

## **Attachment 3F(1)**

### **Explanatory Note for Natural Resources & Conservation Service (NRCS) Report November 2, 2009**

NRCS has three programs funded through the American Recovery and Reinvestment Act of 2009: Watershed Rehabilitation, Floodplain Easements and Watershed Operations. NRCS has two treasury symbols for program funding because Floodplain Easements and Watershed Operations share the same treasury symbol (Treasury Symbol: 12-1073) under the Title of Watershed and Flood Prevention Operations.

#### **Watershed Rehabilitation**

As noted in previous reports, one of the 27 original approved watershed rehabilitation projects was withdrawn from the program because after field verification, it was determined that the dam was a low hazard dam and the hazards were not actually in the breach zone. Because the dam is a low hazard dam, it is not eligible for Watershed Rehabilitation funding. There are now 26 approved projects under our Watershed Rehabilitation Program.

Of those 26 approved projects, 22 have completed environmental documentation:

- 14 projects have Environmental Assessments (EA) completed,
- 7 projects are covered under a State-wide Programmatic Environmental Impact Statement (PEIS), which is used after a documented review using the Agency's environmental evaluation process, and
- 1 project (MA-Su-As-CO MA 301) has been categorically excluded (previously reported as a pending EA).

The completion dates reported for the 14 EAs is the date the Finding of No Significant Impact was issued. The completion date for the Programmatic EIS is the signature date of the Record of Decision.

There are 4 Watershed Rehabilitation projects (4 EAs) that are still pending completion of environmental documentation. All of these projects are waiting on obtaining permits or concluding consultations for other applicable environmental laws. The completion dates will be entered in future ARRA reports.

#### **Watershed and Flood Prevention Operations**

Currently, there are 362 projects under the Watershed and Flood Prevention Operations appropriation funding. This is further broken down into floodplain easement and watershed operation. There are 256 projects for floodplain easement restoration actions and 106 projects for watershed operation. These numbers are different than those reported in the second report. Details about misreporting, withdrawals, and additions are noted below.

### ***Watershed Operations***

Watershed operations previously incorrectly reported 88 NEPA actions associated with 88 projects. There were several EAs that were associated with multiple projects. These are noted on page 2 of the spreadsheet. There were 8 projects withdrawn because the sponsor did not want to move forward with the projects. Currently there are a total of 106 projects for watershed operations. When projects have been combined into one NEPA action, this has been noted on page 2 of the spreadsheet.

Of these 106 projects, 105 have completed environmental documentation.

- 3 projects were covered under 3 CEs,
- 73 projects were covered under 50EAs, and
- 29 projects were covered under 23 EISs.

There is currently one EA that is pending due to other environmental documentation including a CWA 404 permit. This EA was originally reported in the second report and is a carryover project.

### ***Floodplain Easement***

In the second report, the floodplain easement restoration actions were incorrectly reported as 289 separate EIS projects rather than 289 projects tiered to a PEIS. Since the last reporting period, 67 projects were withdrawn due to the landowner declining to participate and 34 new projects have been approved. Currently there are 256 projects listed under floodplain easement restoration.

Since the last report, the agency promulgated new categorical exclusions which NRCS is now using for 208 of the current 256 floodplain projects.

Of those 256 projects, 217 have completed environmental documentation:

- 171 projects covered by individual Categorical Exclusions,
- 31 projects covered under a Programmatic Environmental Impact Statement (PEIS), and
- 15 projects are covered under two EAs.

There are 39 floodplain easement projects (KY, ME, OH, OR, and NV) that are listed as pending completion (37 CEs; 2 EAs). All 39 pending projects are waiting on obtaining permits or concluding consultations for other applicable environmental laws. The completion dates will be entered in future ARRA reports.

### **Errors in the Second Report:**

Errors in the previous report resulted in over reporting the number of EAs and EISs. The report should have shown a total of 68 EAs and 12 EISs, rather than 86 EAs and 317 EISs. The incorrect data entries are listed below:

***Watershed Rehabilitation***

- Previously reported 26 projects, 20 with EAs and 6 EISs. This should have been reported as 26 projects with 19 EAs and 1 EIS that provided the NEPA environmental review for 7 projects.

***Floodplain Easements:***

- Previously 289 individual EISs were reported. This should have been one EIS for 289 projects.

***Watershed Operations:***

- There were several projects that reported an EIS or EA for each project, but in actuality some of these projects were combined with one another as one EA or EIS. These include Missouri-East Yellow Creek, New York-NYC Watersheds, Oklahoma-Turkey Creek, Texas-Trinity Chambers Creek, Texas-Richland Creek, and Texas-Little Elm. The project descriptions associated with these EAs and EISs have been changed to identify the number of projects associated with them.
- In the previous report, only one project for Lower Birch Creek was reported as having an EA completed. After additional field verification, there are actually three Lower Birch Creek projects which have had individual EAs prepared for them and a Finding of No Significant Impact has been issued. .
- The OK watershed operation projects reported 14 separate EAs prepared in the June report. After additional tracking it was discovered there were actually 17 OK watershed operation projects that were covered under one Statewide Programmatic EA.

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