

FINDING OF NO SIGNIFICANT IMPACT

Organic Market Development Grant Program

January 17, 2024

On behalf of the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS) and Environmental Activities Division of the Farm Production and Conservation (FPAC) Business Center, and in compliance with the National Environmental Policy Act (NEPA), a Programmatic Environmental Assessment (PEA) was prepared to evaluate the environmental consequences anticipated to result from implementing the Organic Market Development Grant (OMDG) Program. The OMDG Program is authorized by Section 5(e) of the Commodity Credit Corporation (CCC) Charter Act, which funds the development of new and expanded organic markets by providing additional resources for operations transitioning to organic or establishing new organic production and processing capacity.

The USDA AMS has proposed to fund projects that increase domestic organic supply chain capacities, facilitate market development for domestically produced organic food products, expand volume for processing and distribution of products to create more or better markets, and demonstrate clear benefits to organic communities and regions or historically underserved entities.

Since the OMDG Program is a national program, the geographic scope of this PEA covers the entire United States. Given the broad nature of the program, the Environmental Assessment (EA) is programmatic (PEA) and is intended to provide full NEPA coverage for activities clearly within the scope of the PEA. This PEA also serves as the basis for tiered, site-specific NEPA analysis, when additional documentation is required, that will occur prior to implementation of activities with possible resource impacts. The PEA was available for public review and comment from November 20th, 2023 through December 20th, 2023, and was announced through a Notice of Availability published in The Federal Register ([Vol 88 No 222](#)). No comments were received during the designated timeframe, and as such, no substantial changes were made to the document.

The Notice of Availability of the final PEA and signed FONSI will be published in the Federal Register and will be available for public viewing following the announcement at: <https://www.ams.usda.gov/services/grants/omdg> for a period of 30 calendar days.

Proposed Action

The Proposed Action Alternative will implement the OMDG Program as outlined in the RFA issued on May 10, 2023. AMS will grant approximately \$75 million to eligible applicants seeking support for market development and promotion activities, processing capacity expansion projects, and simplified equipment only projects. Eligible applicants for Organic Market Development grants include business entities (regardless of legal structure) who produce or handle organic foods. Producer and

handler applicants must either be certified to the USDA organic standards or in transition to organic certification. Eligible applicants also include non-profit or government entities. Eligible government entities include but are not limited to tribal, state, territory, and local government entities such as economic development authorities and regional conservation districts. Eligible non-profit entities may include trade associations. All applicants must be domestic entities owned, operated, and located within the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, or Tribal Governments.

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 the OMDG Program, 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 projects with possible protected resource impacts, a site-specific environmental review will be completed to demonstrate that actions are within the scope of the PEA and do not have impacts not already analyzed.

In consideration of the analysis documented in the PEA and the reasons outlined in this 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. All 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 this analysis.
2. All projects with potential resource impacts will undergo site-specific environmental reviews. The analysis will assess these impacts based on the conditions of each site, including the following factors: 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, Wetlands, Floodplains, Important Land Resources, and Environmental Justice.
3. As detailed in the analysis presented in the PEA, the Proposed Action would not significantly affect water quality, soils, wetlands, vegetation or wildlife, air quality, climate change, socioeconomics, and environmental justice, or other important resources.
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. No comments were received on the Draft PEA and no controversies were identified.

Determination

In accordance with the NEPA, which implements 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.

Melissa Bailey
Agricultural Marketing Service
Associate Administrator



Agricultural Marketing Service
U.S. DEPARTMENT OF AGRICULTURE

U.S. DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

Organic Market Development Grant

**Prepared by the USDA Business Center Environmental Activities Division and
USDA Farm Service Agency on behalf of the USDA Agricultural Marketing Service**
.....

January 17, 2024

USDA is an equal opportunity provider, employer, and lender.



COVER SHEET

Proposed Action: The U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), is evaluating applications for a new, one-time funding opportunity. Applications from certified organic and transitioning producers and handlers, as well as non-profit entities, Tribes, certified benefit corporations, and state and local governments will be evaluated to receive federal financial assistance from the Organic Market Development Grant (OMDG) Program. Available funding will create new and enhanced markets for domestically produced organic products through investments in expanded certified organic processing capacity. Organic product improvements will benefit producers via newly created services that currently lack markets. These investments are predicted to increase the availability and consumption of domestic organic agricultural commodities by supporting expansion of current markets into innovative supplementary markets, marketing facilities, and uses.

Type of Document: Final Programmatic Environmental Assessment (PEA)

Lead Agency: United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS)

Cooperating Agencies: United States Department of Agriculture (USDA) Farm Service Agency (FSA) and United States Department of Agriculture (USDA) Farm Production and Conservation Business Center (FPAC BC)

Further Information: Lara Shockey, Natural Resource Specialist
(304) 373-5875
lara.s.shockey@usda.gov
<https://www.ams.usda.gov/services/grants/omdg>

Comments: This PEA was prepared in accordance with National Environmental Policy Act (NEPA) implementing procedures found in 40 CFR Part 1500 - 1508, as well as the NEPA of 1970, Public Law 91-140, 42 US Code 4321-4347, as amended.

AMS accepted public comments for the Draft Programmatic Environmental Assessment from November 20, 2023, to December 20, 2023. Comments were accepted via email to OMDG@usda.gov. The Notice of Availability (NOA) was posted to the Federal Register.

No comments were received during the public commenting timeframe.

Contents

1. Purpose of and Need for Action.....	10
1.1 Introduction	10
1.1.1 Background	10
1.1.2 Program Administration.....	11
1.1.3 Program Activities.....	11
1.2 NEPA Compliance.....	13
1.2.1 Purpose of Using a Programmatic Environmental Assessment.....	14
1.3 Purpose and Need for the Proposed Action	15
1.3.1 Purpose of the Action	15
1.3.2 The Need.....	15
1.4 Decision To Be Made.....	16
1.5 Regulatory Compliance	16
1.6 Public Involvement and Consultation	17
2. Description of Proposed Action and Alternatives.....	17
2.1 Alternative A - No Action Alternative	17
2.2 Alternative B – Proposed Action Alternative (Preferred).....	18
3. Affected Environment and Environmental Impacts	18
3.1 Resources Eliminated from Detailed Analysis.....	19
3.2 Resources Considered with Detailed Analysis	21
3.2.1 Cultural Resources	21
3.2.2 Climate Change	23
4. Cumulative Impacts.....	25
4.1 Definition	25
4.2 Past, Present, and Reasonably Foreseeable Actions.....	25
4.3 Cumulative Impacts of the Proposed Action	25
4.4 Irreversible and Irretrievable Commitment of Resources	25
5. Compliance with Environmental Laws and Regulations.....	26
5.1 Clean Water Act	26
5.2 Coastal Zone Management Act (CZMA)	27
5.3 Coastal Barrier Resources Act (CBRA)	27
5.4 Endangered Species Act (ESA)	28

5.5 Farmland Protection Policy Act (FPPA).....	28
5.6 Migratory Bird Treaty Act (MBTA)	28
5.7 National Historic Preservation Act (NHPA)	29
5.8 Wild and Scenic Rivers Act (WSRA).....	29
5.9 Wilderness Act	29
5.10 Executive Order 11990: Protection of Wetlands	30
5.11 Executive Order 11998: Floodplain Management	30
5.12 Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.....	30
6. Implementation	31
6.1 Process for Screening Site-Specific Projects	31
6.1.1 NEPA Screening Flowchart	33
7. List of Preparers and Reviewers and Agencies Contacted	34
References	35
Appendix	37

ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
AMS	Agricultural Marketing Service
BABA	Build America, Buy America Act
BMPs	Best Management Practices
CAFO	Concentrated Animal Feeding Operation
CBRA	Coastal Barrier Resource Act
CBRS	Coastal Barrier Resource System
CCC	Commodity Credit Corporation
CE	Categorical Exclusion
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FWS	United States Fish and Wildlife Service
GHG	Green House Gases
MBTA	Migratory Bird Treaty Act
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
OMDG	Organic Market Development Grant

PEA	Programmatic Environmental Assessment
RFA	Request for Applications
ROD	Record of Decision
SHPO	State Historic Preservation Officer
THPO	Tribal Historical Preservation Officer
USDA	United States Department of Agriculture
USACE	United States Army Corps of Engineers
WOTUS	Waters of the United States
WSRA	Wild and Scenic Rivers Act

1. Purpose of and Need for Action

1.1 Introduction

The Agricultural Marketing Service (AMS) is an agency within the U.S. Department of Agriculture (USDA). AMS' mission is to administer programs that create domestic and international marketing opportunities for U.S. producers of food, fiber, and specialty crops. AMS also provides the agriculture industry with valuable services to ensure the quality and availability of wholesome food for consumers across the country and around the world. The AMS Transportation and Marketing Program currently oversees 20 grant and agreement programs, providing Federal financial assistance to support rural America and the Nation's agricultural sector.

This document is a programmatic environmental assessment (PEA) for the Organic Market Development Grant (OMDG) Program, a new program administered by AMS. Requested grant funding will be allocated to applications from certified organic and transitioning producers and handlers, non-profit entities, tribal entities, certified benefit corporations, in addition to state, tribal, and local governments.

This PEA was prepared to streamline the overall OMDG NEPA review process. AMS anticipates using this PEA to guide decision-making for site-specific project actions, which may occur from the time grants are awarded in fiscal year (FY) 2023 to the completion of grant activities in FY 2026. Each proposed grant agreement, and any associated site-specific actions, will be further evaluated to determine if its potential environmental impacts have been addressed in this PEA. Site specific evaluations will be conducted by AMS staff as outlined in Chapter 6 under the Description of the Proposed Action.

1.1.1 Background

The Organic Market Development Grant (OMDG) program is authorized by Section 5(e) of the Commodity Credit Corporation (CCC) Charter Act, (15 U.S.C. 714(e)).

Section 5(e), as amended, authorizes USDA (through the CCC) to "increase the domestic consumption of agricultural commodities (other than tobacco) by expanding or aiding in the expansion of domestic markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities." Through the funds provided by Section 5(e), as amended, USDA will support the development of new and expanded organic markets by providing additional resources for businesses transitioning to organic or initiating new organic production and processing capacity.

These grants will create new and improved markets for domestically produced organic products through investments in expanded certified organic processing capacity; activities that develop, maintain, or expand commercial organic markets; and organic product developments which create new uses for producers that currently lack markets, such as rotational grains. These investments are anticipated to increase the consumption of domestic organic agricultural commodities by expanding or aiding in the expansion of markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities.

Organic production and markets are critical to expanding and diversifying food systems. Consumer demand for organically produced goods surpassed \$63 billion in 2021, and multi-year trends of strong growth in the sector provide market incentives for U.S. farmers across a broad range of products. Organic sales account for over four percent of total U.S. food sales and organic products are now available in about 20,000 natural food stores and nearly three out of four conventional grocery stores.

Selected applicants for the OMDG program may invest in certified organic infrastructure and expand processing capacities, in addition to adding manufacturing, storing, transporting, wholesaling, or distribution infrastructure. Funded activities will include developing new markets to increase demand for domestically produced organic agricultural products and providing additional market networks.

1.1.2 Program Administration

OMDG will be administered by the U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS). AMS published a [Request for Applications](#) (RFA) for project proposals accepted from May 10, 2023, through August 8, 2023. Project proposals were invited under three project types:

- **Market Development and Promotion:** Supports the development or expansion of new or existing organic markets to create access between organic producers, handlers, and consumers.
- **Processing Capacity Expansion:** Supports the infrastructure to improve organic agriculture production, processing capacity, and to explore emerging technologies to help keep up with the demand for organic products.
- **Simplified Equipment-Only Projects:** Funds equipment purchases only for projects up to \$100,000. These projects are designed to assist with immediate improvements to equipment applications for the operation. These funds will not be used for facility upgrades, additional staff, or other non-equipment costs.

This program focuses on investments to aid the expansion of new and additional markets for U.S. organic commodities, opening markets for producers, and addressing inadequate capacity in certified organic processing, storage, handling, and shipping. Capacity in the middle of the organic supply chain has not kept pace with the growth in organic farming nor the demand for organic products, thus limiting market access to transform domestic organic crops into organic feed grains or consumer products. Expanded processing capacity will increase consumption of domestic organic commodities. AMS will review and evaluate each application that meets qualification standards and will rank proposals using competitive scores based on the criteria outlined in the Request for Applications.

1.1.3 Program Activities

Market Development and Promotion

Market development is a business growth strategy that focuses on introducing an existing product into newly available markets and developing new opportunities to sell their products in an unexplored sector. Market development and promotion is a business strategy that can result in revenue increase and expansion into more customer areas. OMDG supports operations through grants that will create new and improved markets for domestically produced organic products through investments in expanded

certified organic processing capacity; activities that develop, maintain, or expand commercial organic markets; and organic product developments that create new uses for producers currently lacking in certain markets, such as rotational grains. These investments are anticipated to increase the consumption of domestic organic agricultural commodities by expanding or aiding in the expansion of markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities. In addition, activities occurring under the Market Development and Promotion category will be supported by OMDG by improving access among organic producers, handlers, and consumers.

For example, an organic grain cooperative may seek funds to convene conferences that connect growers to processors and buyers, as well as paying for travel and booth space at trade shows to open new markets.

Activities funded under this category include, but are not limited to:

- Product development activities that create uses for organic commodities currently lacking markets, such as rotational row crops.
- Producer and consumer education that creates or increases demand for new or existing organic product categories domestically or abroad.
- Creating or strengthening farm-to-institution market channels, farm to local retail, or other markets that build local and regional food system opportunities in organic agriculture.
- Exploring and promoting domestic and international opportunities for organically grown and processed agricultural commodities.
- Developing marketing strategies for organic producers to help strengthen new or emerging markets.

Expanding organic marketing opportunities through OMDG can increase business opportunities for organic operations while encouraging climate smart production practices. OMDG supports developing markets to increase sales, customer retention, and product awareness and reaches the target consumer audience. Activities occurring under Market Development and Promotion are not likely to have a direct impact on the human environment as they will largely be for promotional, educational, or research purposes.

Processing Capacity Expansion

The Processing Capacity Expansion funding will support infrastructure to improve organic agriculture production and processing capacity and explore emerging technologies to keep up with the demand for organic products. For example, a small pizza crust manufacturer may propose to purchase new equipment dedicated to organic products, thus increasing its processing capacity. These projects may include costs associated with moving an interior wall to accommodate the machinery as well as related electrical upgrades to power the new equipment.

Activities funded under this category include, but are not limited to:

- Purchasing and installing equipment needed to support:
 - On-farm or cooperatively owned processing facilities that help agricultural producers add value to their products by generating new or enhanced products.
 - New or expanded aggregation, processing, storage, marketing, and distribution mechanisms to create a path to markets for producers.
- Expanding processing capacities in existing facilities that increase organic production volume, process additional commodities, create parallel production needed to segregate organic production lines, and add new value-added products.
- Supporting on-farm or cooperatively owned processing so multiple agricultural producers can add value to their products at the farm level to generate new products and increase producer income, including the purchase and installation of equipment.

OMDG investments in organic infrastructure (e.g., expanding capacity for processing, manufacturing, storing, transporting, and wholesaling) will enhance the development of new markets. Grants will allow producers to increase production and improve existing facilities to meet the current and future demand for domestically produced organic agricultural products. Domestic organic producers and handlers have expressed through public comments and listening sessions that there is a critical need to develop new and expanded organic infrastructure to increase profitability.

Activities occurring with Processing Capacity Expansion funding will assist existing processing facilities to increase capacity and process multiple commodities that are critical for the long-term success of organic markets at large. Activities funded under this category may result in interior renovations of existing structures and therefore will be analyzed on a case-by-case basis for potential environmental impacts.

Simplified Equipment-Only Projects

Simplified Equipment-Only Projects will fund equipment-only grants up to \$100,000. These grants only fund equipment purchases and not associated facility upgrades, staffing, or other costs.

For example, a cooperative of alfalfa growers propose to purchase and install pellet mills that will make their product more transportable, open new markets, and increase demand for organic alfalfa. There will not be alteration or renovation costs.

These actions are expected to have negligible, if any, environmental impacts. The proposed equipment will be analyzed on a case-by-case basis to evaluate potential for water, air, or other environmental factors.

1.2 NEPA Compliance

The National Environmental Policy Act (NEPA), as amended (42 U.S.C. §§ 4321, et seq.), was enacted in 1970 to establish a national policy for the protection of the environment. It applies to Federal agency actions that have the potential to affect the quality of the human environment. It requires Federal agencies to conduct a review considering potential environmental impacts through a systematic and interdisciplinary approach, including consideration of the natural and social sciences in planning, evaluation, and decision-making. Federal agencies are obligated to comply with NEPA regulations

coordinated by the White House Council on Environmental Quality (CEQ) (40 C.F.R. Parts 1500-1508). These regulations outline the responsibilities of Federal agencies under NEPA and provide specific procedures for preparing environmental documentation to comply with NEPA.

If the action is subject to NEPA review, then the environmental impacts must be documented at one of three levels of NEPA analysis:

- 1) Preparing a site-specific environmental review form to document that the activity qualifies for a categorical exclusion (CE); *(AMS does not have a NEPA implementing regulation with CEs)*
- 2) Preparing an environmental assessment (EA), and, if appropriate, a Finding of No Significant Impact (FONSI); or
- 3) Preparing an environmental impact statement (EIS) and Record of Decision (ROD).

1.2.1 Purpose of Using a Programmatic Environmental Assessment

Generally, Federal agencies prepare an environmental assessment (EA) to determine whether an action would have a significant effect on the quality of the human environment (40 C.F.R. 1508.27). One of the overall goals is to provide decision-makers and the public with information about the potential for impacts due to AMS's proposed action before a final decision is made. Once this process is final, AMS has completed the necessary analysis to determine any effects may be significant. If there is potential for significant impacts, then an Environmental Impact Statement (EIS) is prepared. If the impacts are not expected to be significant, a Finding of No Significant Impact (FONSI) is prepared.

A programmatic environmental assessment (PEA) is necessary because AMS does not have a NEPA regulation with categorical exclusions, and the PEA would cover a higher, national programmatic level of NEPA compliance. PEAs are broad in scope and should address related actions or projects, an entire program, a broad action, or Federal financial assistance supported activities. A PEA is intended to accomplish NEPA compliance by:

1. summarizing the current environmental situation;
2. describing the purpose and need for the activities;
3. identifying alternative actions; and
4. assessing the potential environmental impacts of all alternatives.

Before a federal agency implements policies, programs, plans, and projects, NEPA requires documented, formal consideration of major Federal actions and analyses of potential impacts associated with alternatives to the action. A PEA allows AMS to reduce paperwork and to streamline site-specific or project level NEPA reviews to the extent an assessment of potential impacts have already been addressed in the PEA. Programmatic environmental assessments and the use of tiering can reduce or eliminate redundant and duplicative efforts and effectively address cumulative effects. In this case, a PEA may be used to address the impacts of actions, or project types that are similar in nature or broad in scope, including cases where cumulative impacts are of concern. For consideration of potential impacts from specific actions and/or individual projects, tiering allows an agency to rely largely on the analysis of the programmatic NEPA document to address the impacts (Canter, 1996).

If the project type or impacts are not adequately covered in this PEA, the proposed project would require additional NEPA review. Depending on the degree of the project's potential impacts, this review could involve the preparation of a site-specific review documenting the applicability of this PEA, a supplemental EA tiered from this PEA, a new EA, or an EIS. This PEA addresses NEPA compliance at the program level. Evaluation of project-specific impacts would be addressed during the planning and selection process for each project to ensure that any significant environmental issues are identified; that consultation among agencies, other area programs, and the public occurs; and that a decision may be made on whether further analysis and documentation is necessary. This process is further documented in the Implementation chapter below (see Chapter 6).

1.3 Purpose and Need for the Proposed Action

1.3.1 Purpose of the Action

The purpose of OMDG is to support the development of new and expanded organic markets by providing additional resources for businesses transitioning to organic or initiating new organic production and processing capacity. These investments are anticipated to increase demand for domestically produced organic agricultural products and provide additional market paths.

1.3.2 The Need

Stakeholders have conveyed through past public comments and listening sessions that producers may be less willing to commit to the three-year transition required for organic certification because of risks related to inadequate organic processing, storage, handling capacity, cost barriers due to limited markets for rotational crops, a lack of certainty about market access, and insufficient supply of certain organic ingredients. The organic livestock and processed product markets depend heavily on imported agricultural products for feed grains and key ingredients. These longstanding market issues facing organic livestock feedstocks, rotational crops, dairy, fiber, and ingredients were brought into sharp focus since the impacts of COVID and international conflicts in critical overseas organic supply areas, resulting in limitations on certain organic products in the face of rising demand.

Further, existing organic producers lack market access because of bottlenecks in certified organic processing, storage, specialized equipment, and handling/shipping that have not kept up with the growth in organic crops or the demand for organic products. Producers of organic commodities often lack the resources or capacity to build processing infrastructure, which is also outside the business model for end-use consumer food manufacturers or animal feed buyers. Certain regions also lack certified organic processing capacity, so the local and regional organic producers must either pay increased shipping costs or sacrifice organic price premiums by processing their commodities at nonorganic facilities, which removes the ability to sell the product as “organic” to the consumer. These middle-of-the-supply-chain bottlenecks limit markets for raw organic commodities and cause some producers to sell organic commodities at conventional prices, missing premium prices for organic animal feed and processed consumer products.

Based on this input, USDA identified an opportunity to provide financial assistance to eligible applicants who propose projects that will enhance the competitiveness of domestic organic products in domestic and international markets. This program will also support the development of infrastructure and supply

chains that are necessary for increasing the availability and quality of organic products. By doing so, implementation of the Proposed Action is intended to align with numerous policy goals and objectives across government, including, but not limited to:

- Ensure equitable access to USDA programs and benefits from USDA-funded projects and support the policies of Executive Order 13985 (Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government).
- Contribute to the resilience of the food and agricultural supply chains through support for diversified, value-added agriculture such as organic production and support the policies of Executive Order 14017 (Executive Order on America's Supply Chains).
- Promote competition in the organic sector and support the policies of Executive Order 14036 (Promoting Competition in the American Economy).
- Implement the Build America, Buy America (BABA) Act. Guidance on BABA requirements for USDA award recipients is available at USDA's [Implementation of BABA Act](#).

1.4 Decision To Be Made

AMS must decide if the proposed action affects the quality of the human environment. If AMS determines it would not significantly affect the quality of the human environment, then a Finding of No Significant Impact (FONSI) will be prepared and signed. Grants entered under OMDG will be analyzed individually to determine the need for subsequent environmental reviews.

1.5 Regulatory Compliance

This PEA has been prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) (Public Law 91-190, 42 United States Code 4321 et seq.) and Whitehouse Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 Code of Federal Regulations [CFR] §§ 1500–1508).

The intent of NEPA is to protect, restore, and enhance the human environment through well-informed Federal decisions. The following non-exclusive list of higher-tier Executive Orders (EOs), acts, and relevant decision and guidance documents apply to actions undertaken by Federal agencies and form the basis of the analysis presented in this PEA:

- Clean Air Act (42 USC 85 parts 7401 et seq., 1999)
- Clean Water Act (33 USC 26 parts 1251 et seq., 2000)
- Endangered Species Act [ESA] of 1973, as amended (16 USC 35 parts 1531 et seq., 1988)
- EO 11514, Protection and Enhancement of Environmental Quality (35 Federal Register [FR] 4247, 1977)
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 32, 1995)
- National Historic Preservation Act (54 USC 300101 et seq., 2014) and associated Section 106 process (54 USC 306108, 2014)

1.6 Public Involvement and Consultation

Scoping is an early and open process to involve agencies, organizations, and the public to determine 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.

This document was made available for public review and comment on November 20, 2023, on the <https://www.ams.usda.gov/services/grants/omdg> webpage. An additional notification of availability to comment was published in the Federal Register on November 20, 2023 ([88 FR 80687](#)).

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternative on potentially affected environmental and economic resources.

- **Chapter 1** provides background information, defines the Purpose and Need for the Proposed Action, and identifies the scoping process for this PEA.
- **Chapter 2** defines the two alternatives, the No Action, and the Proposed Action, as well as those alternatives considered but not fully evaluated.
- **Chapter 3** includes the Affected Environment (i.e., existing conditions) and defines the Environmental Consequences (i.e., direct, indirect, and cumulative impacts) anticipated to result from the implementation of each alternative.
- **Chapter 4** describes the cumulative impacts of the action.
- **Chapter 5** describes federal environmental laws and regulations that are likely to apply to proposed projects, as well as a description of compliance by the OMDG.
- **Chapter 6** outlines how the OMDG would use this PEA for site-specific actions.
- **Chapter 7** provides the list of individuals and agencies who collaborated to complete the PEA.
- **Chapter 8** includes the references utilized in this PEA's preparation.

2. Description of Proposed Action and Alternatives

Two alternatives are evaluated in this PEA: The No Action Alternative (not preferred), and the Proposed Action Alternative (preferred). No potentially significant impacts to important resources were identified during scoping. Decisions about whether individual projects are technically and economically feasible, meet the OMDG objectives, and resolve producer needs are being considered as a part of the panel review. Further site-specific NEPA documentation will be developed as site-specific projects are considered for grant awards.

2.1 Alternative A - No Action Alternative

Under the No Action Alternative, AMS will not undertake or fund grants for the purpose of expanding organic market opportunities or processing capacities. Barriers to market, inadequate organic processing capacity, and a lack of certainty about market access would continue. This alternative would result in the continuation of the longstanding issues facing organic livestock feedstocks, rotational crops, dairy, fiber,

and ingredients, where stakeholders have conveyed that producers may be less willing to commit to the three-year transition to organic certification because of these risks.

The No Action Alternative will not meet the purpose and need of the proposed action, which is to support the development of new and expanded organic markets. Therefore, this alternative is not preferred by AMS and will only be used as a baseline for comparison with the Preferred Alternative.

2.2 Alternative B – Proposed Action Alternative (Preferred)

AMS' Preferred Alternative is to undertake activities by awarding funds on a competitive basis to applicants to address one or more of the following categories described in more detail in Chapter 1.1:

1. Market Development and Promotion,
2. Processing Capacity Expansion, and
3. Simplified Equipment-Only Projects.

Under this alternative, several activities can be implemented under one project proposal. For example, a project to improve market accessibility issues in a region may include the remodel of an existing facility to accommodate additional processing equipment, thus increasing production volume. The three categories are complementary by nature, and the Preferred Action Alternative will allow different operations to carry out its business endeavors under each category. By supporting multiple operations from versatile sectors of organic products, the Preferred Alternative promotes the creation of new and better markets by funding activities that are currently not eligible for federal financial assistance through USDA.

3. Affected Environment and Environmental Impacts

This chapter describes the existing environmental conditions for resources potentially affected by the implementation of OMDG, as well as the environmental consequences of implementation.

As a programmatic EA, it evaluates the effects of implementing changes to a nationwide voluntary program. Therefore, the utility and availability of modeling and quantitative analysis is limited. The potential impacts of implementing the program changes are discussed on a national or regional level, as appropriate. Site-specific environmental reviews will occur prior to the implementation of on-the-ground activities, such as renovations needed for processing capacity expansion activities. This PEA and the site-specific environmental reviews provide the full NEPA coverage for activities under OMDG.

In compliance with NEPA, CEQ regulations, and USDA procedures for implementing NEPA, the description of the affected environment focuses on only those resources potentially subject to impacts and the level of analysis is commensurate with the anticipated level of impact. Based on the NEPA implementing regulations (40 CFR Part 1500), the discussion of the affected environment and associated environmental impact analysis presented here focuses on Cultural Resources, Climate, Socioeconomics and Environmental Justice, and Water Quality.

3.1 Resources Eliminated from Detailed Analysis

NEPA regulations (40 CFR 1501.7(a)(3)) state that the lead agency should identify and eliminate from detailed study the issues that do not have the potential to affect the human environment or that have been covered by prior environmental review, thus narrowing the discussion of these issues to a brief discussion of why they would not have a significant effect on the human or natural environment.

The environmental evaluation process for OMDG will involve the completion of a site-specific review for activities that will have direct on-the-ground impacts to legally protected resources, as further discussed in Chapter 6. This evaluation process includes collecting and documenting the data, consultation and permitting needed for AMS to ensure compliance with NEPA and other related laws, regulations, and EOs.

A site-specific environmental review requires that AMS supported activities are evaluated for the potential presence of or proximity to threatened and endangered species, wetlands, floodplains, coastal zones, wilderness areas, etc. that can only be evaluated once project locations are known. Because proposals received in response to OMDG did not include specific project locations, exact location for processing capacity expansion activities will be available for further site-specific analysis following an assessment of submitted applications.

All processing capacity expansion activities undertaken by OMDG will require a site-specific environmental review that will be conducted prior to approval of any site-specific modifications or renovation activities. Once selected applicants have identified those specific locations that have been determined to meet eligibility requirements of OMDG specifications, necessary site-specific environmental reviews will occur.

As such, the following resource areas have been eliminated from detailed analysis in this PEA: Vegetation and Wildlife, Coastal Barriers, Coastal Zone Management Areas, Wild and Scenic Rivers and Nationwide Rivers Inventory, Wilderness Areas, National Natural Landmarks, Floodplains and Wetlands, and Soils and Other Important Resources.

Water Quality. This PEA does not address specific locations where activities under OMDG will occur; therefore, impacts to water quality as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated to result in any impacts to water quality, as all activities under these categories will be performed without permanent alterations to the watershed and will not result in any indirect stormwater runoff as these activities will not involve construction. The site-specific review process for OMDG activities that may impact Waters of the U.S., or may result in stormwater pollution, is discussed in further detail in Section 5.1.

Vegetation and Wildlife. This PEA does not address specific locations where activities under OMDG will occur; therefore, impacts to vegetation and wildlife as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated to result in any impacts to vegetation and wildlife, as all activities under these categories will be performed without permanent alterations to the environment or potential habitat for at-risk species. The site-specific review process for OMDG activities that may impact

species, or their critical habitat (processing capacity expansion) listed under the Endangered Species Act, or the Migratory Bird Treaty Act is discussed in further detail in Section 5.4 and 5.6, respectively.

Wild and Scenic Rivers and Nationwide Rivers Inventory. This PEA does not address specific locations where activities under OMDG will occur; therefore, impacts to designated Wild and Scenic Rivers or rivers listed in the Nationwide Rivers Inventory as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated result in any impacts to Wild and Scenic Rivers or rivers listed in the Nationwide Rivers Inventory, as all activities under these categories will not result in permanent structures or other development that would impact the integrity of these rivers. The site-specific review process for OMDG activities that may impact designated Wild and Scenic Rivers or rivers listed in the Nationwide Rivers Inventory (processing capacity expansion) listed under the Wild and Scenic Rivers Act is discussed in further detail in Section 5.8.

Wilderness Areas and National Natural Landmarks. This PEA does not address specific locations where under OMDG will occur; therefore, impacts to designated Wilderness Areas and National Natural Landmarks as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated result in any impacts to National Natural Landmarks, Federal Wilderness, Wilderness Study Areas, National or State Parks, or Federal or State Wildlife Refuges. The site-specific review process for OMDG activities that may encroach on designated wilderness areas or national natural landmarks (processing capacity expansion) listed under the Wilderness Act is discussed in further detail in Section 5.9.

Floodplains and Wetlands. This PEA does not address specific locations where activities under OMDG will occur; therefore, impacts to floodplains and wetlands as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated result in any impacts to floodplains or wetlands, as all activities under these categories will not involve construction and therefore will not have the potential to adversely impact or otherwise degrade the floodplain or wetlands. The site-specific review process for OMDG activities that may impact floodplains (processing capacity expansion) protected under Executive Order 11998 or wetlands protected under Executive Order 11990 is discussed in further detail in Section 5.11 and Section 5.10, respectively.

Soils and Other Important Resources. This PEA does not address specific locations where activities under OMDG will occur; therefore, impacts to soils and other important resources as a result of processing capacity expansion activities are not analyzed here. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated result in any impacts to soils or other important resources as all activities under these categories will not involve construction and therefore will not have the potential to adversely impact or otherwise degrade the landscapes' current structure. The site-specific review process for OMDG activities that may impact soils and other important resources (processing capacity expansion) protected Farmland Protection Policy Act (FPPA) is discussed in further detail in Section 5.12.

Coastal Barriers and Coastal Zones. All processing capacity expansion activities undertaken by OMDG will not involve the construction of any new facilities or increase the footprint of existing facilities. Therefore, increased development within coastal areas will not occur. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated to result in any impacts in a coastal barrier or coastal zone system as each of these items will not result in new permanent structures or other development that obstructs the ecological services provided by coastal ecosystems. Therefore, potential adverse impacts to coastal barriers and coastal zones will not be considered further in this PEA.

Socioeconomics and Environmental Justice. All processing capacity expansion activities undertaken by OMDG will not involve the construction of any new facilities. Therefore, impacts of facility renovations or visual impacts will occur to any person, regardless of socioeconomic status, within the area. Market development and promotion and simplified equipment-only project activities under OMDG are not anticipated to result in any impacts to low income or minority populations, as all activities under these categories will not involve construction and therefore will not have the potential to disproportionately impact any specific population. As USDA will prioritize funding projects which benefit underserved communities, the proposed action should maintain or improve the quality of life for low income and/or minority communities. Therefore, potential adverse impacts to low income and/or minority populations will not be considered further in this PEA.

3.2 Resources Considered with Detailed Analysis

This section describes the environment that would be affected by implementing the changes 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.

3.2.1 Cultural Resources

Definition of Resource

Cultural Resources are indications of past human activity, often in places greater than 50 years of age. These include but are not limited to archaeological sites, districts, cemeteries, structures, and places holding historical significance. Cultural resources are distinguished by their unique characteristics such as a buildings' architecture, archaeology, engineering, and community associated values that are attached to the object or location. Further, some cultural resources deemed more significant than others are classified as historic properties under Section 106 of the National Historic Preservation Act (NHPA) that requires all federal agencies to account for possible impacts as a result of their actions.

Regulations set for federal agencies by the Advisory Council on Historic Preservation (ACHP) requires compliance with Section 106 of the NHPA therefore necessitating consultations with State Historic Preservation Officers (SHPO) and Tribal Historic Preservation Officers (THPO); these agencies are responsible for protecting and make known of historic properties or places within their respective state and areas of interest.

Affected Environment

Historic preservation is defined as the implementation of measures to protect and sustain sites, structures, and landscapes via national policies governing historical places. Since 1906 to present day Congress has established and expanded its understanding and value of historic resources and supports the preservation of these resources for all people of the United States (McMurry 2016). The State Historic Preservation Office program and Tribal Historic Preservation Office program each make an evaluation on a proposed action to assess its potential eligibility for nomination or listing on the National Register of Historic Places (NHPA). Activities sponsored by each program include surveys, public education on safeguarding resources, architectural planning, and preservation related activities to keep cultural resources protected should the area be considered extraordinary by nature.

For activities that consist of undertakings that could have the potential to affect historic or cultural resources, the Section 106 review process requires that descriptions of the activity and area of impact be described for SHPO's and THPO's appropriate to each state to review. Increased development pressure in recent decades has continued to impact agricultural lands; therefore, farm structures with historical significance are increasingly less common.

The opportunity for OMDG's goals to assist applicants with processing expansion projects includes assistance for modifying existing buildings to accommodate new machinery or reconfiguring the existing footprint of the building to allow for upgrades. Some of these proposals may include the modification of the interior layout or necessary fixtures of a structure greater than 50 years of age. While it is possible that these modifications could be completed on a facility exceeding 50 years of age, it is expected that the majority of processing capacity expansion activities will not fall under these criteria. Buildings with extensive modern modifications or that have little remaining of their original construction will not be considered to have retained their historical integrity.

Environmental Consequences

No Action Alternative

Without the implementation of the OMDG, AMS would not administer funds under the program guidelines for the opportunities for market development and promotion, processing capacity expansion, or supplement needs for additional equipment-only proposals for organic producers. Without assistance specifically geared towards processing capacity expansion involving remodeling projects, producers and processors may have to keep existing structures or remove structures that have aged and are no longer practical to invest in. The no action alternative may result in impacts to cultural resources, as operations would make business decisions without cultural resources considerations, whereas such decisions resulting from federal grants would require cultural resources considerations.

Proposed Action Alternative

Under the proposed action alternative, funds made available to applicants seeking assistance with prospects for market development and promotion, processing capacity expansion, or supplement needs for additional equipment-only proposals for organic producers are anticipated to see successful preservation in their facilities. Eligibility for OMDG is limited to the modification of an existing structure without resulting in the increase of square footage, changes in the buildings foundation, exterior or load bearing walls. These limitations will be beneficial overall when applicants indicate that that structure

that they intend to make these changes on is greater than 50 years of age or shows some distinguishing historical significance.

The program anticipates no significant adverse effects and positive impacts are predicted to be slightly beneficial for cultural resources in the project areas. However, if any unforeseen impacts on cultural resources are detected during the implementation of the program activities, a site-specific environmental review process will be conducted according to Chapter 6 of the PEA.

3.2.2 Climate Change

Definition of Resource

According to the EPA, “climate change refers to changes in global or regional climate patterns attributed largely to human-caused increased levels of atmospheric greenhouse gases. Greenhouse gases, such as carbon dioxide, methane, nitrous oxide, and certain synthetic chemicals, trap some of the Earth’s outgoing energy, thus retaining heat in the atmosphere.” (EPA, 2023)

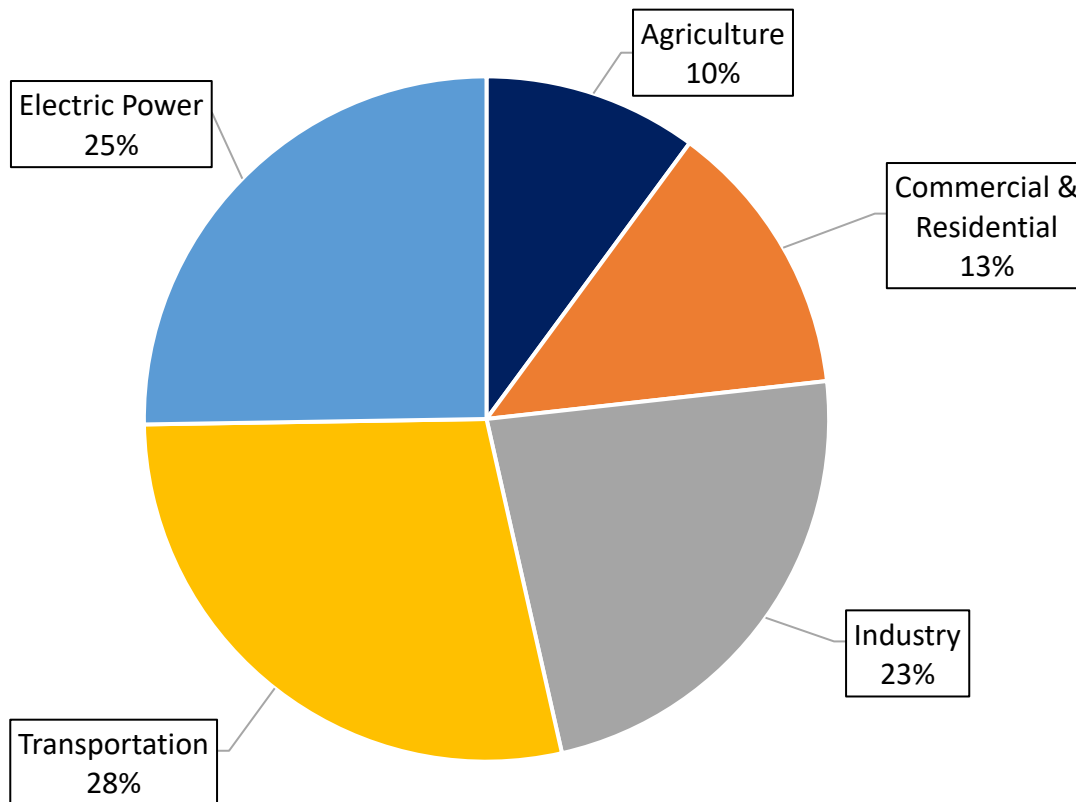
The changes of the earth’s climate can be seen in changing of temperature and precipitation patterns, increases in ocean temperatures, sea level and acidity, melting of glaciers and sea ice as well as changes in the frequency, intensity, and duration of extreme weather events.

Climate change involves longer-term trends, such as shifts toward warmer, wetter, or drier conditions. These trends can be caused by natural variability in climate over time, as well as human activities that add greenhouse gases to the atmosphere like burning fossil fuels for energy” (EPA, 2022).

Affected Environment

Climate change presents real threats to U.S. agricultural production, forest resources, and rural economies. These challenges are complex as agriculture generates 10% of GHG emissions in the U.S. (Figure 1) through sources such the operation of internal combustion engines, enteric fermentation by livestock, agricultural soil management, manure management, field burning, and other practices. Agricultural activities contribute directly to emissions of GHGs including carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O).

Figure 1. Sources of U.S. Greenhouse Gas Emissions in 2021.



Source: U.S. Environmental Protection Agency (2023).
Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021

Environmental Consequences

No Action Alternative

Under the No Action Alternative, USDA would not make funds available under the OMDG program for organic agricultural producers to expand their market base and improve production efficiencies. Without the AMS OMDG grant program funds, organic operations would have less incentive and capacity to adopt best management practices and technologies that can reduce their emissions of greenhouse gases, such as carbon dioxide, methane, and nitrous oxide. The continued use of aging equipment can result in less efficient operations and contribute to the continued emission of greenhouse gases.

Ultimately, the No Action Alternative would also miss the opportunity to create positive impacts on climate change that could result from implementing the AMS OMDG grant program.

Proposed Action Alternative

Under the Proposed Action Alternative, USDA will make funds available through the OMDG program and increase opportunities for organic operations to develop, customize or install climate-smart equipment

that reduces greenhouse gas emissions. It is expected that the successful implementation of OMDG projects will ultimately result in little to no impacts to overall climate trends but may result in decreased emissions from individual operations. Increasing opportunities for organic operations to better establish themselves in new markets close to home or increase the capacity existing facilities can improve efficiency and reduce emissions generated through the transportation of organic products.

The program anticipates no significant adverse effects and positive impacts are predicted to be slightly beneficial for climate change beyond those that already occur from the existing organic processing operations in the project areas. However, if any unforeseen impacts on climate change are detected during the implementation of the program activities, a site-specific environmental review process will be conducted according to Chapter 6 of the PEA.

4. Cumulative Impacts

4.1 Definition

CEQ regulations stipulate that a cumulative effects analysis be conducted to consider the potential environmental impacts resulting from “the incremental impacts of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency or person undertakes such other actions.” Cumulative effects most likely arise when a relationship exists between a proposed action and other actions expected to occur in a similar location or during a similar period. An action which overlaps with or is in proximity to other proposed actions would be expected to have more potential for a cumulative effect on the same resources than actions that are more geographically separated. Similarly, actions that coincide, even partially, in time tend to have potential for cumulative effects.

4.2 Past, Present, and Reasonably Foreseeable Actions

The affected environment for this cumulative impact analysis includes renovation of existing structures with no additional ground disturbance.

4.3 Cumulative Impacts of the Proposed Action

The cumulative total of environmental impacts associated with implementation of the OMDG program is not anticipated to have any cumulative negative impact to the environment, as the activities will primarily involve renovations with no new development or construction planned. The OMDG Program is likely to have a cumulative positive impact on the environment because of the potential energy efficiency upgrades to existing facilities. This program has been given approximately \$75 million to support a wide range of activities to purchase equipment and upgrade buildings and facilities.

4.4 Irreversible and Irretrievable Commitment 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. Irreversible and irretrievable resource commitments are related to the use of nonrenewable resources and the effects that the use of these resources has on future generations. Irreversible effects primarily result from the use or destruction of a specific resource that cannot be replaced within a reasonable time frame.

Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored because of the action. The implementation of OMDG will result in no irreversible or irretrievable resource commitments.

5. Compliance with Environmental Laws and Regulations

AMS is responsible for ensuring that projects comply with all relevant authorities. Compliance with these authorities will result in few, if any, negative environmental, social, and/or economic impacts. Consultation, permits, authorities, and actions relative to water quality, endangered, threatened, and protected species, historic and cultural resources, environmental justice, and wetland protections are described in Chapter 5 below, and would be required as applicable.

5.1 Clean Water Act

The Clean Water Act (CWA) was established with the goal of restoring and maintaining the chemical, physical, and biological integrity of the Nation's waters. Pursuant to this goal, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material in waters of the United States (WOTUS) under Section 404 of the CWA, which includes adjacent wetlands. Work and structures located in, or that affect, WOTUS, including work below the ordinary high-water mark in non-tidal waters, also are regulated by USACE and require permits.

Section 402 of the CWA established the National Pollution Discharge Elimination System (NPDES) which sets forth conditions and permitting requirements for point source discharges into WOTUS, including wetlands. In most cases, EPA has delegated NPDES authority to states and Tribes. Point sources of pollution are primarily defined as direct discharges into surface waters from pipes, ditches, and channels, but also include CAFO's and construction sites. Nonpoint sources of pollution, such as runoff from an agricultural field, are defined as an exclusion to the NPDES program under CWA and are not considered a point source of pollution.

There are several CWA provisions that address non-point source pollution that are administered by states and Tribes. Section 319 of the CWA requires states and Tribes to identify waters impaired by non-point source pollution and adopt a management program. States and Tribes are also required to establish water quality standards under Section 303(d) of the CWA and allowable Total Maximum Daily Loads (TMDLs) that meet water quality standards. Section 401 of the CWA requires states to certify that Federal permits, such as Section 404 CWA permits issued by USACE, are not in violation of any state water quality standards.

Since OMDG processing capacity expansion activities will only occur in existing structures or facilities, permanent impacts to waters of the U.S. protected under the CWA are not expected. Where OMDG processing capacity expansion or replacement activities may involve restoring an existing structure within waters of the U.S. including wetlands, CWA permitting for temporary impacts may be required. CWA permitting requirements will be confirmed on a project-level basis during the site-specific environmental review consistent with Chapter 6 and any required coordination with USACE will be initiated during the project planning stage. Inadvertent stormwater runoff to adjacent regulated wetlands and waterways resulting from increased off-road traffic or ground disturbance would require onsite stormwater controls, including erosion and sediment control devices, to avoid and minimize impacts to downgradient water resources.

5.2 Coastal Zone Management Act (CZMA)

The Coastal Zone Management Act encourages coastal states, Great Lake states, and U.S. Territories and Commonwealths (collectively referred to as “coastal states” or “states”) to be proactive in managing natural resources for their benefit and the benefit of the Nation. The CZMA Federal consistency provision (16 U.S.C. § 1456 and 15 C.F.R. part 930) provides states with an important tool to manage coastal uses and resources and to facilitate cooperation and coordination with Federal agencies. Under the CZMA, Federal agency activities that have coastal effects must be consistent to the maximum extent practicable with federally approved enforceable policies of a state’s NOAA-approved coastal management program. In addition, the CZMA requires non-federal applicants for federal authorizations and funding to be consistent with enforceable policies of state coastal management programs.

Activities performed under the OMDG Program with extraordinary circumstances may require a federal consistency review for activities taking place within a state-designated coastal zone management area. Each project will be evaluated for consistency with the CZMA, and additional regulatory review will be performed on a case-by-case basis.

5.3 Coastal Barrier Resources Act (CBRA)

The Coastal Barrier Resource Act (CBRA) provides landscape-level conservation benefits for fish, wildlife, and plant resources by reducing the intensity of development. CBRA does this by restricting federal funding and financial assistance within designated System Units. The Coastal Barrier Resources System (CBRS) includes 588 System Units, which comprise nearly 1.4 million acres of land and associated aquatic habitat. There are also 282 “Otherwise Protected Areas,” a category of coastal barriers that are mostly held for conservation and/or recreation purposes that include an additional 2.1 million acres of land and associated aquatic habitat. Section 6 of the CBRA permits certain federal expenditures and financial assistance within the CBRS, but only after consultation with the U.S. Fish and Wildlife Service.

It is not anticipated that any available exceptions under Section 6 of CBRA would apply to OMDG projects. Therefore, AMS will not provide funding under the OMDG to undertake processing capacity expansion activities within System Units designated under the CBRA.

5.4 Endangered Species Act (ESA)

Section 9 of the ESA, as amended, and federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption such as by a permit.

Section 7 requires Federal agencies to use their authorities in furtherance of the purposes of the ESA by carrying out programs for the conservation of endangered and threatened species. Agencies are further required to ensure that any action authorized, funded, or carried out is not likely to jeopardize the continued existence of any threatened or endangered species or result in destruction or adverse modification of habitat for such species. If AMS proposes to fund or undertake an action that may affect ESA-listed species, it must initiate a Section 7 consultation with the Department of the Interior (US Fish and Wildlife Service – FWS) or Commerce (NOAA National Marine Fisheries Service - NMFS). Regulations specify the procedural requirements for these consultations (50 Part C.F.R. 402). Federal agencies must determine whether their proposed actions will have no effect on threatened and endangered species or whether informal or formal consultation is required with the FWS or NMFS. Informal consultation requires that the action agency prepare a Biological Assessment for concurrence by the FWS or NMFS.

AMS has made a no effects determination regarding ESA species. However, if extraordinary circumstances are identified, consultations would be initiated at the earliest planning stage for site-specific environmental evaluation consistent with Chapter 6 below.

5.5 Farmland Protection Policy Act (FPPA)

The FPPA, implemented by NRCS, aims to minimize the impacts Federal programs have on the irreversible conversion of farmland to nonagricultural uses. For FPPA, farmland 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 forest land, pastureland, cropland, or other land, but not water or urban built-up land.

Activities under OMDG are not expected to result in irreversible conversion of farmland to nonagricultural uses, as it defies the purpose of the program.

5.6 Migratory Bird Treaty Act (MBTA)

The MBTA protects over 1,000 species of migratory bird species from any attempt at hunting, pursuing, wounding, killing, possessing, or transporting any migratory bird, nest, egg, or part thereof, unless permitted by regulations (i.e., for hunting and subsistence activities). Additional protection is allotted under the Bald and Golden Eagle Protection Act for the identified species. Compliance with the MBTA does not usually require a permit or authorization; however, the FWS is currently working on proposed rulemaking that may impact whether permits for certain Federal activities are required.

Generally, activities under OMDG are expected to have no adverse impacts on migratory bird species as there will be no new construction or development of previously undeveloped areas.

5.7 National Historic Preservation Act (NHPA)

The NHPA of 1966, amended in 1992, requires that responsible agencies taking action that may potentially affect any property with historic, architectural, archeological, or cultural value that is listed on or eligible for listing on the National Register of Historic Places (NRHP) comply with the procedures for consultation and comment issued by the Advisory Council on Historic Preservation. The responsible agency also must identify properties affected by the action that are listed on or potentially eligible for listing on the NRHP, usually through consultation with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO).

OMDG, and all associated site-specific projects, must comply with the NHPA by coordinating with the SHPO, THPO, or relevant Tribes, when necessary. OMDG processing capacity expansion activities that are anticipated to occur within structures 50 years old or greater will require a site-specific environmental review, as described in Chapter 6. Therefore, consultations would be initiated at the earliest planning stage for site-specific actions when AMS determines the action may affect historic, architectural, archeological, or cultural resources.

5.8 Wild and Scenic Rivers Act (WSRA)

The WSRA established the National Wild and Scenic Rivers System to preserve rivers deemed to have outstanding natural, cultural, and recreational values. The National Wild and Scenic River System consists of a river or river segments that are in free-flowing condition which have been categorized as wild, scenic, or recreational. The National Wild and Scenic River System is administered by various land management agencies. To ensure continued protection of these waterways, Federal agencies may not provide financial assistance for projects which would have a direct and adverse effect on the values for which a river was designated.

AMS has made a no effects determination regarding a river or river segments listed under the WSRA, AMS. However, if extraordinary circumstances are identified, consultations would be initiated at the earliest planning stage for site-specific environmental review consistent with Chapter 6 below.

5.9 Wilderness Act

The Wilderness Act established the Wilderness Preservation System to protect and preserve the wilderness character of designated areas by prohibiting certain uses, such as timber harvest, new grazing and mining activity, or any other kind of development. The Wilderness Preservation System is administered by various land management agencies. To ensure the continued wilderness character of designated wilderness areas, Federal agencies must consider whether proposed actions will result in an adverse impact on wilderness areas within the action area.

As areas designated as part of the Wilderness Preservation System are Federal lands, it is not anticipated that any available OMDG projects would occur within wilderness areas. Processing capacity expansion activities that occur adjacent to any wilderness areas will require consultation with the jurisdictional Federal agency to ensure consistency with the Wilderness Act. AMS will not provide funding under OMDG to undertake processing capacity expansion activities that are not consistent with allowable land uses as defined in the Wilderness Act.

5.10 Executive Order 11990: Protection of Wetlands

The purpose of Executive Order 11990 is to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. To meet these objectives, the order requires Federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided.

As OMDG processing capacity expansion activities are to occur solely in existing structures, direct impacts to wetlands are not expected. Where OMDG processing capacity expansion activities involve restoring a structure adjacent to a wetland, there may be indirect, short-term impacts to the wetland from increased traffic to the surrounding area. In these instances, the AMS staff will consider potential adverse impacts to wetlands on a project-level basis and ensure proper permitting is in place to ensure permanent damage is avoided. Considerations for potential adverse impacts to wetlands will be determined on a project-level basis and implement best practices to ensure permanent damage is avoided.

5.11 Executive Order 11998: Floodplain Management

The purpose of Executive Order 11998 is to avoid the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative. It requires that each Federal agency take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by floodplains. Each agency should determine if any actions undertaken would occur in a floodplain and evaluate the potential effects of any actions. If an agency has determined to, or proposes to, conduct, support, or allow an action to be in a floodplain. The agency shall consider alternatives to avoid adverse effects and incompatible development in the floodplains.

As OMDG processing capacity expansion activities are to occur solely in existing structures, direct impacts to floodplains are not expected. Where OMDG processing capacity expansion activities involve restoring a structure within the floodplain, the property owner will be required to obtain a flood insurance policy or meet floodproofing requirements as required in the development permit for that federally supported structure. AMS staff will consider potential adverse impacts to floodplains on a project-level basis and ensure proper permitting is in place to ensure permanent damage is avoided.

5.12 Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

The purpose of Executive Order (E.O.) 12898 is to focus Federal attention on the environmental and human health effects of Federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities. It directs Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law. If AMS determines that the proposed project may cause disproportionately high and adverse effects for low-income or minority populations, a site-specific environmental review will be performed to determine whether measures to minimize, mitigate, or avoid those impacts would be required.

Activities under OMDG are not expected to result in disproportionate adverse impacts to minority and low-income populations, as all activities will not result in construction and will therefore impact all populations in similar manners. Further, AMS may also prioritize applications based on diversity in applicants funded in geographic regions and across size, scale, or product types. Therefore, it is expected that OMDG will have beneficial long-term and short-term impacts to communities with environmental justice concerns.

6. Implementation

Site-specific actions are projects undertaken or funded by AMS through OMDG that are consistent with the categories identified in Section 1.1.3 and the Proposed Action Alternative. AMS anticipates using this PEA to guide decision-making for site-specific actions for the funding of Organic Market Development Grants in response to the Request for Applications, and future funding opportunities that are substantially similar. For any future funding opportunities considered substantially similar, AMS would review the PEA, and relevant environmental concerns, to determine whether the PEA's scope and analysis remains applicable to the program. If the program mandate or focus shifts substantially during that time a new PEA may be prepared or this PEA may be supplemented.

As site-specific actions are being considered under OMDG, this PEA will be reviewed to determine whether they are within the scope of its analysis. If additional NEPA analysis is warranted for a specific decision, it may be tiered from this PEA as appropriate. Consistent with CEQ regulations at 40 C.F.R. 1508.28, the tiered NEPA documents will incorporate by reference the applicable general discussions in this PEA and concentrate solely on the issues specific to the analysis being prepared.

Site specific environmental analysis would be prepared consistent with CEQ regulations at 40 C.F.R. 1502(c) if:

- The OMDG program is considering an action that is substantially different from the proposed action and the changes are relevant to environmental concerns; or
- There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.

6.1 Process for Screening Site-Specific Projects

A PEA cannot be used to avoid or defer the consideration of extraordinary circumstances that may arise from individual actions within the program.

Most projects eligible for the OMDG program are unlikely to affect any protected resources, and they can be assessed under the Programmatic Environmental Assessment. However, some extraordinary cases may need additional site-specific review.

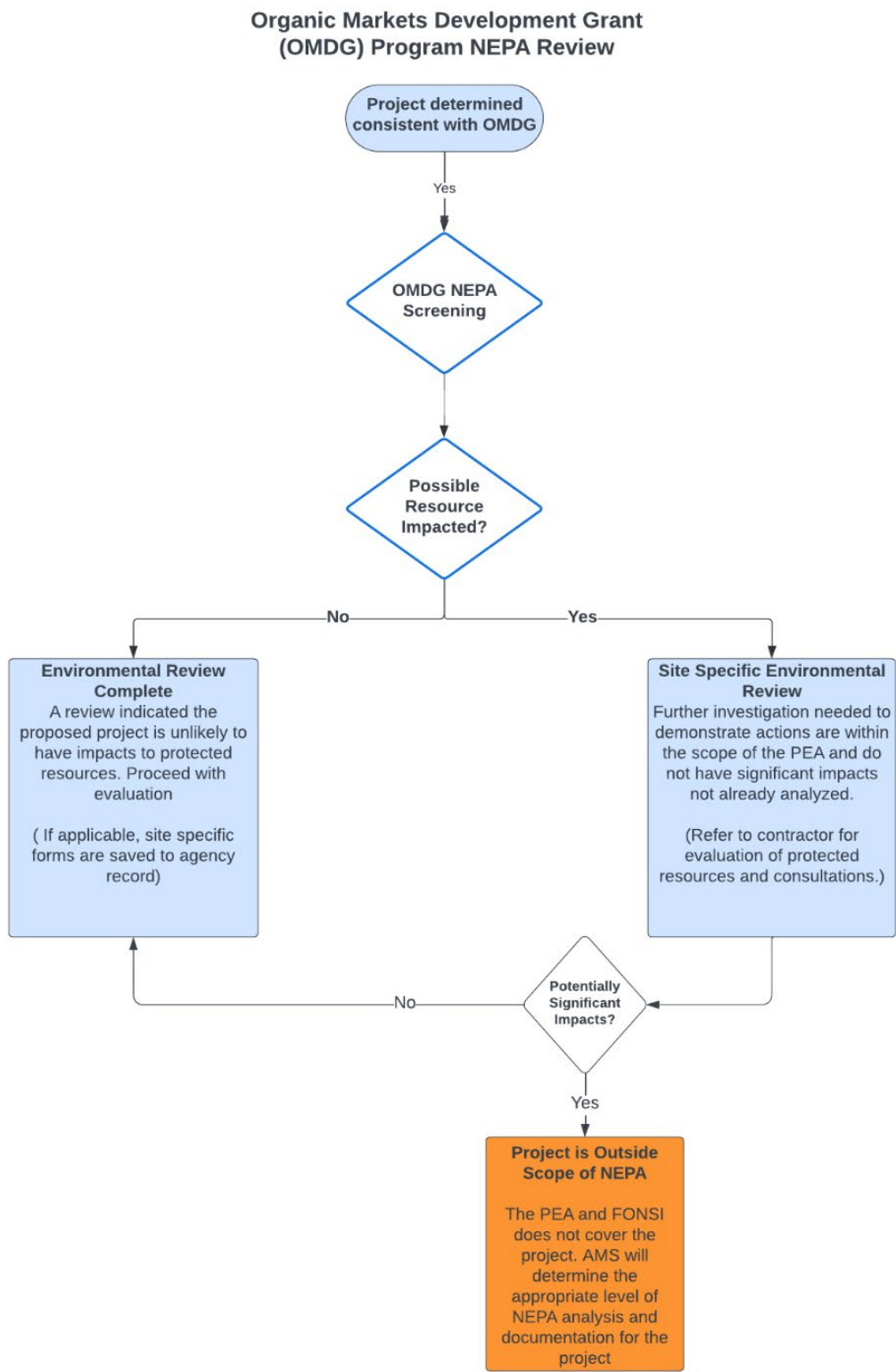
When it is found that the PEA does not fully address the scope or impacts of the proposed action, these are called extraordinary circumstances. The agency must do a site-specific environmental review that fills in the gaps of this PEA. This way, the Finding of No Significant Impact (FONSI) can be valid for the specific site.

Some examples of extraordinary circumstances are:

- Actions that have significant impacts on a resource or issue that were not analyzed in the PEA, such as endangered species, residing in structures targeted for remodeling, cultural resources discovered in previously disturbed areas, or human health concerns not considered.
- Actions that involve new technologies, methods, or locations that were not considered in the PEA.
- Actions that have cumulative effects that were not accounted for in the PEA, such as multiple projects in the same area or region over time.
- Actions that have changed substantially since the PEA was completed, such as new information, regulations, or public input.

If an extraordinary circumstance is identified, the agency should document the rationale for why the PEA does not apply and what level of NEPA analysis is required for the action. The Agency should also consult with relevant stakeholders, such as other agencies, Tribes, U.S. Fish and Wildlife Service, or the public, to ensure that the environmental impacts of the action are adequately addressed in the site-specific environmental review in accordance with Chapter 6.1.1 of this PEA.

6.1.1 NEPA Screening Flowchart



7. List of Preparers and Reviewers and Agencies Contacted

List of Preparers

Name and Title	Education and Experience
Erin Kelly, Agricultural Program Specialist, Wisconsin State Environmental Coordinator	State Environmental Coordinator with 4 years of experience completing environmental reviews with the Farm Service Agency. B.S. Environmental Science, University of Wisconsin-Oshkosh.
Rose Vath, FPAC BC, Eastern Regional Environmental Coordinator	Natural Resource Specialist with 7 years of environmental compliance experience with State of Florida and the Federal government. M.S. Oceanography, Florida State University. B.S. Environmental Science, Florida State University.

List of Reviewers

Name and Title	Education and Experience
Robyn Rose, FPAC BC, Deputy Director	Deputy Director for USDA Farm Production and Conservation Business Center Environmental Activities Division with 27 years of Federal government experience. Ph.D. Entomology.
Betsy Rakola, AMS Transportation and Marketing Program, Associate Deputy Administrator	Associate Deputy Administrator for AMS Transportation and Marketing and former Director in the AMS National Organic Program with 13 years of Federal government experience. M.S. in Agriculture, Food and Environment from Tufts University.

References

Alfoeldi, Thomas, et al. "Organic agriculture and the environment." *Organic agriculture, environment, and food security* 4 (2002).

Bellows, Barbara C., et al. "Bringing local food to local institutions: a resource guide for farm to institution programs." *National Center for Appropriate Technology*. Retrieved from: <https://attra.ncat.org/attra-pub/summaries/summary.php> (2013).

Callahan, Scott, and Daniel Hellerstein. "Access to Farmland by Beginning and Socially Disadvantaged Farmers: Issues and Opportunities." (2022).

Campbell, Catherine G., Alia N. DeLong, and John M. Diaz. "Commercial urban agriculture in Florida: a qualitative needs assessment." *Renewable Agriculture and Food Systems* 38 (2023): e4.

Canter, L. (1996). *Environmental Impact Assessment*, 2nd edition. McGraw-Hill, New York.

Clark, Sean. "Organic farming and climate change: The need for innovation." *Sustainability* 12.17 (2020): 7012.

Conner, David S., et al. "The diverse values and motivations of Vermont farm to institution supply chain actors." *Journal of Agricultural and Environmental Ethics* 27 (2014): 695-713.

Dar, Aamir Hussain, et al. "Fresh-cut products: Processing operations and equipment." *Fresh-Cut Fruits and Vegetables*. Academic Press, 2020. 77-97.

Delate, Kathleen, Ben Heller, and Jessica Shade. "Organic cotton production may alleviate the environmental impacts of intensive conventional cotton production." *Renewable Agriculture and Food Systems* 36.4 (2021): 405-412.

DeSantis, Mark K. "The federal role in historic preservation: An overview." *Congressional Research Service* (2020).

Dimitri, Carolyn, and Richard Nehring. "Thirty years of organic dairy in the United States: the influences of farms, the market and the organic regulation." *Renewable Agriculture and Food Systems* 37.6 (2022): 588-602.

Durant, Jennie L., et al. "Farm resilience during the COVID-19 pandemic: The case of California direct market farmers." *Agricultural Systems* 204 (2023): 103532.

EPA. Protecting Water Quality from Agricultural Runoff. Mar. 2005.

Farm to Institution Initiatives - USDA, www.usda.gov/sites/default/files/documents/6Farmtoinstitution.pdf. Accessed 27 Sept. 2023.

Global Eco Fiber Market Size, Share & Growth Report, 2030." *Global Eco Fiber Market Size, Share & Growth Report, 2030*, www.grandviewresearch.com/industry-analysis/eco-fiber-market. Accessed 27 Sept. 2023.

Highlights - National Agricultural Statistics Service, www.nass.usda.gov/Publications/Highlights/2014/Beginning_Farmers/Highlights_Beginning_Farmers.pdf. Accessed 27 Sept. 2023.

Hoidal, Authors: Natalie. "Small-Scale Hydroponics." *UMN Extension*, University of Minnesota Extension, 2022, extension.umn.edu/how/small-scale-hydroponics.

Holka, Małgorzata, Jolanta Kowalska, and Magdalena Jakubowska. "Reducing Carbon Footprint of Agriculture—Can Organic Farming Help to Mitigate Climate Change?" *Agriculture* 12.9 (2022): 1383.

Kaur, Gurinder, and Ronald Kander. "The Sustainability of Industrial Hemp: A Literature Review of Its Economic, Environmental, and Social Sustainability." *Sustainability* 15.8 (2023): 6457.

Khan, Nawab, et al. "Current progress and future prospects of agriculture technology: Gateway to sustainable agriculture." *Sustainability* 13.9 (2021): 4883.

McMurry, Sally. "Preserving agricultural history through Land and buildings." *Agricultural History* 90.1 (2016): 4-21.

Nations, Tribal. "Section 106 Tribal Agreements: Strengthening Government-to-Government Partnerships and Accelerating Project Delivery." (2019).

Paudel, Jayash, and Christine L. Crago. "Environmental externalities from agriculture: evidence from water quality in the United States." *American Journal of Agricultural Economics* 103.1 (2021): 185-210.

Pesch, Ryan, and Rani Bhattacharyya. "Assessing the potential northwest Minnesota farm-to-institution market: An analysis of the market potential of purchase of locally raised foods by educational and healthcare institutions in 16 Northwest Minnesota counties." (2014).

Sanders, Catherine, et al. "Exploring the needs of urban producers in a rural state: A qualitative needs assessment." *Journal of Agriculture, Food Systems, and Community Development* 11.1 (2021): 99-113.

Appendix

Appendix A- AMS-ENV-A –Environmental Pre-screening Worksheet

This form is available electronically.

AMS-ENV-A U.S. DEPARTMENT OF AGRICULTURE (01-11-2024) Agricultural Marketing Service		1. GENERAL INFORMATION 1A. Applicant Name and Application Number [Redacted]	
ENVIRONMENTAL PRE-SCREENING WORKSHEET			
1B. Grant Program ☐ Local Meat Capacity Grant ☐ Organic Market Development Grant ☐ Resilient Food Systems Infrastructure Program		1C. Brief Description of Proposed Action [Redacted]	
2. PRE-SCREENING QUESTIONS		YES	NO
A. Does the project involve any ground disturbing activities?		☐	☐
B. Does the project involve any vegetation or habitat removal?		☐	☐
C. Will the project alter the configuration of a structure greater than 50-years of age with historical significance, impact the general aesthetic of the property or visual resources (i.e., natural, or man-made features that give a particular environment its aesthetic qualities)?		☐	☐
D. Is there an adjacent river, stream, or water body?		☐	☐
E. Will there be a permanent increase in noise, odor, or traffic as a result of the project?		☐	☐
F. Will the project increase the emissions of carbon dioxide, methane, and/or nitrous oxide (increased use of internal combustion engines, manure management, etc.)?		☐	☐
IF ANY "YES" BOX IS SELECTED IN SECTION 2, A SITE-SPECIFIC ENVIRONMENTAL SCREENING WILL BE REQUIRED.			
3. ADDITIONAL COMMENTS [Redacted]			
4. PRE-SCREENING DETERMINATION Based on the results of the screening checklist above, the preparer recommends (check which applies): ☐ The proposed project fits within the scope of the FONSI and triggers no extraordinary circumstances. This screening checklist is sufficient to document the potential impacts of the project, and they are considered insignificant to the environment and/or human health. ☐ The project information reviewed may be outside the scope of the PEA and will require a site-specific environmental review. More information is required to show consistency with the PEA on the level of environmental documentation required before funding the project in conformance with NEPA.			
5. PREPARER INFORMATION AND SIGNATURE			
A. NAME OF PREPARER [Redacted]		B. TITLE OF PREPARER [Redacted]	
C. SIGNATURE OF PREPARER [Redacted]		D. DATE DOCUMENT WAS PREPARED (MM-DD-YYYY) [Redacted]	
6. RESPONSIBLE FEDERAL OFFICIAL SIGNATURE:			
A. NAME OF APPROVAL OFFICIAL [Redacted]		B. TITLE OF APPROVAL OFFICIAL [Redacted]	
C. SIGNATURE OF APPROVAL OFFICIAL [Redacted]		D. DATE OF APPROVAL SIGNATURE (MM-DD-YYYY) [Redacted]	

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2000 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9922. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Appendix B- AMS-ENV-B—Environmental Screening Worksheet

This form is available electronically.

AMS-ENV-B U.S. DEPARTMENT OF AGRICULTURE (12-13-2023) Agricultural Marketing Service		1. GENERAL INFORMATION 1A. Producer or Applicant Name and Application Number	
ENVIRONMENTAL SCREENING WORKSHEET			
1B. Location of Proposed Action (<i>Farm, Tract, GPS location, etc.</i>)		1C. Description of Proposed Action (<i>approximate acreage, connected actions, etc.</i>)	
2. ENVIRONMENTAL LAW AND POLICY REVIEW			
	A. Is the resource located within the area of potential effect?		B. Does the proposed action have the potential to impact the resource?
	YES	NO	YES NO
T&E Species or Critical Habitat	☐	☐	☐ ☐
Migratory Birds	☐	☐	☐ ☐
Cultural or Historic Resources	☐	☐	☐ ☐
			C. EFFECT DETERMINATION
			Choose an item.
			Choose an item.
			Choose an item.
			C. EXPECTED IMPACT
Coastal Barrier Resources	☐	☐	☐ ☐
Coastal Zone	☐	☐	☐ ☐
Wilderness Areas	☐	☐	☐ ☐
Wild and Scenic River	☐	☐	☐ ☐
Nationwide River Inventory	☐	☐	☐ ☐
National Natural Landmarks	☐	☐	☐ ☐
Sole Source Aquifer	☐	☐	☐ ☐
Floodplains	☐	☐	☐ ☐
Wetlands	☐	☐	☐ ☐
Highly Erodible Land	☐	☐	☐ ☐
303(d) Listed Waterway	☐	☐	☐ ☐
Prime & Unique Farmlands	☐	☒	☐ ☐
Environmental Justice Communities	☐	☒	☐ ☐
			No Impact
			No Impact
3. CONSULTATIONS AND COORDINATION For any resource where 2B was answered "YES", select and attach the appropriate documentation below.			
☐ SHPO Section 106 Consultation*	☐	☐ Floodplain Development Permit	☐ USACE Jurisdictional Determination
☐ THPO Section 106 Consultation*	☐	☐ FEMA Letter of Map Change	☐ USACE Section 404 Permit
☐ Tribal Consultation*	☐	☐ Stormwater Pollution Prevention Plan Permit (Construction)	☐ Determination of Section 404 Exemption
☐ USFWS Official Species Report	☐	☐ National Pollutant Discharge Elimination System Permit (Operating)	☐ Other Agency Coordination
☐ USFWS Section 7 Consultation*	☐	☐ Coastal Zone Consistency Review	☐ Outreach to Affected Parties
☐ NMFS Section 7 Consultation*	☐	☐ State Agency Section 401 Certification	☐ Other State or Local Permitting
* These consultation or coordination efforts must be completed by the Responsible Federal Official.			
4. ADDITIONAL COMMENTS			
5. PREPARER INFORMATION AND SIGNATURE			
A. NAME OF PREPARER		B. TITLE OF PREPARER	
C. SIGNATURE OF PREPARER		D. DATE DOCUMENT WAS PREPARED (MM-DD-YYYY)	

THE FOLLOWING INFORMATION IS TO BE APPROVED BY THE RESPONSIBLE FEDERAL OFFICIAL OR DESIGNEE.		
6. EXTRAORDINARY CIRCUMSTANCES REVIEW		
A. Is the proposed action expected to cause significant effects on public health or safety?	☐	☐
B. Is the proposed action expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, listed species, wetlands, wild and scenic rivers, or ecologically critical areas?	☐	☐
C. Are the effects of the proposed action on the quality of the human environment likely to be highly controversial?	☐	☐
D. Does the proposed action have highly uncertain effects or involve unique or unknown risks on the human environment?	☐	☐
E. Does the proposed action establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration?	☐	☐
F. Is the proposed action known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time?	☐	☐
G. Is the proposed action likely to have a significant adverse effect on ANY of the resources analyzed in the Environmental Law and Policy Review?	☐	☐
H. Will the proposed action threaten a violation of Federal, State, or local law or requirements for the protection of the environment?	☐	☐
7. NEPA COMPLIANCE FINDING I have reviewed and considered the types and degrees of adverse environmental impacts identified by this evaluation. I have also analyzed the proposed action for its consistency with the National Environmental Policy Act and have considered the potential benefits of the proposal. Based upon this consideration and balancing of these factors, I recommend one of the following:		
☐	This proposed action has been sufficiently analyzed in an existing Programmatic Environmental Assessment with a Finding of No Significant Impact (FONSI) and there are no predicted significant adverse environmental effects or extraordinary circumstances. This document is being tiered from:	
	☐ Programmatic Environmental Assessment for Local Meat Capacity Grant (FONSI) ☐ Programmatic Environmental Assessment for Organic Market Development Grant (FONSI) ☐ Programmatic Environmental Assessment for Resilient Food Systems Infrastructure Program (FONSI)	
☐	This proposed action includes activities that do not fit within the Scope of the Programmatic Environmental Assessment or has the potential to significantly impact a protected resource. A Site-Specific Environmental Assessment or an Environmental Impact Statement should be completed to provide further and more complete analysis of any adverse impacts and approval of the action must be delayed pending the outcome of the analysis.	
8. RESPONSIBLE FEDERAL OFFICIAL SIGNATURE:		
A. NAME OF APPROVAL OFFICIAL		B. TITLE OF APPROVAL OFFICIAL
C. SIGNATURE OF APPROVAL OFFICIAL		D. DATE OF APPROVAL SIGNATURE (MM-DD-YYYY)

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442, or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Appendix C- AMS Request for Applications

OMB No. is 0503-0028



Organic Market Development Grants

Fiscal Year 2023 Request for Applications

Funding Opportunity Number: USDA-AMS-TM-OMDG-G-23-0019

Publication Date: May 10, 2023

Application Due Date: 11:59 PM Eastern Time on August 8, 2023

2nd MODIFICATION: The cost sharing and match language was updated to reflect match calculations from the total project cost. Language was changed on pages 2 and 15.

Effective: Date 7/11/2023

1st MODIFICATION: This Request for Application (RFA) is an updated version. The application deadline has been extended an additional 30 days. Application deadline dates were changed in pages 1,2,4 and 25.

Effective: Date 5/18/2023

Appendix D- OMDG Federal Register Notice of Availability



80687

Notices

Federal Register

Vol. 88, No. 222

Monday, November 20, 2023

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-LP-23-0056]

Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intent to request approval from the Office of Management and Budget (OMB), for an extension of and revision to the currently approved information collection used in support of Audit Verification Programs.

DATES: Comments must be submitted on or before January 19, 2024 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit comments concerning this notice by using the electronic process available at <https://www.regulations.gov>. Written comments may also be submitted to Quality Assessment Division; Livestock and Poultry Program; Agricultural Marketing Service, USDA; 1400 Independence Avenue SW, Stop 0258; Washington, DC 20250-0258. All comments should reference the docket number AMS-LP-23-0056, the date of submission, and the page number of this issue of the *Federal Register*. All comments received will be posted without change, including any personal information provided and will be made available for public inspection at <https://www.regulations.gov> and the above physical address during regular business hours.

FOR FURTHER INFORMATION CONTACT: Jeff Waite, Branch Chief, Quality

Assessment Division; Phone: (202) 309-1096; or Email Jeff.Waite@usda.gov.

SUPPLEMENTARY INFORMATION:

Title: List of U.S. Manufacturers of Specific CVM-Regulated Products with Interest in Exporting Covered Products to China.

OMB Number: 0581-0339.

Expiration Date of Approval: March 31, 2024.

Type of Request: Extension of a currently approved information collection.

Abstract: The Agricultural Marketing Act of 1946 (AMA) (7 U.S.C. 1621-1627) as amended directs and authorizes the U.S. Department of Agriculture (USDA) to provide inspection, certification, and verification services of the quality and condition of agricultural products which facilitate the marketing of agricultural products. To provide programs and services, section 203(h) of the AMA (7 U.S.C. 1622(h)) directs and authorizes the Secretary of Agriculture to inspect, certify, and verify agricultural products under such rules and regulations as the Secretary may prescribe, including assessment and collection of fees for the cost of service. The regulation in 7 CFR 62—AMS Audit Verification and Accreditation Programs is a collection of voluntary, audit-based, user-fee funded verification programs that allow applicants to have program documentation and program processes assessed by AMS auditor(s) and other USDA officials.

Because this is a voluntary program, respondents request or apply for the specific service they wish, and in doing so, they provide information. The information collected is used only by authorized representatives of USDA (AMS, Livestock and Poultry Program's QAD auditing staff) and is used to conduct services requested by respondents. Information collected includes but is not limited to facility name, address, and identifier, and product.

The information collection requirements in this request are essential to carry out the intent of the AMA, to provide the respondents the type of service they request, and to administer the program.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 0.083 hours per response.

Respondents: Manufacturing/processing facilities.

Estimated Number of Respondents: 85.

Estimated Number of Responses per Respondent: 3.

Estimated Total Annual Responses: 255.

Estimated Total Annual Burden on Respondents: 21.2 hours.

Comments are invited on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of AMS, including whether the information will have practical utility; (2) the accuracy of AMS' estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record, including any personal information provided.

Melissa Bailey,
Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2023-25562 Filed 11-17-23; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-TM-23-0076]

Notice of Availability of the Programmatic Environmental Assessment for AMS Organic Market Development Grant Program

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of availability; request for public comments.

SUMMARY: The Agricultural Marketing Service (AMS) announces that the Draft Programmatic Environmental Assessment (PEA) for the Organic Market Development Grant Program (OMDG) is available for public review and comments.