# Part 501 – Development of Watershed Project Plans

## Subpart D – Watershed Project Plan Content and Format

### 501.30 Project Plan Content

A. The watershed project plan-EIS, Plan-EA, or Plan-EE documents the decisions made by the SLO and NRCS for providing the technical and financial assistance. The environmental document (Plan-EA or Plan-EIS) evaluates and assesses all reasonable alternatives and their impacts. The watershed project plan and the environmental documentation will be combined into a single document, titled the "Watershed Project Plan-EIS," "Watershed Project Plan-EA," or "Watershed Project Plan-EE." The combined document will be referred to in this manual as the "watershed project plan."

B. Watershed project plans involving an EA or EIS must, in a consistent qualitative or quantitative method document all of the following:

(1) Quantify social, cultural, economic, and environmental conditions
(2) Describe all alternative solutions considered
(3) Describe and assess the environmental impacts of all alternatives in comparative form
(4) Describe the extent to which each alternative achieves the stated purpose and need
(5) Set forth the arrangements and responsibilities for financing, installation, and operation and maintenance

### 501.31 Plan Format Outline

A. This subpart sets forth format and content required for watershed project plans, watershed agreements, watershed project plan environmental impact statements (Plan-EIS), and watershed project plan environmental assessments (Plan-EA). This policy specifies information needed to comply with the National Environmental Policy Act (NEPA) and treats all alternatives (including no-action and the preferred plan) in substantially similar detail. Modifications for plans whose actions are covered by categorical exclusions are noted in the table.

B. Figure 501-D1 provides the format outline that must be followed in all watershed project plans. Items shown in bold are meant to be major headings within the plan document. All content listed under the major headings must be addressed in the plan. Narrative explanation for each of the major headings follows the outline. Examples can be found in the exhibits in Title 390, National Watershed Program Manual (NWPM), Part 506 and Title 390, National Watershed Program Handbook (NWPH), Part 606.

**Figure 501-D1: Format for Watershed Project Plan-EA/Plan-EIS**

**Cover** [Content Requirements Defined at 40 CFR Part 1502.11]

**Abstract (Fly Sheet)**

**Watershed Agreement** [excluded from draft for external distribution]. See Title 390, NWPM, Part 506, Subpart C, Sections 506.30 and 506.31.

**Table of Contents**

**Summary (OMB Fact Sheet)**

**Purpose and Need for Action**

**Scope of the EA/EIS** [for projects covered by categorical exclusions (CEs) entitle section "Scope of the Plan"]

**Affected Environment**

**Alternatives**

Formulation process, including section addressing alternatives considered but eliminated from detailed study

Description of all reasonable alternatives including all of the following (and a discussion of mitigation measures as appropriate):

(1) No-action alternative

(2) Agency preferred alternative

(3) Other reasonable alternatives, including those not within NRCS authority

(4) NED alternative or most cost-effective alternative

Summary and Comparison of Alternative Plans Table

(5) NED account

(6) Relevant issues and concerns identified through scoping, including direct, indirect, and cumulative actions and impacts

**Environmental Consequences** [for projects covered by categorical exclusions (CEs) replace section with EE/CPA-52]

Effects of each alternative (include context and intensity) on the relevant issues and concerns identified through scoping:

(1) Direct, indirect, and cumulative impacts and an assessment of the significance of the impacts (beneficial and adverse)

(2) Compliance with Federal, State, and local laws (including any permit requirements)

(3) Possible conflicts with land use plans, regional water resource management plans, policies, and controls for the area

(4) Risk and uncertainty

(5) The relationship between short-term use and long-term productivity

(6) Adverse effects that cannot be avoided

(7) Precedent for future actions with significant impacts

(8) Controversy

(9) Irreversible or irretrievable commitments of resources

(10) Energy and natural or depletable resource requirements (conservation potential of various alternatives and mitigation measures)

(11) Urban quality, the design of the built environment

**Consultation, Coordination, and Public Participation**

**The Preferred Alternative**

(1) Rationale for alternative preference

(2) Measures to be installed

(3) Mitigation

(4) Permits and compliance

(5) Costs and cost sharing

(6) Installation and financing

(7) Operation, maintenance, and replacement

(8) Economic Tables

(9) Structural Tables

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(4) Appendix D — Investigation and Analysis Report

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## 501.32 Abstract (Fly Sheet)

The abstract or fly sheet page may not exceed one page and must include the following: document status (draft Plan-EA or DEIS; or final Plan-EA; or FEIS, draft or final supplement), title of proposed action, location (State, county), lead and cooperating agencies, authority, abstract (one paragraph), due date for comments, contact information, and nondiscrimination statement (see exhibit "Fly Sheet containing an Abstract—Example" in 390-NWPH, Part 606, Subpart B, Section 606.16).

## 501.33 Summary (OMB Fact Sheet)

The "Summary (Office of Management and Budget Fact Sheet)" section of the watershed project plan is a brief version of the plan. Do not include anything that is not described in the body of the plan. The summary must be written to stand on its own if circulated without the rest of the document and must include the following: title of proposed action, location (State, county), congressional district, sponsors, authority, purpose and need for action, description of the preferred alternative, resource information, alternative plans considered, project costs by purpose and funding source, project benefits, net economic benefits, period of analysis, project life, environmental impacts, major conclusions, areas of controversy and issues to be resolved (see exhibit "Summary (Office of Management and Budget Fact Sheet)" in 390-NWPH, Part 606, Subpart B, Section 606.17).

## 501.34 Purpose and Need for Action

The "Purpose and Need for Action" section of the watershed plan explains the underlying problems and opportunities and the goals to be achieved by NRCS and the SLO. This section begins with a clear and concise summary statement of the purpose and need for the proposed action. A discussion will then follow providing sufficient information to adequately demonstrate the underlying need and purpose for the proposed action.

## 501.35 Scope of the EA/EIS

A. The "Scope of the EA/EIS" section includes results documented in accordance with P&G and 40 CFR Section 1501.7. The Council on Environmental Quality (CEQ) defines scope as the range of actions, alternatives, and impacts to be considered in an EIS (40 CFR Section 1508.25). Scoping is used to identify the significant issues to be analyzed in detail and to eliminate from detailed study the issues that are not significant (40 CFR Section 1501.7). In defining the scope of issues to be addressed in the Plan-EA or Plan-EIS, detail and attention must be focused on connected and cumulative actions associated with the proposed action. For projects with actions entirely covered by categorical exclusions, this section will be entitled "Scope of the Plan" and document concerns associated with, and the issues to be addressed in the proposed plan.

B. The issues relevant in defining the problems and formulating and evaluating alternative solutions are to be identified. The scoping section must include a record of the issues considered. For issues not relevant to the action, the scoping section must address why those

issues are not further evaluated. When a resource concern is found to be not relevant, and sufficient rationale is provided, the concern can be eliminated from further consideration. Documentation, such as letters of concurrence from regulatory agencies or citations of published technical papers, must be maintained as part of the administrative record and included in the appendix of the plan. (See exhibit "Resource Concerns for Scoping" in 390-NWPH, Part 606, Subpart B, Section 606.18, and "Summary of Scoping—Example" in section 606.19)

## 501.36 Affected Environment

The "Affected Environment" section describes the current physical, biological, ecological, economic, and social environment for the watershed and other areas of project impact. This provides the context for determining the effects of alternatives. Some conditions will be constant throughout the evaluated life of the project, while others will be subject to change because of social, economic, and political influences. The information must be adequate to forecast the conditions expected to exist in the future with and without the project.

## 501.37 Alternatives

### A. General

The "Alternatives" section describes the rationale of plan formulation from the development and comparison of alternatives to the identification of the preferred alternative. The P&G and NEPA require all reasonable alternatives to be developed and analyzed

### B. Formulation Process

The formulation process is the basis for selecting combinations of measures to include as alternatives. In the formulation of alternative plans, include only increments that provide combined beneficial effects outweighing combined adverse effects.

### C. Alternatives Eliminated From Detailed Study

Any alternative that does not meet the stated purpose and need for action does not need to considered in detail. Alternatives that meet the need for action but do not achieve the purposes may be eliminated from detailed study. "[F]or alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 CFR Section 1502.14(a)). Alternatives that may appear reasonable but clearly become unreasonable because of cost, logistics, existing technology, or environmental reasons must be included in this section and the reasons for elimination discussed.

### D. Alternatives Description

(1) The alternatives to be studied must be described and compared in substantial and equal detail. Each alternative plan, including any mitigation, must be clearly described regarding its components, their functions, and costs. The future-without-project (FWOP) conditions or no-action alternative is required in all plans. Reasonable alternatives outside the jurisdiction of NRCS must also be developed.

(2) Where applicable, a description of the hazard potential of each alternative must be included, such as an explanation of the rationale for dam classification and the risk of dam failure from overtopping or from other causes is to be addressed and evaluated.

Any damages and flood hazards expected after the project is installed must be described.

**E. Summary and Comparison of Alternative Plans Table**

In addition to the comparison made in the text, alternatives will also be displayed in the "Summary and Comparison of Alternative Plans" table in order to help the reader discern the relative merits and disadvantages of competing alternatives (see exhibit "Summary and Comparison of Alternative Plans" in 390-NWPH, Part 606, Subpart B, Section 606.21). The FWOP or no-action alternative must be included to allow a complete comparison. The alternative plans must be summarized in comparative form, in substantially equal detail. The table must include major items used in the decisionmaking process. Those concerns determined to be relevant from the "Summary of Scoping—Example" (see exhibit in 390-NWPH, Part 606, Subpart B, Section 606.19) must be included. Significant differences between the alternative plans must be shown and discussed in the text of this section. Estimated installation costs, operation and maintenance costs, cost sharing, and the NED account information must also be included in this section of the text.

## 501.38 Environmental Consequences

A. The intent of the "Environmental Consequences section is to provide the analytical basis for the comparisons of effects presented in the alternatives (for projects covered by categorical exclusions this section will be replaced with the EE/CPA-52). This section must describe the economic, environmental, and social effects of each alternative.

(1) Discuss the significance of all effects and disclose the measures to reduce or eliminate adverse impacts in the Plan-EA or Plan-EIS. The results of the scoping process must be used to determine which factors should be addressed and in how much detail (40 CFR Section 1501.7). The type and kind of information depend on the location, type, scope, and complexity of the planned action. All alternatives including the FWOP alternative must be treated and discussed in substantially equal detail.

(2) The description of impacts (context and intensity) must be by resource or environmental concern. All relevant concerns must be addressed. All direct, indirect (connected actions), and cumulative effects are to be addressed for each alternative in this section. Guidance on cumulative effects analysis is available at the following Web site: http://www.nepa.gov/nepa/ccenepa/ccenepa.htm.

B. Information identifying any approved regional plans for water resource management in the study area (40 CFR Section 1506.2(d)) and a statement as to whether the proposed project is consistent with such plans (7 CFR Section 650.11(b)(3)(iii)) must also be discussed in this section.

## 501.39 Consultation, Coordination, and Public Participation

In this section, the opportunities provided for public participation throughout the process are documented, from the initial request for NRCS assistance to preparation of the final plan. The section also summarizes the consultation and coordination with other agencies.

(1) The section must include the date, type, and purpose of the activity, as well as the names of participating organizations and the public.

(2) Special note must be made of the required consultation with the State Historic Preservation Officer and nation-to-nation consultation with appropriate federally recognized Tribal governments regarding cultural resources and sacred and cultural sites and with Tribal governments regarding other resource and economic concerns, and coordination with the Fish and Wildlife Service and the National Marine Fisheries Service regarding endangered and threatened species.
(3) Coordination and discussion on the permitting process with the U.S. Army Corps of Engineers must be included as well.

## 501.40 The Preferred Alternative

A. In this section, the preferred alternative is described along with the rationale for the preference. If the National Economic Development (NED) plan is selected, the rationale must be provided to support that the primary objective of maximizing net economic benefits is being achieved. Key factors that influenced the decision on the preferred alternative must be described. If the NED plan is not selected, the status of the exception to the NED plan requirement must be documented.

B. This section describes the measures to be installed including the mitigation features, permits and compliance requirements, costs, installation sequence and responsibilities, and financing of the project. Operation, maintenance, and replacement responsibilities are described.

C. Economic and structural tables must be included for the preferred alternative. Economic tables must include information relevant to the costs and benefits of the project plan. Structural tables must include information relevant to the design of the measure. The economic and structural tables (tables 1-6) are found in the exhibits in 390-NWPM, Part 506, Subpart B.

## 501.41 References

This section provides the sources of the information contained in the document. If supporting data are incorporated by reference, then the material being referenced must be briefly summarized for the reader to understand the context of the material being incorporated. This section also includes information on how the reader can arrange to obtain and review the material being referenced. Material based on proprietary data that are not available for review may not be incorporated by reference (40 CFR Section 1502.21).

## 501.42 List of Preparers

The list of preparers includes the key NRCS State, area, and field office personnel who were directly responsible for significant input in preparing the watershed project plan. Consultants, individuals, and personnel from other agencies are included if they made significant input. The list must include the person's name, current title, education, experience, employer, and other pertinent qualifications, publications, and professional licenses (see exhibit "List of Preparers—Example" in 390-NWPH, Part 606, Subpart B, Section 606.22).

## 501.43 Distribution List

This is a listing of the agencies, organizations, and persons to whom the watershed project plan-EA or Plan-EIS is sent.

## 501.44 Index

This section lists key words, phrases, or subheadings along with appropriate page numbers. Examples of entries include alternatives, archeological resources, installation costs, land treatment, mitigation, NED plan, operation, maintenance, replacement, plan elements, sedimentation, and water quality. If other agencies or organizations are mentioned in the document, they must be included in the index.

## 501.45 Appendices

**A. Appendix A, "Comments and Responses"**

This appendix contains the letters and oral comments received on the draft and final plan, as well as responses to all comments in both the draft and final plans. However, on the draft plan, the following must be added: "To be included in final environmental impact statement or assessment."

**B. Appendix B, "Project Map"**

A color project map must be prepared to show the location of important project measures and the location and extent of important watershed conditions that will be affected by the works of improvement to be installed. The map must show the location and kind of measures, watershed areas above structures that have floodwater retarding capacity, and benefited areas.

**C. Appendix C, "Support Maps" (as appropriate)**

This appendix contains support maps for the watershed project plan. It includes urban floodplain maps that minimally display the 100-year and 500-year frequency flood limits and depth, breach impact areas, recreation development maps and other informational maps.

**D. Appendix D, "Investigations and Analyses Report"**

The purpose of the investigations and analyses report is to present information that supports the formulation, evaluation, and conclusions of the watershed plan. The report is required for all plans and must be included as an appendix. The report is organized under appropriate headings, such as project formulation, cost allocation, engineering, biology, hydrology, geology, land use, water quality, economics, or cultural resources. The procedures, techniques, assumptions, and the scope and intensity of the investigations for each subject must be described in sufficient detail so that a reader not familiar with the watershed or its problems can form an opinion on the adequacy of the plan. This report supplements information contained in the plan; it does not replace or duplicate such information.

**E. Appendix E, "Other Supporting Information"**

This section, rather than the body of the document, is used if tabular or other supporting data are needed to make a point. If material incorporated by reference needs further explanation, this section can expand on the discussion provided in the main body of the plan's text.