

**U.S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency**

**DRAFT ENVIRONMENTAL ASSESSMENT**



**EA-AR-005-49-000-1727962712**

**Prepared By  
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***10/08/2024***

## COVER SHEET

<b>Proposed Action:</b>	The Farm Service Agency of the United States Department of Agriculture proposes to provide Farm Loan Program assistance to finance the construction of (1) 44' x 600' broiler house and related infrastructure. The physical location of this proposal would take place 1.5 miles south of the Calamine community, on the north side of Butler road in Section 34, Township 16 North, Range 4 West in Sharp county in Arkansas. The proposal would rebuild a poultry house that has burned down.
<b>Type of Document:</b>	This is a site-specific Environmental Assessment
<b>Lead Agency:</b>	United States Department of Agriculture (USDA) Farm Service Agency (FSA)
<b>Cooperating Agencies:</b>	None
<b>Further Information:</b>	Adam Kaufman, USDA, Farm Service Agency, 419 West Gaines Street, Monticello, AR 71655.
<b>Comments:</b>	<p>This Environmental Assessment (EA) was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementing procedures found in 7 CFR 799, as well as the NEPA of 1969, Public Law 91-140, 42 US Code 4321-4347, as amended.</p> <p>A Notice of Availability (NOA) of the Draft EA will be published on 10/08/2024 and 10/15/2024 with instructions for providing written comments. A copy of the Draft EA and related material will be made available as provided by the NOA at USDA, Farm Service Agency, 21 B Court Rd., Ash Flat, AR 72513. The Draft EA document itself will be posted from 10/08/2024 thru 11/08/2024 on the FSA State website at:</p> <p><a href="https://www.fsa.usda.gov/state-offices/Arkansas/index">https://www.fsa.usda.gov/state-offices/Arkansas/index</a></p> <p>Comments regarding the Draft EA are to be put into writing and mailed to the following address:</p> <p>USDA, Farm Service Agency          Attn: Adam Kaufman          419 West Gaines Street          Monticello, AR          71655</p>



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## ACRONYMS AND ABBREVIATIONS

ADEQ	Arkansas Department of Environmental
ANRC	Arkansas Natural Resource Commission
AR	Arkansas
ATV	All-terrain vehicle
BMP's	Best Management Practices
CAFO	Concentrated Animal Feeding Operation
CEQ	Council on Environmental Quality
CNMP	Comprehensive Nutrient Management Plan
CFR	Code of Federal Regulations
EA	Environmental Assessment
EO	Executive Order
EPA	Environmental Protection Agency
EQIP	Environmental Quality Incentives Program
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FSA	Farm Service Agency
GHG	Green House Gases
GPM	Gallons per minute
HUC	Hydrologic unit code
IPaC	Information for Planning and Conservation
MA/NLAA	May Affect, Not Likely to Adversely Affect
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NLEB	Northern Long Eared Bat
NMP	Nutrient Management Plan
NOA	Notice of Availability
NPDES	National Pollutant Discharge Elimination
NRCS	Natural Resources Conservation Service
SHPO	State Historic Preservation Officer
SWPPP	Stormwater Pollution Prevention Plan
THPO	Tribal Historic Preservation Officers
TSP	Technical Service Provider
TMDL	Total Maximum Daily Load
WMA	Wildlife Management Area
U.S.	United States
USACE	U.S. Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service

# 1. INTRODUCTION

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## 1.1 Background

- The United States Department of Agriculture (USDA) Farm Service Agency (FSA) proposes to provide assistance for the applicant to purchase a 42 acre broiler farm and replace a broiler house that burned down in 2022. The farm currently has (3) 44' x 600' broiler houses in production that were built in 2016. The farm currently has 79,200 square feet of growing space in production and has the capacity to house approximately 105,600 birds per flock. Rebuilding the house that burned would bring the farm back up to be able to grow 140,800 broilers per flock, at maximum capacity which would meet FSA's definition of a Large Confined Animal Feeding Operation (CAFO). Flock placement would be dependent on bird variety, needs of the integrator, supply and demand, and several other factors. A flock of broilers is typically kept on the farm for approximately 6-8 weeks. It is anticipated that the farm would receive approximately 4 to 6 flocks annually.
- Sharp County is not located in the Nutrient Surplus Area. SEE APPENDIX A-8. Appendices A and B contain maps and photos of the proposed project area. A detailed description of the components of the proposed project, the project site and related surrounding area of potential effect is further described in Section 2.1 of this document.

## 1.2 Purpose and Need for the Proposed Action

The purpose of the proposed project/action is to implement USDA, Farm Service Agency programs, to make available economic opportunity to help rural America thrive, and to promote agriculture production that better nourishes Americans and help feed others throughout the world. FSA is tasked with this mission as provided for by the Food and Security Act of 1985 as amended, the Consolidated Farm and Rural Development Act as amended, and related implementing regulations found in 7 CFR Parts 762 and 764.

The need for the proposed action is to fulfill FSA's responsibility to provide access to credit, and to help improve the stability and strength of the agricultural economy, including to start, improve, expand, transition, market, and strengthen family farming and ranching operations, and to provide viable farming opportunities for family and beginning farmers and meet the needs of small and beginning farmers, women, and minorities. Specifically, in the case of this loan request, FSA's need is to respond to the applicant's request for funding to support the proposed action.

FSA Farm Loan Program Assistance is not available for commercial operations or facilities that are not family farms, or to those having the ability to qualify for commercial credit without the benefit of FSA assistance. The applicants have been determined to be a family farm as defined by 7 CFR 761.2. The proposed action would allow them the opportunity to establish their family farming operation and provide the economic stability to meet the needs of the family.

In addition, poultry integrators have a demand for new facilities such as these to provide an adequate supply for processing plants and keep them operating at an economically feasible capacity. Specialized livestock facilities such as those proposed, have a limited useful life as they become functionally obsolete



as technology advances. Accordingly, a pipeline of new facilities is necessary to insure an adequate and economical supply of low cost protein and food for the nation.

### **1.3 Decision To Be Made**

FSA's decision is whether to:

- Approve the applicant's loan request;
- Approve the request with additional mitigations; or
- Deny the loan request.

### **1.4 Regulatory Compliance**

This Environmental Assessment is prepared to satisfy the requirements of NEPA (Public Law 91-190, 42 United States Code 4321 et seq.); its implementing regulations (40 CFR 1500-1508); and FSA implementing regulations, *Environmental Quality and Related Environmental Concerns – Compliance with the National Environmental Policy Act* (7 CFR 799). The intent of NEPA is to protect, restore, and enhance the human environment through well informed Federal decisions. A variety of laws, regulations, and Executive Orders (EO) apply to actions undertaken by Federal agencies and form the basis of the analysis.

All fifty states have enacted right-to-farm laws that seek to protect qualifying farmers and ranchers from nuisance lawsuits filed by individuals who move into a rural area where normal farming operations exist, and who later use nuisance actions to attempt to stop those ongoing operations. The Right to Farm law for Arkansas (Ark. Code Ann. § 24101) protects farming operations from nuisance claims when farms were established prior to the use of the area surrounding the agricultural operation for nonagricultural activities and those farms employ methods or practices commonly or reasonably associated with agricultural production.

### **1.5 Public Involvement and Consultation**

Scoping is an early and open process to involve agencies, organizations, and the public in determining the issues to be addressed in the environmental document. Among other tasks, scoping determines important issues and eliminates issues determined not to be important; identifies other permits, surveys and consultations required with other agencies; and creates a schedule that allows adequate time to prepare and distribute the environmental document for public review and comment before a final decision is made. Scoping is a process that seeks opinions and consultation from the interested public, affected parties, and any agency with interests or legal jurisdiction.

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#### ***1.5.1 Internal Scoping***

USDA staff of various specialties have been consulted regarding the purpose and need, issues and impact topics appropriate for consideration for the proposed activity. Site visits have been completed by FSA. Site visit notes and photographs are included in APPENDIX B.

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### ***1.5.2 External Scoping***

USDA FSA has completed research and the following tasks and efforts:

- Research of U.S. Fish and Wildlife Service (USFWS) - Information, Planning, and Conservation System (IPaC) about the project's potential to affect federally listed species as required by the Endangered Species Act of 1973. SEE APPENDIX D.
- Consultation with the State Historic Preservation Officer (SHPO) to ensure that compliance with the requirements of Section 106 of the National Historic Preservation Act (NHPA) are met and that significant impacts to historic properties would not result from the project SEE APPENDIX E-3.
- Consultation with Tribal Historic Preservation Officers (THPO): Darrin Cisco of the Apache Tribe of Oklahoma, Elizabeth Toombs with the Cherokee Nation, Linda Langley with the Coushatta Tribe of Louisiana, Dr. Andrea Hunter of the Osage Nation, Billie Burtrum of the Quapaw Tribe of Indians, and Tonya Tipton of the Shawnee Tribe of Oklahoma, to ensure that compliance with the requirements of Section 106 of the NHPA are met and that significant impacts to historic properties would not result from the project. SEE APPENDIX E-3
- FSA staff completed Form FSA-858, "Determining if a Wetland May Be Present" to screen for wetland indicators where ground disturbance associated with project would take place SEE APPENDIX I.

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### ***1.5.3 Public Involvement***

The Draft EA and supporting documentation will be made available for public review and comment from 10/08/2024 to 11/08/2024 at USDA, Farm Service Agency, 21 B Court Rd., Ash Flat, AR 72513.

The Draft document itself will also be posted on the Arkansas FSA state website at the following address: <https://www.fsa.usda.gov/state-offices/Arkansas/index> from 10/08/2024 to 11/08/2024. A notice of the availability of the draft EA will be published in the Batesville Guard on 10/08/2024 and 10/15/2024. Public comments should be submitted to the following address by 11/08/2024:

USDA, Farm Service Agency, Attn: Adam Kaufman, 419 West Gaines Street, Monticello, AR 71655

Any comments received will be taken into consideration.

## 2. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

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### 2.1 Alternative A - Proposed Action

The proposed action involves FSA providing a farm ownership loan to a customer that would be used to purchase an existing broiler farm in Sharp County. This farm is located 1.5 miles south of the Calamine community, on the north side of Butler road in Section 34, Township 16 North, Range 4 West in Sharp county in Arkansas. The proposal would rebuild a poultry house that has burned down west of the easternmost poultry house. This tract of land is located in the Ozark Highland Central Plateau eco region of Arkansas. The applicant is under contract to purchase the 42 acre farm.

The applicants would enter into a contract with a poultry integrator, who would place flocks of broilers on the farm, where they would be grown to market size. The applicants, as growers, would be responsible for providing the equipment, utilities, and labor required to house and manage the flock including feeding, watering, brooding, waste disposal, maintaining the houses, and providing for animal welfare, sanitation, and biosecurity. The integrator would supply the chicks, feed, labor to deliver and remove the birds from the farm, veterinary services, and technical support to the grower.

The proposed site lies west of the easternmost poultry house. The existing houses are running north and south, stacked east and west and built in 2016. The poultry houses are bordered by timber to the south and pastureland to the west, north, and east. The nearest school would be located in Strawberry 4.8 miles to the southeast. The nearest church, Campground Church, is located 2.1 miles to the southwest. The nearest neighboring residences would be located .3 miles to the northeast, .15 miles to the southwest, and .28 miles to the north. There appear to be no non farm businesses in close proximity to the farm. The farm is bordered to the south by Butler road. Highway 115 is located 1.25 miles to the northwest and 3 miles west of highway 117. Agriculture has a strong presence in this area. There are several integrated poultry operations, and cattle and hay operations in this area. There were 82 poultry farms that registered for the 2022 production year. According to NASS, Sharp county had 27,000 head of cattle, including calves as of January 2023. SEE APPENDIX K.

The farm originally had (4) 44' x 600' broiler houses that went into production in 2016. SEE appendices A-1 and A-2. The house west of the easternmost house burned down in 2022. The proposal would provide loan funds for the purchase of the 42 acre farm and funds to rebuild the poultry house that burned down in 2022. The proposed house would be the same dimensions as the existing houses. The remains from the structure that burned have been hauled to a local dump. The concrete footers from the house that burned were also dug out and buried west of the proposed site. With the rebuilt house, the farm would have the carrying capacity to grow out 140,800 broilers at maximum capacity.

The proposed operation would utilize a compost shed as a means of mortality disposal which is an ANRC approved method. The proposed house would be plumbed into the existing generator, electricity, and water supplies. The generator would serve as a backup power supply for the existing and proposed broiler houses in the event of a power outage and utilize low sulfur diesel as a fuel source, stored in an above ground fuel tank.

The farm is accessed via Butler road, which runs east and west along the southern border of the farm.

According to the stormwater pollution prevention plan (SWPPP), this proposal would involve 3 acres of ground disturbance.

There are no connected actions associated with this proposal at this time, however it would be possible to expand this operation in the future if the applicants were presented the opportunity to do so. Any future expansion financed with FSA funds would require a subsequent environmental review that meets the requirements of 1-EQ (revision 3).

## **2.2 Alternative B - No Action Alternative**

The No Action Alternative means the loan would not be made and the farm described in Section 2.1 above. The farm would not be sold to the applicant. The Proposed Action would not move forward. The existing three houses would remain in production.

## **2.3 Alternative C**

An alternative location would not be feasible, as the proposed project would take place on property the applicant is under contract to purchase. Property values have increased considerably since the applicants purchased this farm. In addition, the applicants live on the farm and their dwelling serves as the farming headquarters for their existing operation. Integrators typically require a farm manager to live on or in close proximity to the farm. Establishing a new broiler farm and farming headquarters on an alternative location would not be feasible due to increases in real estate values and the cost of building materials.

The proposed project was designed to require the least amount of ground disturbance possible while taking the surrounding environment into consideration. SEE APPENDIX A-2. The proposal would take place on top of a previously disturbed area that has been utilized for broiler production since 2016. plans.

The proposed site configuration was designed create the least amount of ground disturbance and vegetation removal by keeping the original infrastructure in place, resulting in minimal impact on the environment and its surroundings during the construction phase of the proposal. Alternative configurations were not considered due to the possibility of having a greater impact on the affected environment. Integrated poultry producers must comply with very specific logistical and design requirements provided by the integrators.

## **2.4 Alternatives Considered but Eliminated From Analysis**

Other locations for the farm or other uses for the land in question are not considered here because such options do not meet the purpose and need for the proposed action. The applicant has applied for FSA loans to purchase an existing broiler farm and also rebuild a poultry house that burned down in 2022. The proposed action would result in a large CAFO. FSA's decision to be made is to approve the loan for the proposed farm as designed, to deny the loan, or to approve the loan with additional mitigations, practices or methods that would be needed to minimize or eliminate impacts to protected resources.

Similarly, alternative designs of farm components are not considered as the producer's agreement with a poultry integrator requires adherence to the integrator's construction and equipment specifications, which are in place to ensure consistency, maximize production, and reduce loss. Design alternatives that

would involve modification of features and infrastructure put in place by an integrator would jeopardize the availability of bird placement, be grounds for a potential loss of the contract with the integrator, and therefore the viability of the farm. Accordingly, this alternative would not warrant further consideration.

### 3. AFFECTED ENVIRONMENT AND IMPACTS

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The impacts to a number of protected resources, as defined in FSA Handbook 1-EQ (Revision 3) Environmental Quality Programs for State and County Offices, are considered in this EA. Some resources are eliminated from detailed analysis following CEQ regulations (40 CFR 1501.7), which state that the lead agency shall identify and eliminate from detailed study the issues that are not significant or that have been covered by prior environmental review, narrowing the discussion of these issues in the document to a brief presentation of why they would not have a significant effect on the human or natural environment. Resources that are not eliminated are carried forward for detailed analysis. The table below shows the resources that are eliminated from detailed analysis and those carried forward. Section 3.1 contains discussions of those resources eliminated from detailed analysis. Section 3.2 describes the existing conditions for resources carried forward for detailed analysis and the anticipated impacts to those resources resulting from the Proposed Action.

Resource	Eliminated	Carried Forward
Wildlife and Habitat		x
Cultural Resources		x
Coastal Barriers	x	
Coastal Zones	x	
Wilderness Areas	x	
Wild and Scenic Rivers, NRI	x	
National Natural Landmarks	x	
Sole Source Aquifers	x	
Floodplains	x	
Wetlands	x	
Soils	x	
Water Quality		x
Air Quality		x
Noise		x
Important Land Resources	x	
Socioeconomics and Environmental Justice	x	

#### 3.1 Resources Eliminated from Detailed Analysis

##### Coastal Barrier Resources System

Coastal barriers are eliminated from detailed analysis as there are no designated Coastal Barriers in Arkansas.

##### Coastal Zone Management Areas

Coastal Zone Management Areas are eliminated from detailed analysis because there are no Coastal Zone Management Areas in Arkansas.

## **Wild and Scenic Rivers/NRI**

Wild and Scenic Rivers/NRI were eliminated from detailed analysis in this EA. The nearest wild and scenic rivers in relation to the proposed project would be the Eleven Point River, which is 50 miles to the north and North Sylamore Creek, located 50 miles to the west. The nearest stream with a Nationwide Rivers Inventory (NRI) designation is the Strawberry River, which is located 5.7 miles northeast of the proposed site. SEE APPENDIX G.

## **National Natural Landmarks**

There are five National Natural Landmarks in Arkansas. SEE APPENDIX H-1. The site of the Proposed Action is not located in close proximity to any of these nor would the proposal threaten to alter or impair them. The closest NNL in proximity to this proposal is Mammoth Spring located 43 miles northeast of the proposed site, therefore National Natural Landmarks are eliminated from detailed analysis. SEE APPENDIX H-2

## **Sole Source Aquifers**

Sole source aquifers are eliminated from detailed analysis because there are no sole source aquifers in Arkansas.

## **Floodplains**

Floodplains were eliminated from further detailed analysis. Based on the FEMA flood map (panel number 05135 C\_329) the proposed site is not located in a 100 year floodplain. SEE APPENDIX J-1.

## **Wetlands**

Wetlands have been eliminated from further detailed analysis. According to FSA Form-858 "Determining if a Wetland May Be Present," wetland indicators were not present on the 3 acre site where the proposal would be located, therefore no additional screening is necessary. SEE APPENDIX I-1.

## **Soils**

Soils are eliminated from detailed analysis because no land on this farm would not be cropped and is therefore not subject to the Highly Erodible Land provisions of the Food Security Act. Furthermore, there would be no annual tillage of the soil associated with this proposed project. The applicants have both signed AD-1026 "Highly Erodible Land Conservation and Wetland Conservation Certification." SEE APPENDIX I.

## **Wilderness Areas**

There are 12 designated Wilderness areas in Arkansas. The closest Wilderness Area would be Mammoth Springs which is located 43 miles northeast of this proposed project. SEE APPENDIX F-2. This proposal should have no effect on Caney Creek Wilderness Area. The proposal would be located approximately 45 miles east of St. Francis-Ozark Nation Forest. SEE APPENDIX F-1. This proposal should have no impacts on wilderness areas or federal lands.

## Important Land Resources

Prime and unique farmland, forestland and rangeland resources are eliminated from detailed analysis because the proposed action would not result in prime and/or important farmland being converted to a nonagricultural use.

## Socioeconomics and Environmental Justice

No impact to population, housing, income, or employment in the region are anticipated to result from the Proposed Action, nor are disproportionate adverse impacts to minority or low income populations anticipated. Therefore, socioeconomics and environmental justice are not carried forward for detailed analysis. SEE APPENDIX K for demographic information in Sevier County.

## 3.2 Resources Considered with Detailed Analysis

This section describes the environment that would be affected by implementation of the alternatives described in Chapter 2. Aspects of the affected environment described in this section focus on the relevant major resources or issues. Under the no action alternative, the proposed action would not be implemented. The no action alternative would result in the continuation of the current land and resource uses in the project area. This alternative will not be evaluated further in this EA.

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### 3.2.1 Wildlife and Habitat

#### Existing Conditions

The 3 acre project site lies in between existing poultry houses. There is limited vegetation on the proposed site. No tree removal would be required. A site visit was conducted by FSA on 7/11/2024. SEE APPENDIX B-1 for site visit notes and photographs.

An official list of threatened and endangered species and designated critical habitat for this area of Sevier County was obtained from the US Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) system. SEE APPENDIX D-1. The following threatened and endangered species are known to occur in this area of Sharp County:

Northern Long-eared Bat (NLEB) *Myotis septentrionalis* (endangered), Gray Bat *Myotis grisescens* (endangered), Indiana Bat *Myotis sodalist* (endangered), Tricolored Bat *Perimyotis subflavus* (proposed endangered), Eastern Black Rail *Laterallus jamaicensis ssp. Jamaicensis* (threatened), Piping Plover *Charadrius melodus* (threatened), Rufa Red Knot *Calidris canutus rufa* (threatened), Alligator Snapping Turtle *Macrochelys temminckii* (proposed threatened), Scaleshell Mussel *Leptodea leptodon* (endangered), Snuffbox Mussel *Epioblasma triquetra* (endangered), Monarch Butterfly *Danaus Plexippus* (candidate), and the Missouri Bladderpod *Physaria filiformis* (threatened).

According to IPAC there are no critical habitats within the proposed project area under USFWS jurisdiction. SEE APPENDIX D-1. There are no trees, caves or other karst features, present. Suitable bat habitat does not exist on the proposed project site. The proposal may affect, but is not likely to adversely affect the bat species listed above. There are no wetland or open marshy areas preferred by the bird species above, therefore the proposal would have no effect on these. The proposal would not



take place in stream or near a stream, therefore the proposal is not likely to adversely affect the aquatic species listed above. Affect determinations are not required for proposed threatened or candidate species. SEE APPENDIX D.

The Bald Eagle has been known to occur in this area, however the Bald Eagle is not covered by the Endangered Species Act. No Bald Eagles, or Bald Eagle nests were observed on this proposed site during the site visit. SEE APPENDIX B-1.

### **Impacts of Proposed Action**

According to the SWPPP, an estimated 3 acres of ground disturbance would occur would be necessary to implement this proposal. SEE APPENDIX C-1. The proposed site would not include any habitat for threatened or endangered species. Based on the results from the USFWS Consultation, and BMP's that would be implemented for this proposal, no significant impacts to Wildlife and Habitat would be expected to result from the Proposed Action. No adverse impacts on migratory birds are anticipated as a result of this proposal. The primary nesting season for birds in Arkansas is April 1 through July 15.

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### **3.2.2 Cultural Resources**

#### **Existing Conditions**

The Proposed Action involves some ground disturbing activities in areas not previously evaluated or previously disturbed to the depth required for the Proposed Action, therefore cultural resources require detailed analysis. The 3 acre proposed site lies in between existing broiler houses that were built in 2016. The proposed house that would be rebuilt, burned down in 2022. SEE APPENDIX A-3. The nearest structure on the National Register of Historic Places in relation to the proposal is the Poughkeepsie School building, located 8.5 miles to the northwest of the proposed site. SEE APPENDIX E-1. This historic building would not be visible from the proposed site, therefore the proposal should have no effect on it.

FSA consulted with the Arkansas State Historic Preservation Office (SHPO), and Indian Tribes with an interest in Sharp County, including: Darrin Cisco of the Apache Tribe of Oklahoma, Ms. Elizabeth Toombs of the Cherokee Nation, Linda Langley of the Coushatta Tribe of Louisiana, Dr. Andrea Hunter of the Osage Nation, Billie Burtrum of the Quapaw Tribe of Indians and Tonya Tipton of the Shawnee Tribe of Oklahoma on 8/01/2024. SEE APPENDIX E-3. Arkansas SHPO responded on 8/29/2024, concurring with the finding of no historic properties affected pursuant to 36 CFR §800.4(d)(1) for the proposed undertaking. An email response was received on 8/02/2024, stating the proposal will have no effect on known properties of cultural or sacred significance to the Quapaw Nation and ask that work ceases immediately if artifacts or human remains are discovered. No responses from other Tribes with an interest in Sharp county have been received. Based on consultation responses from Arkansas SHPO and the Quapaw nation, the project is not likely to adversely affect any known historic properties or cultural resources.

#### **Impacts of Proposed Action**

FSA anticipates no impacts to known cultural resources would result from the Proposed Action. Impacts to previously unidentified historic properties, including archaeological and historic resources, could occur during land clearing and construction activities. If such resources were encountered during

construction of this proposal, all activities would cease, FSA state and national office personnel would be notified, along with Arkansas SHPO and Tribes with an interest in this area. Any potential resources discovered would be professionally evaluated for eligibility for listing on the National Register of Historic Places.

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## 4. WATER QUALITY

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### Existing Conditions

In Arkansas, the Arkansas Department of Energy and Environment (ADEQ) has the authority to enforce provisions of the Clean Water Act that are protective of water quality and to issue permits that are protective of water quality standards. This authority is delegated to ADEQ by the Environmental Protection Agency. The ADEQ Water Division issues Stormwater National Pollutant Discharge Elimination System (NPDES) Permits to protect surface waters from contamination from runoff associated with construction. Coverage under General Permit AR1500000 is required for construction that causes ground disturbance in excess of 1 acre. Permit AR1500000 for small sites is for disturbance between 1 and 5 acres and requires operators to post required forms and documents, including a stormwater pollution prevention plan (SWPPP), on the site rather than coordinate directly with ADEQ. Permit AR 1500000 for large sites including disturbance in excess of 5 acres, required documents are submitted to ADEQ. SWPPPs are documents that describe construction activities to prevent stormwater contamination, control sedimentation and erosion, in order to prevent significant harm to surface waters and comply with the requirements of the Clean Water Act. ADEQ is also responsible for issuing Non-stormwater NPDES Permits issued to facilities that discharge water. Animal Feeding Operations and Confined Animal Feeding Operations that do not discharge into waters of the state do not require NPDES permits for ongoing operations. SEE ADEQ Reference

The Arkansas Natural Resource Commission (ANRC) Water Division is responsible for developing and implementing the Arkansas Water Plan, the state's policy for long-term water management, and for the State's Non-point Source Pollution Management Program. The Arkansas Water Plan describes each of the state's river basins. The ANRC Conservation Division supports development, management and conservation of the state's land and water resources, in part through nutrient management planning. A nutrient management plan (NMP) is a document approved by a conservation district board that assists landowners and operators in the proper management and utilization of nutrient sources for maximum soil fertility and protection of state waters. ANRC requires NMPs for farms that plan to land apply litter, sewage sludge, or commercial fertilizer within an area designated as the Nutrient Surplus Area (which includes parts of Baxter, Benton, Boone, Carrol, Crawford, Madison, Marion, Polk, Scott, Sebastian, and Washington Counties. SEE APPENDIX A-10. For land application outside this area, usage of a nutrient management plan is voluntary. A NMP for this proposed broiler operation has not been developed, as NMP's are voluntary outside of the nutrient surplus area, however the applicants would have the option to have a plan developed, if they wish to do so.

The proposal is not located within a nutrient surplus area in Arkansas. SEE APPENDIX A-10. The north side of the poultry farm is located within the Mill Creek-South Big Creek watershed HUC12: 110100120403 SEE APPENDIX G-1. The south side of the poultry farm is in the Reeds Creek-Strawberry River HUC12: 1101000120405.

## Impacts of Proposed Action

The applicants have submitted the required paperwork to ADEQ and were granted coverage under Storm water NPDES General Permit AR1500000 SEE APPENDIX C-1 and C-2. With adherence to the best management practices described in the SWPPP, minimal impacts to surface water from the proposed construction are anticipated. The proposed farm would not discharge into waters of the state and therefore no impacts to state surface waters are anticipated. Any land application of litter produced on the farm would need to comply with ANRC requirements in order to be protective of surface water quality. REFERENCE ANRC

The SWPPP indicates that stormwater leaving the proposed side would flow to the southeast across established timber and other vegetation that would act as a filter strip. All existing vegetation surrounding the proposed site would act as a natural buffer. Silt fence and sediment basins would be strategically placed in areas with concentrated flow. All exposed soil would eventually be mulched and seeded with straw and warm season grass mix.

The applicants compost mortality on their farm, which is an approved method by ANRC.

Integrators typically require their growers to “cake out” in between flocks, which consists of removing the top few inches of litter. Depending on integrator requirements and management practices utilized by the grower, a full house clean out is typically conducted annually, where all the litter is removed from the houses. The applicants would have the option to sell this litter and have it transported off site to another location. The applicants would be responsible for record keeping and adherence to the recommendations of a NMP, which they currently have and are in the process of updating for the proposed addition to their existing farm.

In summary, the applicants have submitted a SWPPP to ADEQ, and have obtained a NPDES permit thru ADEQ for proposed construction activities to take place, which would help protect surface and ground water quality within this area and surrounding areas. These proposed measures should be adequate to help prevent contamination of stormwater off site during the construction phase of this proposed farm.

No significant impacts to water quality are anticipated to result from the Proposed Action.

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## 5. Air Quality

### Existing Conditions

As of February 1, 2018, all of Arkansas is in attainment for all criteria pollutants established by the Environmental Protection Agency in compliance with the Clean Air Act. The proposed farm would not be required to obtain an air permit in accordance with Arkansas Air Pollution Control Regulation 18.301 since air emissions for defined criteria pollutants at the facility do not exceed the permitting thresholds considered protective of air quality. Potential air quality effects considered here include odor and dust production, which may be associated with construction activities and the ongoing operations of the farm. SEE REFERENCES

Trees surrounding this proposal would act as a natural buffer that would filter help filter out odors, dust, and other particulate matter emitted by the proposed poultry houses. The discharge fans point towards

the north. Nearby residences, churches, schools, and non farm businesses should not be affected by this proposal.

Arkansas Water and Air Pollution Control Act, Subchapter 3 Air Pollution exempts "Agricultural operations in the growing or harvesting of crops and the raising of fowls or animals" and the "use of equipment in agricultural operations in the growth of crops or the raising of fowls or animals." There are no local ordinances regulating odor in this area.

### **Impacts of Proposed Action**

Construction activities that disturb the soil surface could generate dust. Such impacts would be minor, temporary and localized, generally confined to the farm property and ongoing only during construction activities. An existing, stabilized driveway would be utilized as the entrance and exit to the proposed construction site. Exposed soils could be wet down to control fugitive dust. Similarly, during construction, minor and localized emissions associated with heavy machinery could be expected. None of these construction related impacts would have a significant or long-term adverse impact to surrounding air quality.

This is an existing broiler operation. Roads used by delivery trucks in between the proposed broiler houses are covered with gravel to minimize dust associated with travel. Dust generated while the poultry facility is in operation would occur mostly during feeding. Humidity and misting systems inside poultry houses would keep down dust, within the barns.

Odor would be controlled through management of the poultry house's ventilation systems, as is required by integrators for flock health. The applicants would compost their mortality as described in earlier sections of the EA, which is an approved method of disposal by the Arkansas Poultry and Livestock Commission. Poultry litter on the proposed broiler operation would be stored in the (6) broiler houses which would keep it dry and reduce the impacts of odor emitted by the litter and would also have a litter shed to store litter from cleanouts and cake out's in between flocks.

The poultry houses would be cleaned per integrator specifications between flocks as appropriate on an as-needed basis. Litter would be stored in accordance with ANRC regulations, either in a litter shed or it would be tarped in an elevated location to be kept out of the elements until it could be removed from the farm and land applied as fertilizer.

Dilution of odors is caused through the mixing of odors with ambient air and is a function of distance, topography, and meteorological conditions. Prevailing winds are from the west and would serve to facilitate the dispersion of odors. Based on the climate of the southeastern United States, there would be a few days in the year when weather conditions and humidity may cause odor to linger in the vicinity.

According to the EPA, total GHG emissions in the US in 2014 were 6,870 million metric tons of carbon dioxide equivalent (CO<sub>2</sub>e), a metric measure used compare the emissions from various greenhouses gases based upon their global warming potential. Agriculture accounted for approximately 9 percent of the total or 625.4 million metric tons. The contribution of agriculture to GHG emissions is comprised of livestock (242.96 million metric tons CO<sub>2</sub>e), crops (330.68 million metric tons CO<sub>2</sub>e), and fuel combustion (51.79 million metric tons CO<sub>2</sub>e).

Agricultural activities contribute to GHG in several ways: Management of agricultural soils accounts for over half of agriculture emissions. Activities including fertilizer application, irrigation and tillage, can lead to production and emission of nitrous oxide. Livestock, particularly cattle, produce methane as part of their digestion accounting for almost one third of the agricultural emissions. Manure storage and management also contribute methane and nitrous oxide, accounting for about 14 percent of the agricultural GHG emissions. Smaller agricultural sources include methane produced by rice cultivation and the burning of crop residue, which produces methane and nitrous oxide. Odor impacts would not be expected to be significant as this farm has produced broilers for over 30 years.

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## **6. Noise**

### **Existing Conditions**

Existing noise at the site of the proposed action is from routine farming operations that currently take place on this existing broiler farm. Noise from neighboring residences and vehicle traffic is common along the paved and gravel county roads that surround the farm. Existing conditions on site are generally quiet. Noise from farm tractors and equipment, vehicle traffic, service and feed trucks, and other farming and human activity does exist, but is temporary in nature. This is not a very densely populated area. The proposed site is surrounded by pasture ground, timber, rural residences, and integrated poultry operations in all directions. It's unlikely the surrounding environment would be adversely impacted due to potential increases in noise levels associated with this proposal.

### **Impacts of the Proposed Action**

The Proposed Action would expand an existing integrated broiler operation that has been in existence for over 30 years on this farm. Noise levels would increase slightly during normal, daylight working hours during the construction phase of this project, which typically lasts about 6 months. Upon completion, noise from the Proposed Action would permanently increase noise levels in this area; however, noise from birds would be insignificant as they are contained within the poultry houses which are set back from property lines and further muffled by insulation in between the roofs, and ceilings and solid side walls within these structures and vegetative buffers and timber that surrounds the proposed site. These measures would also aid in mitigating periodic equipment usage and truck noise associated with the movement of birds, feed, supplies and materials. Such activities would rarely take place other than during daylight hours, be infrequent in nature, of brief duration and low intensity. Similarly noise from generators would be limited to a few minutes of periodic testing and they would only operate on a temporary basis in the event of emergencies should power be lost. As such noise would be of irregular and infrequent duration it would not be significant. Additionally, Arkansas's Right to Farm Law protects operation of farms that were established prior to the use of the area surrounding the agricultural operation for nonagricultural activities and those farms which employ methods or practices commonly or reasonably associated with agricultural production. As integrated poultry production is a mainstay of the state's economy the related production methods have long been the accepted prevailing practice for widespread production both in Arkansas and throughout the country. SEE ARKANSAS RIGHT TO FARM REFERENCE

The proposed action is not expected to significantly affect ambient noise levels in the area or the nearest dwelling.



## 7. CUMULATIVE IMPACTS

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The cumulative impacts analysis is important to understanding how multiple actions in a particular time and space (e.g., geographic area) impact the environment. The CEQ regulations define cumulative effects as “...the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions” (40 CFR § 1508.7). Whereas the individual impact of one project in a particular area or region may not be considered significant, numerous projects in the same area or region may cumulatively result in significant impacts.

Cumulative impacts most likely arise when a relationship exists between a proposed action and other actions occurring in a similar location or time period. Actions overlapping with or in proximity to the proposed action would be expected to have more potential for a relationship than those more geographically separated. Similarly, actions that coincide in time, may have the potential for cumulative impacts.

Establishing an appropriate scope for cumulative impacts analysis is important for producing meaningful analysis that appropriately informs agency decision making. This involves identifying geographic or temporal boundaries within which to identify other activities that could contribute to cumulative impacts to resources. Boundaries should consider ecologically and geographically relevant boundaries which sustain resources of concern. Temporal boundaries will be dependent on the length of time the effects of the proposed action are estimated to last and analysis commensurate with the project’s impact on relevant past, present, and reasonably foreseeable activities within those boundaries. For example, small scale projects with minimal impacts of short duration would not likely contribute significantly to cumulative impacts. CEQ guidance (2005) reinforces this, stating:

*“The scope of the cumulative impact analysis is related to the magnitude of the environmental impacts of the proposed action. Proposed actions of limited scope typically do not require as comprehensive an assessment of cumulative impacts as proposed actions that have significant environmental impacts over a large area. Proposed actions that are typically finalized with a Finding of No Significant Impact usually involve only a limited cumulative impact assessment to confirm that the effects of the proposed action do not reach a point of significant environmental impacts”*

This cumulative impacts analysis focuses on the potentially affected resource (identified in section 3.2 of this document) and uses natural local boundaries to establish the geographic scope within which cumulative impacts could occur. Relevant past, present and reasonably foreseeable activities identified in Section 5.1 are based on potential geographic and temporal relationships with the proposed action within those identified boundaries. Cumulative effects on those resources are described in Section 4.2.



## **7.1 Past, Present and Reasonably Foreseeable Actions**

Analysis of cumulative analysis is forward looking and focuses on Sharp County where the proposed action would be implemented and the related area which includes the resources of concern. The purpose is to assess if the reasonably foreseeable effects of the proposed action would have an additive relationship to other past effects that would be significant, and to examine its relationship other actions (e.g. Federal, State, local, and private activities) that are currently taking place or are expected to take place in the reasonably foreseeable future.

Federal, State, local, and private activities that are currently taking place, have occurred in the past, or may reasonably be assumed to take place in the future in the cumulative effects area include the following: According to the 2022 Census of Agriculture, there were 525 farms in Sharp County and 151,450 acres devoted to farm ground. SEE APPENDIX K-1.

Poultry integrators have a finite processing capacity and have a need for new facilities, such as the proposed project, as older facilities are routinely retired due to functional obsolescence or otherwise phased out of production. As there is no foreseeable expectation that integrators would be having a significant expansion in processing capacity in the area, the quantity of bird produced in the area would remain relatively stable, even if the number of farms fluctuates. Phasing out and replacing obsolete poultry facilities is common.

## **7.2 Cumulative Analysis**

Some resources considered for detailed analysis above (in Section 3.2) could be directly or indirectly affected by the Proposed Action and therefore the Proposed Action could contribute to additive or interactive cumulative effects to these resources. For other resources, no such contributions to cumulative effects are anticipated because no direct or indirect impacts would occur based on program requirements.

The significance of cumulative effects is dependent on how impacts compare with relevant thresholds, such as regulatory standards. Regulatory standards can restrict development by establishing thresholds of cumulative resource degradation (CEQ 1997):

“Government regulations and administrative standards often influence developmental activity and the resultant cumulative stress on resources, ecosystems, and human communities. They also shape the manner in which a project may be operated, the amount of air or water emissions that can be released, and the limits on resource harvesting or extraction.”

Cumulative effects in this analysis are described relative to regulatory standards and thresholds in accordance with CEQ guidance. FSA relies on the authority and expertise of regulatory agencies, which have broad knowledge of regional activities that could affect the sensitive resources they are responsible for protecting, and to ensure through their permitting and consultation processes that its activities are not likely to contribute to significant negative cumulative resource impacts.

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### **7.2.1 Wildlife and Habitat**

Contributions of the Proposed Action to cumulative impacts include removal of existing vegetation and the loss and fragmentation of wildlife habitat. No impacts to Threatened and Endangered Species are anticipated based on program requirements. According to the Official Endangered and Threatened Species list that was obtained for this area there are no critical habitats within the proposed project area under USFWS jurisdiction. SEE APPENDIX D-1. Based on the project information and determinations received from the USFWS IPAC website on the Verification letter, the proposed project would be allowed to continue with no further consultation with USFWS. SEE APPENDIX D-1. The proposed site is currently used as a gravel road on the east side of the existing poultry houses. The Proposed Action would not be anticipated to result in long term or adverse impacts or to endangered species or their habitat. No cumulative impacts are anticipated based on coordination and consultation with USFWS and program requirements

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### **7.2.2 Cultural Resources**

Based on program requirements, which call for coordination and consultation with State and Tribal Historic Preservation Offices, no impacts to known cultural resources are expected to result from the Proposed Action. There is the potential for encountering unknown cultural resources if the proposal is implemented. Though unlikely due to previous disturbances, potential loss and damage to unknown cultural resources could occur, adding to similar potential impacts from other past, ongoing, and future developments that have the potential to degrade and destroy cultural resources.

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### **7.2.4 Water Quality**

During construction of the Proposed Action there is the potential for mobilization of exposed soil; however those impacts would be temporary and minor, and minimized by adherence to terms of the SWPPP. Such impacts would add to impacts to water quality resulting from residential, municipal, industrial, and commercial development, particularly the use of septic systems, as well as runoff from roads and development, and agricultural production. Once the disturbed areas are revegetated or otherwise stabilized, no impacts to water quality would be expected. Since there are no long-term effects anticipated to water quality, the proposed action would not be expected to contribute significantly to cumulative effects to water quality.

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### **7.2.5 Air Quality**

The Council on Environmental Quality Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change In National Environmental Policy Act Reviews states:

The site of the Proposed Action lies in a rural area of Sevier County, AR. This proposed operation is surrounded by hardwood timber to the south and west, which would act as a buffer to filter the odor, dust, and other particulate matter emitted by the existing and proposed poultry houses. Exhaust fans would point towards the east into a wooded area.

Arkansas Water and Air Pollution Control Act, Subchapter 3 Air Pollution exempts "Agricultural operations in the growing or harvesting of crops and the raising of fowls or animals" and the "use of equipment in agricultural operations in the growth of crops or the raising of fowls or animals." There are no local ordinances regulating odor in existence in this area.

Arkansas's Right to Farm Law protects operation of farms that were established prior to the use of the area surrounding the agricultural operation for nonagricultural activities and those farms employ methods or practices commonly or reasonably associated with agricultural production. Management of agricultural soils accounts for over half of agriculture emissions. Activities including fertilizer application, irrigation and tillage, can lead to production and emission of nitrous oxide.

- Livestock, particularly cattle, produce methane as part of their digestion accounting for almost one third of the agricultural emissions.
- Manure storage and management also contribute methane and nitrous oxide, accounting for about 14 percent of the agriculture GHG emissions.
- Smaller agricultural sources include methane produced by rice cultivation and the burning of crop residue, which produces methane and nitrous oxide.

Dust would be generated from soil disturbance and equipment usage during construction and during operation as a result of equipment use, delivery trucks, and feeding systems. Such impacts would be minor, intermittent, and localized. Though such impacts are not expected to be significant, they would add to dust generated by other activities in the immediate vicinity of the farm.

Odor impacts from the proposed action including from the barns, litter storage facility, land application of litter on the farm, though not significant, would add to other sources of odor in the area including existing cattle and poultry farms nearby.

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### **7.2.6 Noise**

Increases in noise levels would be minimal compared to existing conditions. There are no local or state noise ordinances, based on Program Requirements. The surrounding environment could expect no changes from existing conditions should the proposal be allowed to continue.

## 7.3 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

NEPA requires that environmental analysis include identification of any irreversible and irretrievable commitments of resources which would be involved should an action be implemented. The term irreversible refers to the loss of future options and commitments of resources that cannot be renewed or recovered, or can only be recovered over a long period. Irreversible commitments apply primarily to the use of nonrenewable resources, such as minerals or cultural resources, or to factors such as soil productivity, that are renewable only over a long period. Irretrievable refers to the loss of production or use of natural resources. For example, when a road is built through a forest, some, or all of the timber production from an area is lost irretrievably while an area is serving as a road. The production lost is irretrievable, but the action is not irreversible. If the use changes, it is possible to resume timber production. No irreversible resource commitments would occur as a result of the Proposed Action. Irretrievable resources include those raw materials and fuels used during construction. List of Preparers and Persons and Agencies Contacted

8. List of Preparers	
Name and Title	Education and Experience
Adam Kaufman, State Environmental Coordinator, FSA, Arkansas	BS, Crop, Soil, and Environmental Sciences Years of Experience: 16

Persons and Agencies Contacted	
Name and Title	Affiliation
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Scott Kaufman	Arkansas SHPO
Darrin Cisco	Apache Tribe of Oklahoma
Billie Burtrum	Quapaw Tribe of Indians
Elizabeth Toombs	Cherokee Nation
Linda Langley	Coushatta Tribe of Louisiana
Dr. Andrea Hunter	Osage Nation
Tonya Tipton	Shawnee Tribe of Oklahoma

## 8. REFERENCES

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CEQ 1997. Council on Environmental Quality (CEQ). 1997. Guidance under the National Environmental Policy Act. December.

TCEQ 2016. Texas Commission on Environmental Quality (TCEQ). 2016. Economic Values and Impacts of Poultry Production Activities in East Texas. <http://www.tceq.state.tx.us/> Accessed on 19 September 19, 2016.

**Arkansas Water Plan:**

<http://www.arwaterplan.arkansas.gov/plan/ArkansasWaterPlan/AppendicesUpdate.htm>

**National Agricultural Statistics Service (NASS):**

[https://www.agcensus.usda.gov/Publications/2012/Online\\_Resources/County\\_Profiles/Arkansas/cp05083.pdf](https://www.agcensus.usda.gov/Publications/2012/Online_Resources/County_Profiles/Arkansas/cp05083.pdf):

**Web Soil Survey (WSS):** <https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

**IPAC (Information:** <https://ecos.fws.gov/ipac/>

**FEMA:** <https://msc.fema.gov/portal>

**NEPASSIST:** <https://www.epa.gov/nepa/nepassist>

**National Agricultural Statistics Service (NASS):**

[https://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Arkansas/st05\\_2\\_001\\_001.pdf](https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_2_County_Level/Arkansas/st05_2_001_001.pdf)

**Arkansas Department of Environmental Quality (ADEQ), Impaired Streams/TMDL Lists:**

<https://www.adeq.state.ar.us/water/>

**Arkansas Department of Environmental Quality (ADEQ), Rules and Regulations:**

<https://www.adeq.state.ar.us/regs/>

**Arkansas Natural Resource Commission (ANRC) Regs:** <http://www.anrc.arkansas.gov/rules/current-rules/>

**Arkansas Air Pollution Control Regulations:**

[https://www.adeq.state.ar.us/regs/files/reg18\\_final\\_160314.pdf](https://www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf)

**Arkansas Water.Org Sevier County:**

[http://arkansaswater.org//index.php?option=com\\_content&task=view&id=101&Item](http://arkansaswater.org//index.php?option=com_content&task=view&id=101&Item)

Burns, R.T., H. Li, H. Xin, R.S. Gates, D.G. Overhults, J. Earnest, and L. Moody. 2008. Greenhouse Gas (GHG) Emissions from Broiler Houses in the Southeastern United States. Published in Proceedings of the American Society of Agricultural and Biological Engineers Agricultural and Biosystems Engineering Conference.

**EPA 2016a. US Environmental Protection Agency Sources of Greenhouse Gas Emissions. Available at:** <https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions#agriculture>. Accessed March 1, 2017.

**EPA 2016b. US Environmental Protection Agency Greenhouse Gas Data Explorer. Available at:** <https://www3.epa.gov/climatechange/ghgemissions/inventoryexplorer/>. Accessed March 1, 2017.

**National Forest Service:** <https://www.fs.usda.gov/osfnf>

**University of Arkansas Research and Extension: Sevier County:**

<https://www.uaex.edu/business-communities/strategic-planning/docs/county-profiles/sevier-county-profile.pdf>

**Arkansas Air Pollution Control Regulations:**

[https://www.adeq.state.ar.us/regs/files/reg18\\_final\\_160314.pdf](https://www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf)

**Arkansas Right to Farm:** [http://www.farmlandinfo.org/sites/default/files/Arkansas\\_RTF\\_law\\_1.htm](http://www.farmlandinfo.org/sites/default/files/Arkansas_RTF_law_1.htm)

**Arkansas 2018-2023 NPS Pollution Management Plan** [https://static.ark.org/eeuploads/anrc/2018-2023\\_NPS\\_Pollution\\_Management\\_Plan.compressed\\_\(2\).pdf](https://static.ark.org/eeuploads/anrc/2018-2023_NPS_Pollution_Management_Plan.compressed_(2).pdf)

## 9. EA DETERMINATION AND SIGNATURES

### ENVIRONMENTAL DETERMINATION – The FSA preparer of the EA determines:

1. Based on an examination and review of the foregoing information and supplemental documentation attached hereto, I find that this proposed action:
  - ☐ would not have a significant effect on the quality of the human environment and, therefore, an EIS will not be prepared.
2. I recommend that the Project Approval Official for this action make the following compliance determinations for the below-listed environmental requirements.

Not in compliance	In compliance	Not applicable	
			National Environmental Policy Act
			Clean Air Act
			Clean Water Act
			Safe Drinking Water Act
			Endangered Species Act
			Coastal Barrier Resources Act
			Coastal Zone Management Act
			Wild and Scenic Rivers Act/National Rivers Inventory
			National Historic Preservation Act
			Subtitle B, Highly Erodible Land Conservation, and Subtitle C, Wetland Conservation, of the Food Security Act
			Executive Order 11988 and 13690, Floodplain Management
			Executive Order 11990, Protection of Wetlands
			Farmland Protection Policy Act
			Department Regulation 9500-3, Land Use Policy
			E.O. 12898, Environmental Justice

3. I have reviewed and considered the types and degrees (context and intensity) of adverse environmental impacts identified by this assessment. I have also analyzed the proposal for its consistency with FSA environmental policies, particularly those related to important farmland protection, and have considered the potential benefits of the proposed action. Based upon a consideration of these factors, from an environmental standpoint, this project may:
  - ☐ Be approved without further environmental analysis and a Finding of No Significant Impact (FONSI) prepared.
  - ☐

Signature of Preparer	Date
Name and Title of Preparer (print)	

### Environmental Determination – FSA State Environmental Coordinator determines:

Based on my review of the foregoing Environmental Assessment and related supporting documentation, I have determined:

- ☐ The appropriate level of environmental review and assessment has been completed and substantiates a Finding of No Significant Impact (FONSI); therefore, an EIS will not be prepared and processing of the requested action may continue without further environmental analysis. A FONSI will be prepared.

Additional SEC Comments:

Signature of SEC	Date
Printed Name	



