

APR 30 1999

SUBJECT: LNU - Field Office Workload Reduction - Farmland Protection Policy Act (FPPA)

TO: Regional Conservationists
State Conservationists

File Code:
410

This addresses item # 12 of the Chief's July 15, 1998, letter on Field Office Workload Reduction regarding the administration of the FPPA. It recommended to stop making determinations under the FPPA where local zoning takes precedence, specifically, for bridge replacement, road widening, new roads, and for conversion less than one acre. We have reviewed the request and agree that in most cases, this action results in an unnecessary workload and paperwork.

In 7 CFR Part 658, section 658.2 (a) defines farmland as prime and unique or of statewide or local importance. It does not include land already in or committed to urban development or water storage. Section 658.4 (a) also indicates that an agency may determine whether or not a site is farmland or request Natural Resource Conservation Service (NRCS) to make that determination on form AD -1006.

It is not unrational to assume that when funds have already been committed for utilities, water lines, and road replacement and widening, the land is committed to urban development and can be exempt from having to make a determination. We also recognize that the last farm syndrome in town is not enough to support an agricultural infrastructure, or if it is, not for very long. This syndrome may be tantamount to preserving green or open space which is a local issue and decision. It can be strongly argued and supported by most processes used by local units of government to assess the conversion commitments, that farmland in the above situations does not fit the definition of farmland as defined in the FPPA implementing regulations.

Thus, pending a proposed action to have an interagency task force to review and propose modifications to both the FPPA statute and the codified rules, I am suspending the requirement to make determinations on farmland that is already committed to development through local actions.

If you have further questions , please call Fen C. Hunt at (202) 720-7671.

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cc:
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