Memorandum

To: Rhode Island Department of Transportation
Two Capitol Hill
Providence, RI 02903

Date: March 15, 2019

Project #: 72900.00

From: Peter Pavao

Re: Reconstruction of the Pell Bridge Approaches Environmental Assessment- Farmlands

1. Introduction

The Claiborne Pell Newport Bridge (Pell Bridge) carries State Route 138 between Jamestown and Newport and is the only road connection between Jamestown and Aquidneck Island. The Pell Bridge Interchange Project (Project) would provide a direct connection from the northern part of the City to the downtown area, reduce queued vehicle traffic onto the Pell Bridge, reduce traffic in downtown Newport, and provide a portion of the bicycle and pedestrian facilities envisioned in the Aquidneck Island Transportation Study. The Project would be built in the City of Newport and Town of Middletown, Rhode Island. In accordance with the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) is being developed to evaluate the impacts of construction and operation of the re-designed interchange on environmental resources. This technical memorandum describes the presence of and the Project's potential impact to lands subject to the Farmland Protection Policy Act (FPPA).

2. Study Area and Methodology

Study Area

The Study Area for inventorying lands subject to the FPPA and assessing the Project's potential impact to such lands was defined as the Project's limits of disturbance (LOD). This encompasses lands around the Pell Bridge ramp and approaches in the City of Newport, along with associated roadways including Admiral Kalbfus Road, J.T. Connell Highway, and Halsey Street, as well as the Newport Secondary Rail Line.

Resource Definition

As defined by the FPPA, farmlands include prime farmland, unique farmland, and farmlands of statewide or local importance. Prime farmlands have the best physical and chemical make-up appropriate to produce food, feed, fiber, forage, oilseed, and other agricultural crops with minimum input requirements for fuel, fertilizer, pesticides, and labor. Unique farmlands are lands other than prime farmlands that are used to produce specific high-value crops. The Secretary of Agriculture, who heads the United States Department of Agriculture (USDA), is responsible for designating prime and unique farmlands. Farmlands of statewide or local importance, which are determined by appropriate state or local government agencies with approval from the Secretary of Agriculture, are lands other than prime and unique farmlands that are conducive to agricultural production. In Rhode Island, all soils meeting the characteristics of prime farmland are also considered to be farmlands of statewide importance.[1]

[1] NRCS Rhode Island. (2013). *RI Soil Survey – Prime and Important Farmland – November 2013*. Retrieved 9 October 2018, from https://www.nrcs.usda.gov/wps/portal/nrcs/detail/ri/soils/?cid=nrcs144p2_016661

Methodology

To identify the presence of prime and important farmland within the Study Area, data were obtained from the Web Soil Survey, a database of soils and soil characteristics that is maintained by the Natural Resources Conservation Service (NRCS).[2] This information was cross-referenced with current aerial imagery and the *City of Newport Comprehensive Land Use Plan*[3] to understand existing and future development patterns within the Study Area.

3. Applicable Regulations and Criteria

Federal actions are subject to FPPA requirements if they have the potential to irreversibly convert (directly or indirectly) prime farmland, unique farmland, or land of statewide or local importance to non-farm use. The Secretary of Agriculture, along with the Rhode Island Department of Administration's Division of Planning, has identified lands in Rhode Island that meet the requirements for such classifications. There are several exemptions under the FPPA, which include lands already in or committed to urban development or water storage. Farmlands are considered to be already in development if they are located within "urbanized areas" identified by the U.S. Census Bureau.[4]

Any Federally-funded or -assisted project that includes lands subject to the FPPA is required to consult with the local office of the NRCS or USDA Service Center, and submit Form AD-1066 to support a land evaluation and site assessment (LESA). This assessment, performed by NRCS, establishes a farmland conversion impact rating score that should inform a project's alternatives development.[5]

4. Impact Assessment

Baseline Conditions

The Study Area includes mapped prime farmland and farmland of statewide importance. Approximately 3 acres of Pittstown silt loam, 3 to 8 percent slopes, which is rated as prime farmland, is within the Project's LOD. These soils are located between the RK Newport Towne Center and Newport Mini Storage Center along JT Connell Highway and the Festival Field Apartments and Bridgeview Condominiums along Girard Avenue. This area is currently undeveloped, but

[2] NRCS. (2018). Web Soil Survey. Retrieved 9 October 2018, from https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx
[3] City of Newport. (2017). *Comprehensive Land Use Plan*. Retrieved 9 October 2018, from http://www.cityofnewport.com/departments/planning-development/comprehensive-land-use-plan
[4] NRCS. (1984). *Part 658-Farmland Protection Policy Act*. Retrieved 9 October 2018, from https://www.gpo.gov/fdsys/pkg/CFR 2010 title7 vol6/pdf/CFR-2010-title7-vol6-part658.pdf
[5] NRCS. (2018). *Farmland Protection Policy Act*. Retrieved 9 October 2018, from https://www.nrcs.usda.gov/wps/portal/nrcs/detail/?cid=nrcs143_008275

is envisioned for future mixed use, innovation development according to the *City of Newport Comprehensive Land Use Plan*.[6]

Newport silt loam, 3 to 8 percent slopes, is another prime farmland found within the Study Area. Less than 1 acre of this soil type exists within the Project's LOD, located within the transportation right-of-way along Admiral Kalbfus Road just past its intersection with Malbone Road.

Stissing silt loam, which is rated as a farmland of statewide importance, comprises approximately 2 acres of the Study Area. This soil type is north of Dyers Gate Road behind residential properties that abut 3rd Street and within properties owned by an electric utility (Narragansett Electric Company d/b/a National Grid). The Newport Secondary Rail Line, which runs in a north-south direction, intersects this area. Stissing silt loam is also found inside the Pell Bridge Route 138-Admiral Kalbfus Road off-ramp. Both locations are within a larger area that the City of Newport has identified for future mixed use, innovative development.[7]

Effects Analysis

Proposed Action

Although prime farmlands and lands of statewide importance are present within the Study Area, the Project is not expected to result in an adverse impact to these resources relative to the FPPA. These lands are already in or committed to urban development and are within the Providence, RI – MA Urbanized Area defined by the U.S. Census Bureau. Accordingly, they are exempted from the FPPA and not subject to the provisions therein.[8]

The Project is not expected to result in the beneficial use of the prime and important farmlands within the Study Area with regard to agricultural production, commercial or otherwise. The reconfiguration of the Pell Bridge ramp and approaches would facilitate new development opportunities; however, any development that indirectly results from the Project is expected to conform to the City of Newport's vision for these lands, which includes mixed-use, innovative development that focuses on "the development of incubator/accelerator type businesses."[9]

No Action Alternative

Under the No Action Alternative, the Project would not be constructed. Extant prime farmlands and farmlands of statewide importance within the Study Area would likely continue to exist as under current conditions; development of these lands is unlikely, given that they are constrained by existing transportation right-of-way and existing land uses. If

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[6] City of Newport. (2017). *Comprehensive Land Use Plan*. Retrieved 9 October 2018, from http://www.cityofnewport.com/departments/planning-development/comprehensive-land-use-plan
[7] City of Newport. (2017). *Comprehensive Land Use Plan*. Retrieved 9 October 2018, from http://www.cityofnewport.com/departments/planning-development/comprehensive-land-use-plan
[8] NRCS. (1984). *Part 658-Farmland Protection Policy Act*. Retrieved 9 October 2018, from https://www.gpo.gov/fdsys/pkg/CFR 2010 title7 vol6/pdf/CFR-2010-title7-vol6-part658.pdf
[9] City of Newport. (2017). *Comprehensive Land Use Plan*. Retrieved 9 October 2018, from http://www.cityofnewport.com/departments/planning-development/comprehensive-land-use-plan

these lands were to be disturbed for new development, such development would be expected to conform to the City's planning and zoning, and is not likely to include commercial agricultural operations.

5. Cumulative Impacts

Because the Study Area is within an urbanized area identified by the U.S. Census Bureau, and because associated lands are not subject to the provisions of the FPPA, no cumulative impacts to farmlands are anticipated from the Project.

6. Mitigation

Because no adverse impacts are anticipated, no mitigation is required.

7. Regulatory Coordination and Required Permits

The prime and important farmlands present within the Study Area are already in or committed to urban development, and the Study Area in whole is within an urbanized area identified by the U.S. Census Bureau. Accordingly, these lands are exempt from the provisions of the FPPA and coordination with NRCS is not required.

8. Summary of Impacts

The Project has no potential for adverse impacts to lands subject to the FPPA. Although there are prime and important farmlands present within the Study Area, they are exempt from the FPPA. These lands are already in or committed to urban development, and the Study Area in whole is within an urbanized area identified by the U.S. Census Bureau. Future land use in these areas, as envisioned by the City of Newport, precludes agricultural production.