

Part 502 – Reviews and Approvals

Subpart D – Fund Authorization

502.30 Approval Authorities for Watershed Project Plans

Watershed project plans are complete when approved by the State Conservationist (STC), ensuring technical and policy adherence, and then reviewed for programmatic compliance. The completed final watershed project plan environmental assessment (Plan-EA) or environmental impact statement (Plan-EIS) is then sent with a letter requesting fund authorization to the Chief. Funding is authorized by the Chief after a plan has been approved. In some cases, the plan must be approved by the appropriate committees of Congress before the Chief may authorize funding. Plans that do not require congressional committee approval are referred to as administratively approved plans. Figure 502-D1 summarizes approval authorities for new watershed project plans.

Figure 502-D1: Watershed Project Plan Approval Authorities

Public Law 83-566 Construction Cost	Total Capacity of Any Single Structure	Approval Required
Less than \$5 million	Less than 2,500 acre feet	Plan approval – State Conservationist Funding authorization – Chief
\$5 million or more	More than 2,500 acre feet and Less than 4,000 acre feet	Plan approval – State Conservationist Funding authorization – Chief, subject to prior approval by the Senate Committee on Agriculture, Nutrition, and Forestry, and the House of Representatives Committee on Agriculture
Any amount	More than 4,000 acre feet	Plan approval – State Conservationist Funding authorization – Chief, subject to prior approval by the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives

502.31 Plans That May Be Approved Administratively

A. The STC must request funding authorization from the Chief by submitting a signed original of the watershed project plan and a letter requesting funding authorization of the watershed project plan. The letter will include the names and addresses of the Senators and Representative of the watershed project area, the congressional district number, and hydrologic unit number.

B. All of the following must be provided to the program manager:

- (1) Four hardcopies (with the Office of Management and Budget (OMB) fact sheets) of the final watershed project plan.
 - (2) Finding of no significant impact (EA and FONSI) or record of decision (EIS and ROD).
 - (3) An electronic copy of the watershed project plan.
 - (4) National Water Management Center (NWMC) (peer review) comments and disposition of each comment.
- C. The STC must also submit one copy of the approved plan, including disposition of peer review comments, to the NWMC director.
- D. The national program manager of the Watershed Surveys and Planning Program will conduct the final programmatic review and prepare a letter for the NRCS Chief's signature for plan authorization. Plan authorization by the Chief for each watershed project plan is required before any funds may be utilized for implementation.

502.32 Plans That Require Congressional Approval

A. State NRCS Responsibilities

- (1) The STC must submit a manually signed original of the watershed project plan-EA or Plan-EIS to the Chief of NRCS with a transmittal letter requesting funding authorization. The letter must include the names and addresses of the Senators and Representative of the watershed project area, congressional district number, and hydrologic unit number. The letter must include any approved requests for exception to the NED plan (see Title 390, National Watershed Program Manual (NWPM), Part 502, Subpart A, Sections 502.0 and 502.1) and supporting documentation.
- (2) The STC must also send four hardcopies of the final plan and the NWMC review comments and the disposition of those comments to the program manager. The STC must be prepared to submit up to 30 additional hardcopies (with the OMB fact sheet) upon request from the Conservation Engineering Division (CED), for the use of the congressional committees. The STC must also provide one copy of the plan to the director of the National Water Management Center.
- (3) After the STC receives notification from the Chief of project approval by congressional committees, the STC must notify the State agency having supervisory responsibility over programs provided for by Public Law 83-566 or to the Governor if there is no State agency having such responsibility. Notifications must also be provided, as appropriate, to area (or regional) and field offices of the Forest Service, the Farm Services Agency (FSA), and appropriate local offices of Federal and State agencies.

B. National Headquarters Responsibilities

- (1) The national program manager of the Watershed Surveys and Planning (WSP) Program will conduct the final programmatic review of the watershed project plan.
- (2) The WSP Program manager will prepare correspondence to transmit the plan from the Chief to the Secretary of Agriculture and subsequently to OMB.
- (3) After concurrence by OMB, the WSP Program manager will prepare correspondence to transmit the plan and fact sheet from the Chief to the appropriate Senate and House congressional committees.
- (4) After project approval by congressional committees, the Chief will provide notification to the following: applicable Senators and Representatives (with copies of the plan), STCs, Regional Conservationists, OMB, the Secretary of the Interior, the

U.S. Army Corps of Engineers, EPA, the Office of the General Counsel, the Forest Service, USDA Rural Development, the Farm Service Agency, and NRCS Business Services Division.

- (5) If Congress does not approve the watershed project plan, the Chief will inform the STC of the reasons and what needs to be done to make the document acceptable.

502.33 Notification of Public Law 83-566 Funding Authorization

A. National Headquarters Responsibilities

The WSP national program manager will conduct a final programmatic review and prepare the letter for the NRCS Chief's signature. The Chief will provide a letter to the STC authorizing the watershed project for Public Law 83-566 funding, with copies to the Office of Management and Budget, Office of the General Counsel, the Forest Service, the Farm Services Agency, USDA Rural Development, and NRCS Business Services Division. The Chief will notify congressional delegations of watershed project authorization with a copy to the STC.

B. State NRCS Responsibilities

Upon receiving funding authorization from the Chief, the STC will notify the sponsoring local organization; the State agency having supervisory responsibility over programs provided for by Public Law 83-566 or the Governor if there is no State agency having such responsibility; and regional, area and local offices of appropriate Federal and State agencies. If the STC determines that it is appropriate, a press release may be issued.

502.34 Approval of Public Law 78-534 Projects

Review and approval for these plans will be carried out in the same manner as for administratively approved Public Law 83-566 watershed projects except when financial or credit assistance for purposes other than flood damage reduction is proposed. In such cases, the Chief will transmit one copy of the plan to the Office of Management and Budget and the STC will not sign the plan until authorized to do so by the Chief.