

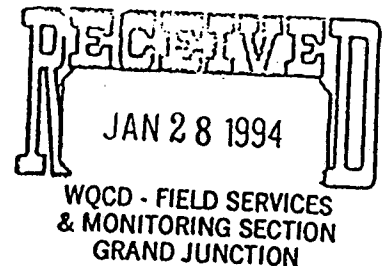
UNITED STATES
DEPARTMENT OF
AGRICULTURE

SOIL
CONSERVATION
SERVICE

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January 26, 1994

Dwain P. Watson
West Slope District Technician
Water Quality Control Division
Colorado Department of Health
222 S. 6th Street, Rm 232
Grand Junction, CO 81501-2768



RE: Valley Vista Interceptor, Mesa County

Dear Mr. Watson:

This is in response to your letter of January 21, 1994.

Last week, a representative of the Environmental Protection Agency and I discussed the status of the sewer line project as it relates to the Farmland Protection Policy Act (FPPA).

A question to be addressed is whether Federal funds are to be used for the sewer line project. If they are, then it appears that the guidelines as set forth in the FPPA were not followed. If Federal funds are not involved, then compliance with the provisions of the FPPA is a moot point.


Briefly, the purpose of the FPPA is to "minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to non-agricultural uses". If the guidelines of the Act are followed, the applicable Federal agency would make a request to the Soil Conservation Service for determination of whether the site is farmland subject to the FPPA. The SCS completes a determination. If applicable, an evaluation of the site and the effects on important farmland is prepared.

It is not the intent of the FPPA to affect the rights and responsibilities of State and local governments for regulating the uses of land under their jurisdiction.

As you and I discussed, it is my personal opinion that construction of the sewer line in itself does not adversely affect important farmlands. There has been some concern raised in regard to the potential future conversion of farmland to non-agricultural uses. This, however, is not directly related to the sewer line, but remains under the control of the appropriate local land use planning officials.

Let me know if you have any questions concerning the Farmland Protection Policy Act or need additional information.

Sincerely,


Emery C. Johnson,
District Conservationist

cc: Mesa County Commissioners
Dave Doty, AC