

# **United States Department of Agriculture Farm Service Agency**

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Increasing Land, Capital, and Market Access Program September 2023**

On behalf of the United States Department of Agriculture, in coordination with the Farm Service Agency (FSA), the Farm Program and Conservation (FPAC) Business Center (BC) Environmental Activities Division has prepared a Programmatic Environmental Assessment (PEA) on behalf of the Farm Service Agency Office of Outreach to evaluate the environmental consequences associated with implementing the Increasing Land, Capital, and Market Access Program (ILA). Section 1006 of the American Rescue Plan Act, as amended by Section 22007 of the Inflation Reduction Act, included the provisions for USDA to ensure underserved producers have resources, tools, programs, and technical support they need to succeed.

Through the funds provided by Section 1006 as amended, USDA will provide resources to entities by entering into cooperative agreements and/or grants to address land access issues that underserved producers face. Selected cooperative agreements and/or grants will ultimately focus on designing and/or deploying new programs or expanding successful existing models to address the three major barriers (land access, capital access, or market access), or a combination of those barriers, to producer and landowner success, resiliency, and viability. Selected cooperative agreements and/or grants will achieve, but are not limited to, the following outcomes:

- Increased access to farm ownership opportunities;
- Increased access and improved results for heirs' property and highly fractionated land access;
- Increased land ownership, land succession, and agricultural business planning; and
- Increased access to markets and capital that affect the ability to access land.

Selected entities will work collaboratively with USDA and with other Section 1006 cooperators to deliver targeted outreach and technical assistance programs designed to address and meet the needs of underserved agricultural producers.

Since ILA is a national program, the geographic scope of this PEA covers the entire U.S. Given the broad nature of the program, the Environmental Assessment (EA) is programmatic and is intended to provide the basis for the tiered, site-specific NEPA documentation that would occur prior to implementation of access and improvement activities. The PEA was available for public review and comment from June 14, 2023, through July 14, 2023, and was publicized through news outlets via multiple press releases. Twenty-eight comments were received (27 individuals; and 1 NGOs/interested groups). Summaries of the comments can be found in Appendix D of the final PEA, and if changes were made to the document the section is also recorded on the table; however, none of the

proposed edits to the PEA substantially changed the alternatives or impact analyses. The notice of availability of the final PEA and this signed FONSI will be announced in a press release through the Secretary's office and will be available for public viewing following the announcement at: <https://www.fsa.usda.gov/programs-and-services/environmental-cultural-resource/nepa/current-nepa-documents/index> for a period of 30 calendar days.

### **Proposed Action**

FSA proposes to fund grants and cooperative agreements for projects that help move underserved producers from surviving to thriving through the Increasing Land, Capital, and Market Access (Increasing Land Access) Program. The Increasing Land Access Program would increase access to farm ownership opportunities, increase access and improve results for those with heirs' property or highly fractionated land, increase access to markets and capital that affect the ability to access land, and increase land ownership, land succession, and agricultural business planning. Below are the broad categories of actions analyzed in the PEA:

- **Outreach and Education.** These activities will foster understanding and awareness of the various assistance opportunities available to underserved producers. Examples of activities under this category includes, but is not limited to, hosting educational workshops, website development, and content creation (flyers, handouts, etc.). These activities are anticipated to help the target audience identify the programs and services at USDA that are appropriate for their farming, ranching, or forest land operations. It is expected that partners will utilize these activities to inform needs assessments for future technical or financial assistance to be offered through the ILA project.
- **Technical Assistance.** These activities are primarily office-based in existing sites, involving no direct or indirect interactions with the biological or physical environment or alterations to the built environment. When activities do take place outdoors, such as field demonstrations or site-specific farm planning, they will be informative in nature and will not involve ground disturbance, vegetation removal, and/or change in land use.
- **Land, Capital, and Market Access.** These activities will primarily be in the form of providing financial assistance opportunities to underserved producers for the purpose of accessing land, capital, and markets. Examples of activities under this category include, but are not limited to: land acquisition through purchases and/or long-term leases; establishment of demonstration farms; establishment of loan, revolving loan, grant and/or other programs to provide funding to target audience for a variety of purposes including down payments for land purchase, term financing for land purchase, incubator farms, equipment purchase, operating/startup expenses and other farming expenses; and creating markets or market access for target audience.
- **Land, Capital, and Market Improvements.** These activities will primarily be in the form of providing financial assistance opportunities to underserved producers for the purpose of improving existing operation or lands made available through access activities described above. Examples of activities under this category include, but are not limited to: construction and/or installation of buildings,

irrigation systems, wash and pack facilities, marketing facilities; equipment purchase; expansion of existing incubator farms, demonstration farms, buildings, facilities; expansion of existing markets; and expansion of existing loan, revolving loan, grant and/or other programs to provide funding to target audience for a variety of purposes related to farming expenses. Sustainable agricultural practices such as no-till residue management, cover crop, crop rotation and other regenerative agricultural practices may be eligible for financial assistance.

### **Reasons for Finding of No Significant Impact**

Programmatic environmental documents analyze impacts on a broad scale, in this case the introduction of a new program that will result in subsequent specific actions. Because of the large geographic scope and the innovative nature of ILA, it is not possible to meaningfully predict the location of the site-specific access and improvement activities, nor the environmental conditions that exist on those lands. Thus, before implementing access or improvement activities, a site-specific environmental review is completed to evaluate any impacts that may require additional compliance with NEPA and other laws, regulations, and executive orders.

In consideration of the analysis documented in the PEA and the reasons outlined in this Finding of No Significant Impact (FONSI), the Proposed Action would not constitute a major Federal action that would significantly affect the human environment; therefore, an Environmental Impact Statement (EIS) will not be prepared. The determination is based on the following:

1. Potential beneficial and adverse impacts of implementing the Proposed Action have been fully considered within the PEA. No significant adverse direct, indirect, or cumulative effects were identified, based on the resource analyses provided in the PEA.
2. Site-specific environmental reviews would be conducted for all access and improvement activities and the impacts to the following resources would be evaluated in that analysis based on conditions of each site: Cultural Resources, Threatened and Endangered Species, Coastal Barriers, Coastal Zone Management Act Areas, Wilderness Areas, Wild and Scenic Rivers and Nationwide Rivers Inventory, National Natural Landmarks, Sole Source Aquifers, Floodplains, Noise, Important Land Resources, and Environmental Justice.
3. As detailed in the analysis presented in the PEA, the Proposed Action would not significantly affect soils and other important land resources, socioeconomics and environmental justice, or climate change.
4. The Proposed Action would not involve effects to the quality of the human environment that are likely to be highly controversial.
5. The Proposed Action would not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration.
6. The Proposed Action does not result in cumulative significant impacts when considered

with other actions that also individually have insignificant impacts.

7. The Proposed Action does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.
8. Comments received on the PEA did not warrant substantive changes to the alternatives or impact analyses, and no controversies were identified.

**Determination**

In accordance with the NEPA and FSA's environmental regulations at 7 Code of Federal Regulations (CFR) Part 799, which implement the regulations of the Council on Environmental Quality found at 40 CFR parts 1500-1508, I find the Proposed Action is not a major Federal action significantly affecting the quality of the human environment; therefore, no Environmental Impact Statement will be prepared.

Steve Peterson  
Farm Service Agency  
Associate Administrator