§ 799.5 FSA officials and offices responsible for carrying out NEPA.

(a) Responsible officials. The Administrator of FSA, or his or her designee, is the responsible Federal official for carrying out the purpose of NEPA for all FSA programs. County committees, State committees, and Directors of Washington Divisions, within their respective areas of responsibility with the assistance of the FSA representative on the USDA Environmental Quality Committee, shall assist the Administrator in complying with the policies and purposes of NEPA generally, and, in particular, in determining whether the quality of the human environment will be significantly affected in implementing agency programs and preparing the necessary environmental documents.

(b) Offices responsible for carrying out NEPA—(1) Washington divisions. Washington divisions are responsible for carrying out NEPA with regard to legislative proposals and multi-State and national programs or major revisions of national programs.

(2) State committees. State committees are responsible for carrying out NEPA with regard to major actions in a State or area within a State.

(3) County committees. County committees are responsible for carrying out NEPA with regard to major actions within a county.

(c) All environmental assessments, environmental impact statements (EISs) and similar documents will be forwarded through the appropriate agency channels to the FSA representative on the USDA Environmental Quality Committee for review and submission to the Administrator.

§ 799.6 Adoption of regulations issued by others in implementing the procedural provisions of NEPA.

In addition to provisions provided for in this part 799, FSA adopts the NEPA regulations issued by CEQ (40 CFR parts 1500 through 1508) and NEPA regulations issued by USDA (7 CFR part 3100).

§ 799.7 Early involvement in private and state and local activities requiring Federal approval.

(a) The NEPA regulations at 40 CFR 1501.2(d) require agencies to provide for early involvement in actions which, while planned by private applicants or other non-Federal entities, require some form of Federal involvement.

(b) To implement the requirements of 40 CFR 1501.2(d) with respect to these actions FSA shall:

(1) Prepare, where practicable, generic guidelines describing the scope and level of environmental information required from applicants seeking assistance from FSA as a basis for evaluating their proposed actions, and make these guidelines available upon request.

(2) Provide such guidance on a project-by-project basis to applicants seeking assistance from FSA.

(3) Upon receipt of an application for agency approval, or notification that an application will be filed, consult as required with other appropriate parties to initiate and coordinate the necessary environmental analyses.

(c) The responsibilities under this section shall be coordinated by the Conservation and Environmental Protection Division of the Farm Service Agency, Washington, D.C.

(d) To facilitate compliance with paragraph (a) of this section, private applicants seeking assistance from FSA and other non-Federal entities are expected to:

(1) Contact FSA as early as possible in the planning process for guidance on the scope and level of environmental

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information required to be submitted in support of their application;

(2) Conduct any studies which are
deemed necessary and appropriate by
FSA to determine the impact of the
proposed action on the human environ-
ment;

(3) Consult with appropriate Federal,
regional, State and local agencies and
other potentially interested parties
during preliminary planning stages to
ensure that all environmental factors
are identified;

(4) Submit applications for all Fed-
eral, regional, State and local approv-
als as early as possible in the planning
process;

(5) Notify FSA as early as possible of
all other Federal, regional, State, local
and Indian tribe actions required for
project completion so that FSA may
coordinate all Federal environmental
reviews; and

(6) Notify FSA of all known parties
potentially affected by or interested in
the proposed action.

§ 799.8 Making supplements to EISs
part of the final administrative
record.

Where FSA evaluates a proposal on
the basis of a formal administrative
record and an EIS on the proposal has
been prepared, any supplement to the
EIS shall be made a part of the formal
record before a final decision on the
proposal is made.

§ 799.9 Ensuring that environmental
factors are considered in agency de-
cisionmaking.

(a) The NEPA regulations at 40 CFR
1501.1 contain requirements to ensure
adequate consideration of environ-
mental factors in decisionmaking. To
fulfill these requirements, FSA offici-
als shall:

(1) Consider all relevant environ-
mental factors in evaluating proposals
for agency action;

(2) Make all relevant environmental
documents, comments and responses
part of the record in formal rule-
making or adjudicatory proceedings.

(3) Ensure that all relevant environ-
mental documents, comments and re-
sponses accompany the proposal
through existing review processes;

(4) Consider only those alternatives
encompassed by the range of alter-
natives discussed in the relevant envi-
ronmental documents when evaluating
proposals for agency action.

(5) Where an EIS has been prepared,
consider the specific alternatives ana-
alyzed in the EIS when evaluating the
proposal which is the subject of the
EIS.

(b) The four categories of FSA activi-
ties that have or are likely to have sig-
nificant environment impacts on the
human environment are:

(1) Legislative proposals.

(2) Initial program implementation.

(3) Major changes in ongoing pro-
grams.

(4) Major environmental concerns
with ongoing programs.

(c) Initial NEPA involvement in pro-
gram categories in paragraph (b) of
this section shall begin at the time
FSA begins developing proposed legis-
lation, begins the planning stage for
implementing a new or changed pro-
gram or receives notice that an ongo-
ing program may have a significant ad-
verse impact on the quality of the
human environment. Where a legisla-
tive EIS or environmental assessment
is part of the formal transmittal of a
legislative program proposal to Con-
gress, such legislative EIS or assess-
ment may negate the need for the sub-
sequent preparation of a program im-
 pact statement when FSA implements
the resulting program. The decision
whether such additional statement is
needed will be made by an inter-
disciplinary team. The NEPA process
on legislative proposals and FSA pro-
grams is carried out at the national
level.

(d) Individual farm participation in
FSA programs will normally not re-
quire any major involvement with the
NEPA process. The practices carried
out under FSA programs that might
have impacts on the quality of the
human environment will normally
have been discussed in environmental
assessments or impact statements on
the applicable programs. However, for
those practices that might signifi-
cantly affect the quality of the human
environment, the county committee