of alternatives analysis)						
The significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.						
O. Determination of Significance or Extraordinary Circumstances						
<p>Intensity: Refers to the severity of impact. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.</p> <p>If you answer ANY of the below questions "yes" then contact the State Environmental Liaison as there may be extraordinary circumstances and significance issues to consider and a site specific NEPA analysis may be required.</p>						
Yes	No					
<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative expected to cause significant effects on public health or safety?				
<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?				
<input type="checkbox"/>	<input type="checkbox"/>	• Are the effects of the preferred alternative on the quality of the human environment likely to be highly controversial?				
<input type="checkbox"/>	<input type="checkbox"/>	• Does the preferred alternative have highly uncertain effects or involve unique or unknown risks on the human environment?				
<input type="checkbox"/>	<input type="checkbox"/>	• Does the preferred alternative establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?				
<input type="checkbox"/>	<input type="checkbox"/>	• Is the preferred alternative known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?				
<input type="checkbox"/>	<input type="checkbox"/>	• Will the preferred alternative likely have a significant adverse effect on ANY of the special environmental concerns? Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.				
<input type="checkbox"/>	<input type="checkbox"/>	• Will the preferred alternative threaten a violation of Federal, State, or local law or requirements for the protection of the environment?				
P. To the best of my knowledge, the data shown on this form is accurate and complete:						
In the case where a non-NRCS person (e.g. a TSP) assists with planning they are to sign the first signature block and then NRCS is to sign the second block to verify the information's accuracy.						
_____ Signature (TSP if applicable)		_____ Title		_____ Date		
_____ Signature (NRCS)		_____ Title		_____ Date		
If preferred alternative is not a federal action where NRCS has control or responsibility and this NRCS-CPA-52 is shared with someone other than the client then indicate to whom this is being provided.						

The following sections are to be completed by the Responsible Federal Official (RFO)		
<p>NRCS is the RFO if the action is subject to NRCS control and responsibility (e.g., actions financed, funded, assisted, conducted, regulated, or approved by NRCS). These actions do not include situations in which NRCS is only providing technical assistance because NRCS cannot control what the client ultimately does with that assistance and situations where NRCS is making a technical determination (such as Farm Bill HFL or wetland determinations) not associated with the planning process.</p>		
<p>Q. NEPA Compliance Finding (check one)</p>		
The preferred alternative:		Action required
<input type="checkbox"/>	1) is not a federal action where the agency has control or responsibility.	Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	2) is a federal action ALL of which is categorically excluded from further environmental analysis AND there are no extraordinary circumstances as identified in Section "O" .	Document in "R.2" below. No additional analysis is required
<input type="checkbox"/>	3) is a federal action that has been sufficiently analyzed in an existing Agency state, regional, or national NEPA document and there are no predicted <u>significant adverse environmental effects</u> or extraordinary circumstances.	Document in "R.1" below. No additional analysis is required.
<input type="checkbox"/>	4) is a federal action that has been sufficiently analyzed in another Federal agency's NEPA document (EA or EIS) that addresses the proposed NRCS action and its' effects and has been formally adopted by NRCS . NRCS is required to prepare and publish its own Finding of No Significant Impact for an EA or Record of Decision for an EIS when adopting another agency's EA or EIS document. (Note: This box is not applicable to FSA)	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
<input type="checkbox"/>	5) is a federal action that has NOT been sufficiently analyzed or may involve predicted significant adverse environmental effects or extraordinary circumstances and may require an EA or EIS.	Contact the State Environmental Liaison. Further NEPA analysis required.
<p>R. Rationale Supporting the Finding</p>		
<p>R.1 Findings Documentation</p>		
<p>R.2 Applicable Categorical Exclusion(s) (more than one may apply)</p> <p>7 CFR Part 650 <i>Compliance With NEPA</i>, subpart 650.6 <i>Categorical Exclusions</i> states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. See NECH 610.116.</p>		
<p><i>I have considered the effects of the alternatives on the Resource Concerns, Economic and Social Considerations, Special Environmental Concerns, and Extraordinary Circumstances as defined by Agency regulation and policy and based on that made the finding indicated above.</i></p>		
<p>S. Signature of Responsible Federal Official:</p>		
<div style="border: 1px solid black; width: 100%; height: 30px; margin-bottom: 5px;"></div> <p>Signature</p>	<div style="border: 1px solid black; width: 100%; height: 30px; margin-bottom: 5px;"></div> <p>Title</p>	<div style="border: 1px solid black; width: 100%; height: 30px; margin-bottom: 5px;"></div> <p>Date</p>
<p>Additional notes</p>		

7 CFR 650.6 - Categorical exclusions.

Title 7: Agriculture

Subtitle B: Regulations of the Department of Agriculture (Continued)

CHAPTER VI: NATURAL RESOURCES CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER F: SUPPORT ACTIVITIES

PART 650: COMPLIANCE WITH NEPA

Subpart A: Procedures for NRCS-Assisted Programs

650.6 - Categorical exclusions.

(a) Some NRCS programs or parts of programs do not normally create significant individual or cumulative impacts on the human environment. Therefore, an EA or EIS is not needed. These are data gathering and interpretation programs and include:

- (1) Soil Survey?7 CFR part 611;
- (2) Snow Survey and Water Supply Forecasts?7 CFR part 612;
- (3) Plant Materials for Conservation?7 CFR part 613;
- (4) Inventory and Monitoring?Catalog of Federal Domestic Assistance?10.908; and
- (5) River Basin Studies under section 6 of Pub. L. 83-566 as amended?7 CFR part 621.

(b) When any new action is planned under the programs identified in paragraph (a) of this section, the EE performed by the RFO is to identify extraordinary circumstances that might lead to significant individual or cumulative impacts. Actions that have potential for significant impacts on the human environment are not categorically excluded.

(c)(1) The NRCS restoration and conservation actions and activities identified in paragraph (d) of this section are eligible for categorical exclusion and require the RFO to document a determination that a categorical exclusion applies. Agency personnel will use the EE review process detailed in ? 650.5 to evaluate proposed activities for extraordinary circumstances and document the determination that the categorical exclusion applies. The extraordinary circumstances address the significance criteria provided in 40 CFR 1508.27.

(2) The extraordinary circumstances identified in paragraph (c)(1) of this section include:

- (i) The proposed action cannot cause significant effects on public health or safety.
- (ii) The proposed action cannot significantly affect unique characteristics of the geographic area such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas.
- (iii) The effects of the proposed action on the quality of the human environment cannot be highly controversial.
- (iv) The proposed action cannot have highly uncertain effects, including potential unique or unknown risks on the human environment.
- (v) The proposed action cannot include activities or conservation practices that establish a potential precedent for future actions with significant impacts.
- (vi) The proposed action is known to have or reasonably cannot be expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time.
- (vii) The proposed action cannot cause or promote the introduction of invasive species or have a significant adverse effect on any of the following special environmental concerns not previously

Appendix B – NRCS Categorical Exclusions

identified in paragraph (c)(2)(B) of this section, such as: endangered and threatened species, environmental justice communities as defined in Executive Order 12898, wetlands, other waters of the United States, wild and scenic rivers, air quality, migratory birds, and bald and golden eagles.

(viii) The proposed action will not violate Federal or other applicable law and requirements for the protection of the environment.

(3) In the absence of any extraordinary circumstances as determined through NRCS' EE review process, the activities will be able to proceed without preparation of an EA or EIS. Where extraordinary circumstances are determined to exist, the categorical exclusion will not apply, and the appropriate documentation for compliance with NEPA will be prepared. Prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must:

(i) Be designed to mitigate soil erosion, sedimentation, and downstream flooding;

(ii) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;

(iii) Be based on current Federal principals of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, "Stream Corridor Restoration, Principles, Processes, and Practices;"

(iv) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide;

(v) Not require substantial dredging, excavation, or placement of fill; and

(vi) Not involve a significant risk of exposure to toxic or hazardous substances.

(d) The use of the following categorical exclusions for a proposed action does not waive NRCS compliance with any applicable legal requirement including, but not limited to, the National Historical Preservation Act or the Endangered Species Act. The following categorical exclusions are available for application to proposed actions provided the conditions described in paragraph (c) of this section are met:

(1) Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants, on disturbed sites to restore and maintain the sites ecological functions and services;

(2) Removing dikes and associated appurtenances (such as culverts, pipes, valves, gates, and fencing) to allow waters to access floodplains to the extent that existed prior to the installation of such dikes and associated appurtenances;

(3) Plugging and filling excavated drainage ditches to allow hydrologic conditions to return to pre-drainage conditions to the extent practicable;

(4) Replacing and repairing existing culverts, grade stabilization, and water control structures and other small structures that were damaged by natural disasters where there is no new depth required and only minimal dredging, excavation, or placement of fill is required;

(5) Restoring the natural topographic features of agricultural fields that were altered by farming and ranching activities for the purpose of restoring ecological processes;

(6) Removing or relocating residential, commercial, and other public and private buildings and associated structures constructed in the 100-year floodplain or within the breach inundation area of an existing dam or other flood control structure in order to restore natural hydrologic conditions of inundation or saturation, vegetation, or reduce hazards posed to public safety;

(7) Removing storm debris and sediment following a natural disaster where there is a continuing and eminent threat to public health or safety, property, and natural and cultural resources and

Appendix B – NRCS Categorical Exclusions

removal is necessary to restore lands to pre-disaster conditions to the extent practicable.

Excavation will not exceed the pre-disaster condition;

(8) Stabilizing stream banks and associated structures to reduce erosion through bioengineering techniques following a natural disaster to restore pre-disaster conditions to the extent practicable, e.g., utilization of living and nonliving plant materials in combination with natural and synthetic support materials, such as rocks, rip-rap, geo-textiles, for slope stabilization, erosion reduction, and vegetative establishment and establishment of appropriate plant communities (bank shaping and planting, brush mattresses, log, root wad, and boulder stabilization methods);

(9) Repairing or maintenance of existing small structures or improvements (including structures and improvements utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat conditions). Examples of such activities include the repair or stabilization of existing stream crossings for livestock or human passage, levees, culverts, berms, dikes, and associated appurtenances;

(10) Constructing small structures or improvements for the restoration of wetland, riparian, in stream, or native habitats. Examples of activities include installation of fences and construction of small berms, dikes, and associated water control structures;

(11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;

(12) Repairing or maintenance of existing constructed fish passageways, such as fish ladders or spawning areas impacted by natural disasters or human alteration;

(13) Repairing, maintaining, or installing fish screens to existing structures;

(14) Repairing or maintaining principal spillways and appurtenances associated with existing serviceable dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the existing footprint of the dam, and no major change in reservoir or downstream operations will result;

(15) Repairing or improving (deepening/widening/armoring) existing auxiliary/emergency spillways associated with dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the dam or abutment areas, and no major change in reservoir or downstream operation will result;

(16) Repairing embankment slope failures on structures, originally built to NRCS standards, where the work is confined to the embankment or abutment areas;

(17) Increasing the freeboard (which is the height from the auxiliary (emergency) spillway crest to the top of embankment) of an existing dam or dike, originally built to NRCS standards, by raising the top elevation in order to meet current safety and performance standards. The purpose of the safety standard and associated work is to ensure that during extreme rainfall events, flows are confined to the auxiliary/emergency spillway so that the existing structure is not overtopped which may result in a catastrophic failure. Elevating the top of the dam will not result in an increase to lake or stream levels. Work will be confined to the existing dam and abutment areas, and no major change in reservoir operations will result. Examples of work may include the addition of fill material such as earth or gravel or placement of parapet walls;

(18) Modifying existing residential, commercial, and other public and private buildings to prevent flood damages, such as elevating structures or sealing basements to comply with current State safety standards and Federal performance standards;

(19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, off-stream watering facilities, and invasive

Appendix B – NRCS Categorical Exclusions

species control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes;

(20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting; and

(21) Implementing water conservation activities on existing agricultural lands, such as minor irrigation land leveling, irrigation water conveyance (pipelines), irrigation water control structures, and various management practices.

[44 FR 50579, Aug. 29, 1979, as amended at 74 FR 33322, July 13, 2009; 75 FR 6556, Feb. 10, 2010]

STATE LEVEL AGREEMENT

between the

ALABAMA NATURAL RESOURCES CONSERVATION SERVICE

and the

ALABAMA HISTORICAL COMMISSION

PURPOSE

This State Level Agreement (SLA) implements Stipulation IV (State Agreements) of the National Programmatic Agreement (Appendix A) among the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), the Advisory Council on Historic Preservation (Council) and the National Conference of State Historic Preservation Officers, regarding soil and water conservation assistance activities on private and public lands.

The purpose of this agreement is to adjust compliance requirements of the SLA to conditions that exist in Alabama that could not be uniformly addressed at the national level and to facilitate NRCS actions in Alabama. Unless otherwise defined differently in this agreement all terms are used in accordance with NRCS General Manual (GM) 420, Part 401 (Appendix B) and the NRCS Cultural Resources Handbook, Part 601 (Appendix C).

The NRCS and Alabama Historical Commission (AHC) agree that execution of this agreement provides for implementation of policies and procedures developed by NRCS to more effectively ensure that effects of conservation activities on properties with cultural resources are thoroughly considered in the earliest planning stages and that cultural resource protection is accomplished as efficiently as possible.

WHEREAS, the USDA Natural Resources Conservation Service (NRCS) has entered into agreements titled "Programmatic Agreement Among the USDA Natural Resources Conservation Service, the Advisory Council on Historic Places (ACHP) and the National Conference of State Historic Preservation Officers Relative to Conservation Assistance" (dated May 31, 2002) (hereafter referred to as the National Agreement); and,

WHEREAS, Alabama NRCS, in consultation with the Alabama Historical Commission and the Band of Poarch Creek Indians (Poarch) has determined that certain categories of Conservation Technical Assistance programs and activities that meet the definition of "undertakings" pursuant to the National Historic Preservation Act of 1966 (NHPA) (16 U.S.C. 470f, as amended, Section 301(7) and the Council's regulations for implementation of Section 106 of the Act, "Protection of Historic Properties" (36CFR Part 800) and its own national policies and procedures for protecting cultural resources, as issued in the NRCS General Manual (GM) 420, Part 401 Cultural Resources (Archaeological and Historic Properties); and,

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WHEREAS, the Natural Resources Conservation Service (NRCS) in Alabama (hereafter referred to as Alabama NRCS), carries out Conservation Technical Assistance programs for soil, water and related resource conservation activities; and,

WHEREAS the Alabama NRCS proposes to comply programmatically with its obligations under Section 106 of the National Historic Preservation Act of 1966 and amendments thereto; and,

WHEREAS the Alabama Historical Commission administers the programs of the National Historic Preservation Act (NHPA) for Alabama and is charged with assisting federal agencies by maintaining and sharing cultural resource inventory information; and,

WHEREAS Executive Order 13084 (Consultation and Coordination with Tribal Governments), Executive Order 13007 (Indian Sacred Sites), the NHPA, and the Council's regulations require Federal agencies to consult with federally recognized Indian tribes when they attach religious and cultural significance to a property; and,

WHEREAS the "Amendment to Programmatic Agreement Among the USDA Natural Resources Conservation Service, Advisory Council on Historic Preservation and National Conference of State Historic Preservation Officers") requires consultation with Tribal Historic Preservation Officers, other federally recognized tribes with land bases and other federally recognized tribes with ancestral lands in the state (Stipulation 1); and,

WHEREAS historic properties of religious and cultural significance to Indian tribes may be located on ancestral, aboriginal or ceded lands in Alabama and the Poarch Creek Indians have assumed the responsibility of the SHPO on tribal lands; and,

WHEREAS the State Conservationist for the Alabama NRCS has consulted with the Poarch Creek Indians Tribal Historic Preservation Officer and entered into an agreement with the Poarch ("Memorandum of Agreement between the Poarch Creek Indians and the Natural Resources Conservation Service, United States Department of Agriculture for the State of Alabama); and,

WHEREAS the National Agreement (Stipulation IV) and the NRCS General Manual (GM) 420, Part 401.33, require each state NRCS office and its counterpart (the Alabama Historical Commission, hereafter referred to as AHC) to develop a State Level Agreement (SLA) in order to further expedite the compliance process, speed delivery of conservation, and protect cultural resources; and

WHEREAS the definitions given in GM 420 Part 401.02 are applicable throughout this State Level Agreement;

NOW THEREFORE, the Alabama NRCS and the AHC agree to the following stipulations and will ensure that they are implemented:

Stipulations

1. Identification and Evaluation of Cultural Resources
The Alabama NRCS will make a reasonable and good faith effort to identify cultural resources, including properties of cultural or religious interest to Native Americans when properties or practices with specific undertakings require compliance with the National Environmental Policy Act (NEPA) or Sections 106 and 110 of the National Historic Preservation Act (NHPA) (Appendix D: Classification of Conservation Effects on Cultural Resources). Field Office personnel who have satisfactorily completed the National Cultural Resources Training series (Appendix E) and maintained certification are considered qualified to perform cultural resources reviews and field inspections. When planning for a non ground-disturbing practice with no known cultural resources resides at the Field Office level, the compliance documentation will be filed at the Field Office; the CRS (Cultural Resources Specialist) may be notified prior to any ground-disturbing activity to review the results and appropriateness of the Field Office recommendations regarding the absence of cultural resources in the Area of Potential Effect (APE). If a cultural resource is discovered within or immediately adjacent to a proposed APE, the cultural resources compliance documentation will be forwarded to the CRS for review and approval prior to project implementation (Appendix F: Field Office Procedures for Cultural Resources Reviews and Appendix G: Request for Cultural Resources Review Form). When planning includes a potentially ground-disturbing or ground-disturbing practice, the Field Office personnel should perform cultural resources reviews and field inspections, however, the compliance documentation will be forwarded to the CRS for review and if necessary, further action.

The discovery of any cultural resources within the proposed APE will require a field inspection or formal investigation by the CRS or professional archaeologist. All significance evaluations and effects assessments will be recommended by the CRS.

Under normal circumstances, a field inspection by trained Field Office personnel shall consist of a pedestrian walkover and a visual inspection of the APE; if surface artifacts or features are discovered, the CRS will be notified. The CRS is considered qualified to perform cultural resources reviews, field inspections, surveys and investigations for all NRCS activities. The CRS shall be responsible for evaluating the significance of any and all cultural resources which may be eligible for the National Register of Historic Places (NRHP) identified within the APE, recommending the National Register (NR) status and assessing the effects of conservation practices. All cultural resources will be recorded on Alabama State Site File forms and submitted to the Alabama State Site Files. All NRCS undertakings and negative findings will be documented in the appropriate NRCS files and shall be made available for further review by the AHC.

Alabama NRCS will complete its identification responsibilities in consultation with the AHC by:

- A. Developing and maintaining a current database, including but not limited to:
 1. location of cultural resources; and,
 2. descriptions of cultural resources (including state of integrity, preservation status, sensitivity to damage, and potential significance); and,
 - B. Developing, testing and improving the accuracy of site location in order to organize existing site information and prioritize future survey locations and methods. When subjected to testing, such models may provide the basis for depicting zones of archaeological sensitivity or similar parameters on USGS quadrangle maps or electronic data systems.
 - C. Providing information on cultural resources significance, including opinions on eligibility with reference to the NR criteria (36CFR 60.4) to the SHPO for concurrence.
2. Definition of Undertakings: The Alabama NRCS and the AHC will use the classification system established in this Agreement (Appendix D) when determining whether a particular activity or program qualifies as an undertaking. Practices classified as not ground disturbing (NG) generally are not considered undertakings and thus do not require compliance documentation, however, if a cultural resource is present in a “non-ground disturbing” practice area, compliance documentation is required. Practices and activities not covered by this document will be presumed to have the potential to impact cultural resources until an amendment has been made to this document which places them on the appropriate list. Any activity or practice that will result in a potential adverse effect to cultural resources is considered an undertaking regardless of its status relative to the above classifications.
3. Human Remains: If human remains are identified in an APE during planning or during implementation of a conservation practice, all activities deemed likely to damage the remains will cease and the following steps will be taken:
- A. NRCS Field Office personnel will contact the local police or county sheriff to determine whether the remains area part of an on-going investigation and notify the CRS; and,
 - B. If the remains are not related to a police investigation:
 1. the AHC and/or the Poarch Creek Tribal Historic Preservation Officer (Poarch THPO) will be notified of the discovery within 24 hours; and,
 2. the CRS and representatives from the AHC and/or the Poarch THPO shall attempt to determine ethnicity of remains and approximate age;
 - C. If the remains are determined to be of Native American extraction, NRCS will follow the procedures outlined in Section 3 of the Native American Graves Protection and Repatriation Act (NAGPRA) or consult with the Poarch THPO for comment, consultation or advice

(the Poarch THPO may invite or defer to another THPO as warranted);

- D. If the remains are not part of an on-going police investigation and are not of Native American extraction, the Alabama NRCS will consult with the AHC in the development of an appropriate plan for treating the remains as outlined in the Alabama Historical Commission Administrative Code Chapter 460-x-10 (Burials) and Alabama Act 93-905, Section 13A-7-23.1 (Desecration, defacement, etc., of memorial of dead; invasion or mutilation of corpse).
 - E. Alabama NRCS Field personnel and the cooperater will take appropriate measures, such as erecting protective fences or barriers, to protect the remains until the plan for treating the remains is completed.
 - F. Planning and construction activities at the site can recommence only after Alabama NRCS and the AHC or the Poarch THPO agree that the plan for treating the remains has been properly implemented.
4. Curation Arrangements: The Alabama NRCS shall ensure that all materials and records resulting from data recovery activities on federally owned property are curated in accordance with 36 CFR Part 79.

The Alabama NRCS shall also ensure that all records resulting from the cultural resources surveys or data recovery activities on private property are curated in accordance with 36 CFR Part 79. All materials resulting from cultural resources surveys or data recovery activities will be maintained in accordance with 36 CFR Part 79 until their analysis is complete. Final disposition of all archaeological materials will be in accordance with State law (S-41-3-5: Disposition of Objects Taken from Remains). Where NRCS is not the lead agency or on projects on federal land, curation will be handled by the lead agency of management agency responsible for the land. The Alabama NRCS will facilitate the loan of artifacts and collections to the Alabama Department of Archives and History or in the museums or in the libraries of the educational or other institutions of the state (S 41-3-5 and other Acts and Codes and amendments thereto) or an equivalent facility to be curated and preserved for future research.

5. Access to the Cultural Resources Information: The AHC shall allow site file access to the Alabama NRCS (paper or electronic data file) of all archaeological sites on file with the AHC. This information will be used to determine potential impacts on known cultural resources for all undertakings implemented through programs administered by the Alabama NRCS. Field Office staff access to specific site location data via the password-protected Alabama State Site File will be restricted to use for NRCS planning purposes only. Additional site information (size, component and NR eligibility) may be provided to NRCS Field Office staff when warranted.

The Alabama NRCS agrees to provide the AHC with information concerning newly discovered and previously recorded cultural resources as they are

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encountered. This information shall be recorded on the Alabama State Site File forms.

The Alabama NRCS further agrees that access to the electronic site data (Alabama State Site File, surveyed space coverage, reports on file) shall be securely maintained at the office of the CRS or NRCS State Office.; access only to site location data will be allowed at the Area and Field Office levels.

6. Compliance Documentation: The Alabama NRCS will provide AHC with documentation on each federally funded undertaking, including specific project area and practice descriptions, maps or other illustrations of the project area(s), survey personnel, environmental data, brief background research, field methodology and results if and when cultural resources are discovered in or near the project APE. Interim reports may be prepared and sent to the SHPO for review indicating project areas that have been surveyed for cultural resources. Interim reports may consist of negative findings letter reports with list of projects where no cultural resources were found or brief summary reports with recommendations of No Effect when cultural resources were discovered the APE but were avoided. Annual reports prepared by the CRS shall contain summary information on all undertakings reviewed by the CRS. When reporting the summary information, the Alabama NRCS shall list the number of undertakings reviewed by Field Office personnel and by the CRS or professional archaeologists; an accounting may also be given regarding the number of practices moved or changed, the number of withdrawals of assistance, and the number of landowner withdrawals when cultural resources were involved. This report will also summarize the number and types of cultural resources recorded by the CRS, affected by NRCS undertakings, considered or determined eligible for the NRHP, and those resources suffering adverse effects or protected by beneficial effects. Additional information of archaeological research value may be included in the annual report (e.g., identifying relationships between environmental characteristics, site types, or national Register eligibility; assessing long-term effects of cultivation to cultural resources; or comparing the number of cultural resources discovered as a result of surface observations versus excavated shovel tests). Compliance documentation (Cultural Resources Review forms) for individual practices will be maintained at the Field Offices and the State Office; copies of Review forms as supporting compliance documentation will be secured at the office of the CRS.
7. Traditional Cultural Properties, Properties of Traditional, Religious or Cultural Significance, and Sacred Sites: Traditional Cultural Properties, Properties of Traditional, Religious or Cultural Significance, and Sacred Sites will initially be treated in the same manner as other cultural resources; in that priority will be given to avoidance measures. The Poarch Creek THPO will provide the CRS (or Field Office) with the Township, Range and Section(s) of known properties with traditional, religious or cultural significance and sacred sites (precise locational data is not required). This information will be used to ascertain whether or not there are cultural areas that may be affected by planned NRCS practices. If there

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are tribal concerns regarding the effects of planned practices, the CRS and Poarch Creek THPO will consult on a case by case basis; if the area of concern is not located on tribal land, the AHC may be consulted, also. In addition, if the property to be adversely affected is eligible for the National Register of Historic Places, normal procedures identified in the National Cultural Resources Handbook, Part 601, (Appendix C) will be followed.

8. **Procedures for Handling Discoveries:** Procedures for handling the discovery of human remains and grave-associated artifacts are covered in Stipulation 3. If previously unidentified cultural resources (other than human remains or grave goods) are encountered during implementation of a practice, the NRCS Field Office personnel will immediately request that contractors under the control of cooperator(s) cease working in the immediate vicinity of the discovery and contact the CRC and CRS. Following an on-site inspection, the CRS will consult directly with the AHC staff and/or the Poarch THPO to determine site eligibility and avoidance or mitigation measures to be considered, if necessary. Preference will be given to minimizing further disturbance to the cultural resource(s).
9. **Emergencies:** The following procedures will ensure that the need to protect life and property in an emergency is accomplished while taking cultural resources into account to the maximum extent congruent with rapidly changing priorities and circumstances. Urgent and compelling situations require the completion of emergency actions or treatment within five (5) days of the specific dilemma having been reported. Alabama NRCS will notify the AHC of emergency actions of a compelling and urgent nature, including the circumstances creating the emergency situation, the work to be undertaken, and any consideration of historic properties, as appropriate as soon as possible. The AHC and Poarch THPO will then have one working day to respond to NRCS after receipt of said notification. NRCS will document and avoid adverse impacts to culture resources encountered during urgent and compelling work to the fullest extent practicable.

In all emergency actions that are not of an urgent and compelling nature, the Alabama CRS may consult with the AHC and Poarch THPO to determine areas of high site probability for cultural resources. The CRS will then be involved in assessing impacts to these areas with the objective of avoidance. If these areas cannot be avoided and cultural resources are discovered, the CRS or CRC will notify the AHC and Poarch THPO. The CRS or a professional archaeologist, if necessary, will then evaluate the resource. The State Conservationist will then make a final decision based on the specialist's or professional archaeologist's evaluation, consultation with the AHC, and the need to protect life and property.

In major disasters, NRCS may elect to waive all or part of its cultural resources responsibilities as allowed under 36 CFR 78.

10. **Avoidance:** If a potentially eligible site is encountered during normal planning activities, its boundaries and means of avoidance will be determined by the CRS and appropriate Field office personnel. In all cases, a buffer will be established

around the known archaeological site boundaries with the understanding that the Alabama NRCS will work in consultation with the AHC and Poarch THPO to refine the process for defining site boundaries. If a Traditional Cultural Property or, properties of religious, traditional or cultural interest to American Indians are encountered during normal planning activities, its bounds and means of avoidance will be determined by the CRS and the Poarch THPO.

11. Evaluating Significance: A cultural resource's potential eligibility or eligibility for inclusion in the National Register of Historic Places will be evaluated by the CRS based on the National Register standards for evaluating the significance of properties.
12. Cultural Resources Training of NRCS Employees: The AHC, Poarch THPO and NRCS agree that all NRCS employees responsible for reviewing practice areas for cultural resources compliance will complete the NRCS National Cultural Resources Training Series (Appendix E) and maintain certification. The AHC and Poarch THPO agree to review training materials and to assist in training of NRCS personnel as needed.
13. Access to Specialists: Alabama NRCS agrees to maintain regular and continuing access to a Cultural Resources Specialist or archeologist who meets the qualifications contained in "Archaeology and Historic Preservation, Secretary of Interior's Standards and Guidelines – Professional Qualifications Standards" NRCS may contract investigations and surveys for actions beyond the scope of NRCS employee qualifications, certification and responsibility.
14. Quality Assurance: The Alabama NRCS will use the Guidelines for Quality Assurance described in Appendix H (Cultural Resources Quality Assurance Reviews).

The AHC and NRCS will consult on the appropriate procedures to be used for spot-checking of cultural resources compliance documentation. A section in the NRCS annual cultural resources report to the AHC detailing fiscal year compliance activities and results may provide a discussion concerning spot checks of NRCS cultural resources operations.

The AHC may monitor activities carried out pursuant to this State Level Agreement, and the ACHP may be asked to review such activities by either party. The Alabama NRCS will cooperate with the Council, Poarch THPO, other Native American THPO(s) or representatives, and the AHC in carrying out their monitoring and review responsibilities.

15. Sharing Technology and Information: The NRCS, Poarch THPO, and the AHC mutually agree that cultural resources are an integral part of our nation's resources and will ensure that these resources are fully considered in all NRCS undertakings. The conservation ethic of NRCS is in harmony with mandates

requiring federal agencies to become active partners in the stewardship of our nation's cultural resources.

The AHC will provide the Alabama NRCS with assistance in conducting cultural resources reviews by providing cultural resources data as described in Stipulation 5 and by providing the NRCS with a copy of the AHC Alabama State Historic Preservation Plan and any other information pertaining to resource sensitivity analysis and/or prediction modeling.

The Poarch THPO will provide the Alabama NRCS with assistance in conducting cultural resources reviews by providing information concerning properties of religious or cultural interest.

The NRCS agrees to provide technical assistance in erosion control and protection of cultural resources when requested by the AHC and the Poarch THPO as time and staff resources permit. Requests will be coordinated through the CRC.

16. **Items Not Covered in the Agreement:** The Alabama NRCS, AHC and Poarch THPO agree that all matters not discussed in this agreement will be handled in accordance with NRCS General Manual 420 Part 401, or the National Historic Preservation Act and amendments thereto.
17. **Agreement Duration and Conditions for Termination:** This agreement will remain in effect until revised by mutual written agreement between the signing parties. Substantive changes in the nationwide Programmatic Agreement that affect this document will take precedence. In either case, the parties agree to review this agreement annually and will consult in accordance with NRCS GM 420, Part 401, to consider amendments.

Signatories:



WILLIAM E. PUCKETT
State Conservationist
Natural Resources Conservation Service

11/3/10
Date



FRANK W. WHITE
State Historic Preservation Officer
Alabama Historical Commission

11/3/10
Date

NRCS Conservation Practice Effects on Federal Threatened & Endangered Species

USFWS-NRCS Interagency Consultation Matrix

Practice Effect Designations:

- NE - No Effect
- NLAA - Not Likely to Adversely Affect T&E Species
- NLAA,B - Not Likely to Adversely Affect T&E Species (Beneficial Effect)
- MA - May Affect T&E Species (**Requires informal or formal consultation with USFWS when T&E species are potentially present or may be impacted**)

Symbol Designations:

- N No effect; proceed with practice implementation.
- X Refer to the qualifier list for guidance. If implementation of practice avoids all applicable defined condition(s), proceed with practice implementation. If defined condition(s) can not be avoided, contact NRCS Biologist.
- B Refer to the qualifier list for guidance. If implementation of practice meets defined condition(s), practice implementation should produce a benefit to T&E Species and their habitat.
- C Consult; refer to NRCS Biologist. NRCS Biologist will work with D.C. to conduct habitat assessment. NRCS Biologist will contact USFWS if formal or informal consultation is required. DO NOT proceed with practice implementation without concurrence of NRCS Biologist.

This matrix will be used to assist in making planning decisions regarding federally listed threatened and endangered species. Refer to Section IV of the eFOTG for detailed standards and specifications for the practices listed within the table. Some practices have the potential to Adversely Affect or have a Beneficial Effect dependent upon where, when and how practice installation occurs. In the event that a practice has a C (MA) and a B (NLAA,B) designation, the C designation takes precedence. Practice implementation should not begin until consultation has occurred. Similarly, if a practice has both an X (NLAA) and a B (NLAA,B) designation, the X takes precedence. Practice implementation should not begin unless the condition defined by the X designation is avoided or the NRCS Biologist authorizes implementation.

Review the practice conditions established for each practice as well as the practice standard in the eFOTG carefully before making a decision to proceed with installation.

Note: Any formal or informal consultation with USFWS that may identify a client and/or the specific location of a species or a species habitat requires written permission from the client to release confidential information. This can be accomplished by having the client provide a signed letter or by submitting the Authorization for Release of Records document.

(Where an adverse effect can not be avoided or minimized, contact NRCS Biologist.)

X ^{Gen}	If the practice will be placed in a habitat type where a threatened or endangered species may reside, further investigation is required . Review the Sensitive Habitat Fact Sheet , then make a visual observation of the area to determine if the species or habitat for the species exists. Examples include: Avoid ground disturbing activities within Red Hills Salamander habitat. Avoid altering hydrology of ephemeral drains (avoid logging during wet weather) within the FWS habitat.
X ^{Plant}	If the practice will be placed in a habitat type where a threatened or endangered species may reside AND if disturbance of native vegetation (changing landuse, herbicide application, earthmoving, soil disturbance, etc.) is involved in the installation of this practice, further investigation is required . Review the Sensitive Habitat Fact Sheet and plant fact sheets . Make a visual observation of the area to determine if the species or habitat for the species exists.
X ^{AQ1}	If the practice will be placed within 50 feet of a stream within a 12-digit HUC containing T&E aquatic species, further investigation is required. Increase buffer distance as needed to maintain the ecological and structural integrity of the riparian buffer and stream bank.
X ^{AQ2}	No mechanized clearing within 50 feet of streams. Hand clearing, hand rake, hack and squirt, etc., are allowed. Increase buffer distance as needed to maintain the ecological and structural integrity of the riparian buffer and stream bank.
X ^{AQ3}	Aquatics - Avoid conditions causing erosion and sedimentation into streams.
X ^{AQ4}	Avoid crossing streams with this practice.
X ^{Bat}	Avoid disturbance of foraging areas near caves by adhering to an activity buffer distance of 200 feet radius from the cave entrance (for example, use of machinery, building of roads, application of pesticides, etc.). Maintain snags within 1/2 mile radius of cave entrances.
X ^{FWS}	Apply herbicides only during dry periods.
X ^{GT1}	Where the use of heavy equipment can not be avoided, use a 25 foot buffer around each gopher tortoise burrow. Site staging areas away from burrows.
X ^{GT2}	The practice should allow dispersal and movement to at least 2.5 acres of GT foraging habitat per burrow. When fencing is used for large animals, typical fencing = minimum 30 cm (11.81 inches) clearance from ground, electric fencing = 40 cm (15.75 inches) clearance from the ground, woven fencing = 30 cm x 30 cm hole every 100 ft. When fencing for <i>small animals</i> , e.g., goats, avoid fencing in GT burrows.
X ^{RCW1}	Do not remove southern yellow pine tree species greater than or equal to 10" DBH in a pine-dominated stand located where there exists a current populations of Red-Cockaded woodpeckers or RCW cavity trees.
X ^{RCW2}	RCW cavity trees will be protected by a variety of methods, including employing small preparation burns around cavity trees, raking fuels away from the base of the tree, mowing, weed whipping (use of a "weed whacker" as a low impact alternative) and the use of wet lines (a temporary fireguard created created by wetting vegetation adjacent to the fuel to be ignited). Be aware that heavy machinery can compact soils and damage tree roots; therefore, avoid repeated mowing and use of heavy equipment.
X ^{RHS}	In Red Hills Salamander habitat, use hand treatments such as hack and squirt, for herbicide applications.
X ^{RT}	In Relict Trillium habitat, avoid burning in spring.

X^{SWD}	Avoid low-lying areas directly adjacent to flowing waterbodies. This includes areas in Madison, Limestone, and Lauderdale counties that contain shallow sink holes, wide-shallow depressions (including fields and open pasture) that are seasonally wet or may only receive water during high flow events, and perennially wet seeps. During the winter/early spring, slack water darter's migrate up small 1st and 2nd order streams and spawn directly in these areas over vegetation such as, Juncus, Eleocharis, fescue, and water-star-wort. These spawning areas can range from relatively small areas (<1/4 acre) to several acres.
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NLAA Practice Implementation Qualifiers

(If the conditions of the scenarios are met, a benefit to T&E species and their habitat will result.)

B^{Gen}	Beneficial if T&E species are present within the planning unit and practice provides and/or improves habitat for listed species. Examples include: Wood Stork benefited by creation/restoration of wetlands.
B^{Plant}	Beneficial if avoiding known plant locations and/or creating new forested habitats on previously disturbed agricultural lands.
B^{AQ1}	If practice implementation minimizes runoff and/or sedimentation into a stream within a 12-digit HUC containing T&E aquatic species.
B^{AQ2}	If this practice improves water quality and/or quantity, then this practice is Beneficial for aquatic species.
B^{Bird}	Beneficial if managed to facilitate use by listed birds.
B^{Chaff}	American chaffseed - beneficial effect from opening canopy.
B^{GT}	Beneficial for gopher tortoise due to improved forage when ag lands converted to native species or other management activities that improve gopher tortoise habitat.
B^{Inv}	Beneficial when improving habitat through treatment of invasive species. Includes plants and animals (such as feral hogs).

Summary of Abbreviations

- AQ** Aquatic species - fish, mussels, snails
- Bat** Listed Bats
- Bird** Listed Birds
- Chaff** American Chaffseed
- FWS** Flatwoods Salamander
- Gen** General - refers to any species that is likely to occur in a sensitive habitat area
- GT** Gopher Tortoise
- Inv** Invasive plants and animals
- Plant** Listed plants
- RHS** Red Hills Salamander
- RT** Relict Trillium
- SWD** Slack Water Darter

NRCS Conservation Practice Effects on Federal Threatened Endangered Species - Revised 3-11-2014

Appendix B

Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA, B	
472	Access Control	ac		X ^{Gen} , X ^{AQ2} , X ^{GT2} , X ^{Bat}		B ^{AQ1}	
560	Access Road	ft		X ^{Gen} , X ^{Plant} , X ^{GT1} , X ^{AQ1}			
702	Agrichemical Handling Facility	no	N				
	Amendments for the Treatment of Agricultural Waste	ani unt	N				
591	Waste		N				
365	Anaerobic Digester - Ambient Temperature	no	N				
	Anaerobic Digester - Controlled Temperature	no	N				
316	Animal Mortality Facility	no		X ^{Gen} , X ^{Plant}			
575	Animal Trails and Walkways	ft		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
	Anionic Polyacrylamide (PAM)						
450	Erosion Control	ac		X ^{Gen}			
397	Aquaculture Ponds	ac			C		
							No effect on cropland. NLAA on other land uses. If practice increases runoff or erosion to streams, also see X ^{AQ2} and insure adequate outlets and filtering protect aquatic resources.
310	Bedding	ac	N	X ^{Gen} , X ^{Plant}			
314	Brush Management	ac		X ^{Gen} , X ^{Plant} , X ^{AQ2} , X ^{AQ3} , X ^{GT2} , X ^{Bat} , X ^{RCW1} , X ^{RHS}			
584	Channel Bed Stabilization	ft			C		
326	Clearing and Snagging	ft			C		
	Closure of Waste Impoundment	no	N				
360	Impoundment	no	N				
317	Composting Facility	no	N				
327	Conservation Cover	ac	N			B ^{Gen} , B ^{AQ2}	Beneficial if improves habitat for any listed species or if adjacent to stream, otherwise NE.

NRCS Conservation Practice Effects on Federal Threatened Endangered Species - Revised 3-11-2014

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA, B	
328	Conservation Crop Rotation	ac	N				
656	Constructed Wetland	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
332	Contour Buffer Strips	ac	N			B ^{AQ2}	Beneficial to water quality (thus aquatic species), otherwise NE
330	Contour Farming	ac	N			B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NE.
331	Contour Orchard and Other Fruit Area	ac	N				
340	Cover Crop	ac	N				
342	Critical Area Planting	ac	N			B ^{AQ1}	Beneficial to aquatics if reduces sedimentation, otherwise NE.
402	Dam	ac-ft			C		
348	Dam, Diversion	no			C		
324	Deep Tillage	ac	N	X ^{Gen} , X ^{Plant}			NE on previously disturbed land, otherwise NLAA
356	Dike	ft		X ^{Gen} , X ^{Plant} , X ^{SWD}		B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NLAA.
362	Diversion	ft		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NLAA.
554	Drainage Water Management	ac	N			B ^{AQ2}	Beneficial if improves water quality or quantity for aquatic species, otherwise NE.
432	Dry Hydrant	no		X ^{Gen} , X ^{Plant} , X ^{AQ3}			
647	Early Successional Habitat Development/Management	ac	N			B ^{GT}	Beneficial for gopher tortoise (where listed), otherwise NE.
374	Farm Energy Improvements	no	N				
382	Fence	ft		X ^{Gen} , X ^{AQ2} , X ^{AQ3} , X ^{GT2}			If mechanized clearing is involved, also see X ^{Plant} and X ^{Bat} .
386	Field Border	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if directly adjacent to streams
393	Filter Strip	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if directly adjacent to streams

NRCS Conservation Practice Effects on Federal Threatened Endangered Species - Revised 3-11-2014

Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
328	Conservation Crop Rotation	ac	N				
656	Constructed Wetland	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
332	Contour Buffer Strips	ac	N			B ^{AQ2}	Beneficial to water quality (thus aquatic species), otherwise NE
330	Contour Farming	ac	N			B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NE.
331	Contour Orchard and Other Fruit Area	ac	N				
340	Cover Crop	ac	N				
342	Critical Area Planting	ac	N			B ^{AQ1}	Beneficial to aquatics if reduces sedimentation, otherwise NE.
402	Dam	ac-ft			C		
348	Dam, Diversion	no			C		
324	Deep Tillage	ac	N	X ^{Gen} , X ^{Plant}			NE on previously disturbed land, otherwise NLAA
356	Dike	ft		X ^{Gen} , X ^{Plant} , X ^{SWD}		B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NLAA.
362	Diversion	ft		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if installed on existing cropland or grazingland adjacent to stream, otherwise NLAA.
554	Drainage Water Management	ac	N			B ^{AQ2}	Beneficial if improves water quality or quantity for aquatic species, otherwise NE.
432	Dry Hydrant	no		X ^{Gen} , X ^{Plant} , X ^{AQ3}			
647	Early Successional Habitat Development/Management	ac	N			B ^{GT}	Beneficial for gopher tortoise (where listed), otherwise NE.
374	Farm Energy Improvements	no	N				
382	Fence	ft		X ^{Gen} , X ^{AQ2} , X ^{AQ3} , X ^{GT2}			If mechanized clearing is involved, also see X ^{Plant} and X ^{Bat.}
386	Field Border	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if directly adjacent to streams
393	Filter Strip	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Beneficial if directly adjacent to streams

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
394	Firebreak	ft		X ^{Gen} , X ^{Plant} , X ^{AQ2} , X ^{AQ3} , X ^{GT2} , X ^{Bat}			
398	Fish Raceway or Tank	ft			C		
399	Fishpond Management	no	N				
511	Forage Harvest Management	ac	N				
384	Forest Slash Treatment	ac		X ^{Gen} , X ^{Plant} , X ^{AQ2} , X ^{AQ3} , X ^{GT2} , X ^{Bat}			
666	Forest Stand Improvement	ac		X ^{Gen} , X ^{Plant} , X ^{AQ2} , X ^{AQ3} , X ^{GT2} , X ^{Bat} , X ^{RCW1} , X ^{RHS}	B ^{Chaff}	NE if improvements are made to address resource concerns on existing trails and landings (e.g., installation of erosion and sediment control measures) AND not in GT or listed plant habitat.	
655	Forest Trails and Landings	ac	N	X ^{Gen} , X ^{Plant} , X ^{GT1} , X ^{AQ1}			
383	Fuel Break	ac		X ^{Gen} , X ^{Plant} , X ^{AQ2} , X ^{AQ3} , X ^{GT2} , X ^{Bat}			
410	Grade Stabilization Structure	no		X ^{Gen} , X ^{Plant}	B ^{AQ1}		
412	Grassed Waterway	ac	N		B ^{AQ1}	Beneficial to aquatics if reduces runoff and/or sedimentation, otherwise NE.	
561	Heavy Use Area Protection	ac		X ^{Gen} , X ^{Plant}		If adjacent to a stream, see effects listed for Stream Crossing.	
422	Hedgerow Planting	ft		X ^{Gen}		If within SMZ, see effects listed for Forest Stand Improvement.	
315	Herbaceous Weed Control	ac		X ^{Gen} , X ^{Plant} , X ^{AQ1} , X ^{FWS} , X ^{RHS} , X ^{Bat}	B ^{Inv}	Contact the NRCS Biologist if Windows Pesticide Screening Tool (WIN-PST) results are Intermediate or High. Application within 50 feet of a stream with listed T&E will be hand applied by spot treatment.	
595	Integrated Pest Management	ac		X ^{Gen} , X ^{Plant} , X ^{AQ1} , X ^{FWS} , X ^{RHS} , X ^{Bat}		Contact the NRCS Biologist if Windows Pesticide Screening Tool (WIN-PST) results are Intermediate or High. Application within 50 feet of a stream with listed T&E will be hand applied by spot treatment.	
320	Irrigation Canal or Lateral	ft			C		

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
388	Irrigation Field Ditch	ft			C		
464	Irrigation Land Leveling	ac		X ^{Gen} , X ^{Plant}			
552	Irrigation or Regulating Reservoir	no		X ^{Gen} , X ^{AQ1} , X ^{GT1} , X ^{SWD}			
436	Irrigation Storage Reservoir	ac-ft		X ^{Gen} , X ^{AQ1} , X ^{GT1} , X ^{SWD}			
441	Irrigation System, Microirrigation	ac	N				
442	Irrigation System, Sprinkler	ac	N				
443	Irrigation System, Surface and Subsurface	ac	N				
447	Irrigation System, Tailwater Recovery	no	N				
428	Irrigation Water Conveyance, Ditch & Canal Lining	ft	N				
430	Irrigation Water Conveyance, Pipeline	ft		X ^{AQ4}		If pipeline crosses a stream, contact NRCS Biologist to determine if consultation is necessary.	
449	Irrigation Water Management	ac	N				
460	Land Clearing	ac		X ^{Gen} , X ^{Plant} , X ^{GT1} , X ^{AQ2}		B ^{Gen}	
453	Land Reclamation, Landslide Treatment	ac			C		
455	Land Reclamation, Toxic Discharge Control	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
543	Land Reconstruction, Abandoned Mined Land	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
544	Land Reconstruction, Currently Mined Land	ac		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
466	Land Smoothing	ac	N				

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Code	Practice	Unit	Practice Effects					Comments
			NE	NLAA	MA	NLAA,B B ^{AQ1}		
468	Lined Waterway or Outlet	ft		X ^{Gen} , X ^{Plant}				
516	Livestock Pipeline	ft		X ^{Gen} , X ^{Plant} , X ^{AQ4}				Biologist to determine if consultation is
717	Livestock Shade Structure	no	N					
634	Manure Transfer	no	N					
457	Mine Shaft and Adit Closing	no			C			
353	Monitoring Well	no	N					
484	Mulching	ac	N					
590	Nutrient Management	ac		X ^{Gen}			B ^{AQ2}	
500	Obstruction Removal	ac		X ^{Gen}				
582	Open Channel	ft			C			
512	Pasture and Hay Planting	ac	N				B ^{AQ1}	Beneficial to aquatics if reduces runoff and/or sedimentation, otherwise NE.
378	Pond	no		X ^{Gen} , X ^{AQ1} , X ^{GT1} , X ^{SWD}			B ^{AQ2}	Benefits to aquatics apply if pond use results in stream exclusion.
379	Pond Sealing or Lining	no	N					
462	Precision Land Forming	ac	N					
338	Prescribed Burning	ac		X ^{RCW2} , X ^{RT}			B ^{Gen} , B ^{GT}	Beneficial due to improved habitat. For Relict Trillium, avoid spring burns.
528	Prescribed Grazing	ac	N				B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise, NE
533	Pumping Plant	no		X ^{AQ1} , X ^{Plant}			B ^{AQ2}	Contact State Biologist to determine if consultation is necessary. Can be beneficial to aquatics if replacing a surface water withdrawal at critical times.
562	Recreation Area Improvement	ac	N					
566	Recreation Land Grading and Shaping	ac		X ^{Gen} , X ^{Plant}				
345	Residue and Tillage Management, Mulch Till	ac	N				B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise NE.

NRCS Conservation Practice Effects on Federal Threatened Endangered Species - Revised 3-11-2014

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
329	Management, No-Till/Strip Till/Direct Seed	ac	N			B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise NE.
346	Residue and Tillage Management, Ridge Till	ac	N			B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise NE.
344	Residue Management, Seasonal	ac	N			B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise NE.
643	Restoration and Management of Declining Habitats	ac		X ^{Gen} , X ^{Plant}		B ^{Gen}	occupied habitats - use hand planting. Beneficial if avoiding known plant locations
391	Riparian Forest Buffer	ac				B ^{Gen}	Beneficial for aquatics (water quality, habitat) and bats (foraging habitat)
654	Road/Trail/Landing Closure and Treatment	ft	N	X ^{Gen} , X ^{Plant} , X ^{GT1} , X ^{AQ1}			NE if improvements are made to address resource concerns on existing trails and
558	Roof Runoff Structure	no	N				
367	Roofs and Covers	no	N				
557	Row Arrangement	ac	N				
570	Runoff Management System	ac	N			B ^{AQ2}	Beneficial to aquatics if improved water quality, otherwise NE.
798	Seasonal High Tunnel System for Crops, Interim	no	N	X ^{Gen} , X ^{Plant}			No effect on existing crop land. NLAA on other land uses.
350	Sediment Basin	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
646	Shallow Water Management for Wildlife	ac		X ^{SWD}			
381	Silvopasture Establishment	ac	N	X ^{Gen} , X ^{Plant} , X ^{AQ3} , X ^{GT1}			NE if cropland conversion to silvopasture, otherwise NLAA

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
632	Solid/Liquid Waste Separation Facility	no	N				
572	Spoil Spreading	ac		X ^{Gen} , X ^{Plant}			
574	Spring Development	no		X ^{Gen} , X ^{Plant}		B ^{AO2}	Benefits to aquatics apply if this practice results in stream exclusion.
578	Stream Crossing	no			C	B ^{AO2}	Benefits to aquatics apply if this practice results in stream exclusion.
395	Stream Habitat Improvement and Management	ac			C	B ^{Gen}	Benefits wetland dependent species in addition to aquatics.
580	Streambank and Shoreline Protection	ft			C	B ^{AO1}	
585	Stripcropping	ac	N				
587	Structure for Water Control	no		X ^{Gen} , X ^{Plant}		B ^{Bird}	
606	Subsurface Drain	ft		X ^{Gen} , X ^{Plant}			
607	Surface Drainage, Field Ditch	ft		X ^{Gen} , X ^{Plant}			
608	Surface Drainage, Main or Lateral	ft		X ^{Gen} , X ^{Plant}			
600	Terrace	ft		X ^{Gen} , X ^{Plant}		B ^{AO1}	
568	Trail and Walkway	ft		X ^{Gen} , X ^{Plant}		B ^{Gen}	
612	Tree/Shrub Establishment	ac	N	X ^{Gen} , X ^{Plant} , X ^{AO2} , X ^{AO3} , X ^{GT2}		B ^{Plant}	Beneficial if control of traffic improves habitat. otherwise, NLAA.
660	Tree/Shrub Pruning	ac	N				
490	Tree/Shrub Site Preparation	ac	N	X ^{Gen} , X ^{Plant} , X ^{AO2} , X ^{AO3} , X ^{GT2} , X ^{Bat}			otherwise, NLAA.
620	Underground Outlet	ft		X ^{Gen} , X ^{Plant}			
645	Management	ac		X ^{Gen} , X ^{AO2} , X ^{Bat} , X ^{RCW1}		B ^{Inv}	
635	Vegetated Treatment Area	ac		X ^{Gen} , X ^{Plant}		B ^{AO1}	
749	Waste Field Storage Area	no	N				
313	Waste Storage Facility	no		X ^{Gen} , X ^{Plant}		B ^{AO2}	

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Code	Practice	Unit	Practice Effects				Comments
			NE	NLAA	MA	NLAA,B	
629	Waste Treatment	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
359	Waste Treatment Lagoon	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	
633	Waste Utilization	ac		X ^{Gen} , X ^{Plant}			
638	Water and Sediment Control Basin	no		X ^{Gen} , X ^{Plant}		B ^{AQ1}	
636	Water Harvesting Catchment	no	N				
642	Water Well	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Benefits to aquatics apply if this practice results in stream exclusion.
351	Water Well Decommissioning	no	N				
614	Watering Facility	no		X ^{Gen} , X ^{Plant}		B ^{AQ2}	Benefits to aquatics apply if this practice results in stream exclusion.
658	Wetland Creation	ac		X ^{Gen} , X ^{Plant}		B ^{Gen}	
659	Wetland Enhancement	ac		X ^{Gen} , X ^{Plant}		B ^{Gen}	
657	Wetland Restoration	ac		X ^{Gen} , X ^{Plant}		B ^{Gen}	
644	Wetland Wildlife Habitat Management	ac		X ^{Gen} , X ^{Plant}		B ^{Gen}	

Practice Effect Designations:

NE – No Effect

NLAA – Not Likely to Adversely Affect T&E Species

MA – May Affect T&E Species (Requires informal or formal consultation with USFWS when T&E species are potentially present or may be impacted)

NLAA,B – Not Likely to Adversely Affect T&E Species (Beneficial Effect)

Code	Practice	Unit	Practice Effects			Comments
			NE	NLAA	MA	

Exceptions:

- Species not affected by installation of the above conservation practices (**No Effect**): Alabama beach mouse, Alabama streak-sorus fern, American hart's tongue fern, Florida Manatee, Green sea turtle, Kemp's ridley sea turtle, Loggerhead sea turtle, Perdido Key beach mouse, Piping plover, and Pygmy sculpin.
- Species either not affected by or beneficial effect from installation of the above conservation practices : Alabama cave fish - **No Effect**, except where conservation practices improve water quality in the recharge area, then **NLAA,B**; Wood stork - **No Effect**, except where Wetland Restoration is implemented, then **NLAA,B**.

In General, practices are not likely to adversely affect (NLAA) threatened and endangered species WHEN:

- planned for:
 - > mines,
 - > cropland already or "recently" producing an agricultural commodity
 - > existing confined animal operations
 - >existing orchards, nurseries and groves
 - > actively managed pastureland or hayland planted to introduced forage species
- land already developed for commercial or residential purposes
- repair of recently damaged existing facilities/structures
- planned area is isolated from existing water bodies and wetlands, AND there are no off-site or indirect effects, including no measurable change in hydrology as a result of practice implementation.



ELIGIBILITY REVIEW

Bucket 2 – Council Selected Restoration Component

PROPOSAL TITLE

Mobile Bay and Beyond – Watershed Implementation to enhance Marsh, Marine, and Estuarine Ecosystems

PROPOSAL NUMBER

USDA-4

LOCATION

Southern Mobile, Southern Baldwin Counties, AL

SPONSOR(S)

Department of Agriculture

TYPE OF FUNDING REQUESTED (Planning, Technical Assistance, Implementation)

Planning, Technical Assistance and Implementation

REVIEWED BY:

Bethany Carl Kraft/ Ben Scaggs

DATE:

November 18, 2014

1. Does the project aim to restore and/or protect natural resources, ecosystems, fisheries, marine and wildlife habitat, beaches, coastal wetlands and economy of the Gulf Coast Region?

YES NO

Notes:

Proposal seeks funding to restore water quality in select watersheds through installation of conservation practices, primarily on private land.

2. Is the proposal a project?

YES NO

If yes, is the proposed activity a discrete project or group of projects where the full scope of the restoration or protection activity has been defined?

YES NO

Notes:

3. Is the proposal a program?

YES NO

If yes, does the proposed activity establish a program where the program manager will solicit, evaluate, select, and carry out discrete projects that best meet the program's restoration objectives and evaluation criteria?

YES NO

Notes:

4. Is the project within the Gulf Coast Region of the respective Gulf States?

YES NO

If no, do project benefits accrue in the Gulf Coast Region?

YES NO

Notes:



Eligibility Determination

ELIGIBLE

Additional Information

[Empty box for additional information]

Proposal Submission Requirements

1. Is the project submission overall layout complete? *Check if included and formatted correctly.*

- | | | | |
|--------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|
| A. Summary sheet | <input checked="" type="checkbox"/> | F. Environmental compliance checklist | <input checked="" type="checkbox"/> |
| B. Executive summary | <input checked="" type="checkbox"/> | G. Data/Information sharing plan | <input checked="" type="checkbox"/> |
| C. Proposal narrative | <input checked="" type="checkbox"/> | H. Reference list | <input checked="" type="checkbox"/> |
| D. Location information | <input checked="" type="checkbox"/> | I. Other | <input checked="" type="checkbox"/> |
| E. High level budget narrative | <input checked="" type="checkbox"/> | | |

If any items are NOT included - please list and provide details

[Empty box for details of missing items]

2. Are all proposal components presented within the specified page limits (if applicable)?

YES NO

Notes: