

Farmland Protection

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
The Farmland Protection Policy Act discourages Federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Is the Project located on a site currently zoned as residential, commercial or industrial?

Maintain a map of the project location, including zoning information in your project ERR.

- Yes: STOP here. The Farmland Protection Policy Act does not apply. Record your determination.
- No: PROCEED to #2.

2. Is your project on prime farmland regulated under the Farmland Protection Policy Act?

Check with the USDA Natural Resources Conservation Service (NRCS) <http://www.wa.nrcs.usda.gov/> or with your city or county planning department to determine if your site is on farmland regulated under the act. Farmland regulated under the Act includes prime farmland, unique farmland and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forestland, pastureland, cropland or other land, but not water or urban built-up land.

- No: STOP here. The project does not convert farmland to nonagricultural purposes. Record your determination on the Statutory Worksheet and attach documentation.
- Yes: PROCEED to #3.

3. Does your project meet one of the following two exemptions?

- It is on land already in urban development or used for water storage.
- It is construction of on-farm structures needed for farm operations.

- Yes: Stop here. Maintain copies of all of the documents you have used to make your determination.
- No: Complete form AD-1006, “Farmland Conversion Impact Rating” and send to the local NRCS District Conservationist. You can find a PDF version of this form at <http://www.nrcs.usda.gov/programs/fppa/>. NRCS has 45 days to make a determination. Work with NRCS until your project will have minimum impact on the protected farmland, but the final decision belongs to HUD or the Responsible Entity.

DISCLAIMER: This document is intended as a tool to help grantees and HUD staff complete NEPA requirements. This document is subject to change. This is not a policy statement, and the Farmland Protection Legislation and Regulations take precedence over any information found in this document.

Questions about environmental requirements relative to HUD programs can be addressed to Deborah Peavler-Stewart (206) 220 5414 or Sara Jensen (206) 220 5226