

Part 601 – Development of Watershed Project Plans

Subpart C – Plan Procedures

601.20 Preliminary Investigation

- A. A preliminary investigation is conducted based on a written request from a supporting local organization (SLO). The investigation should use an interdisciplinary team to conduct an environmental evaluation (EE). The investigation will determine if the proposed project meets the program criteria found in Title 390, National Watershed Program Manual (NWPM), Part 500, Subpart A, Sections 500.3 and 500.4. All locally identified rural development needs of the communities in the watershed should be considered.
- B. A feasibility report is a summary of the results of planning done to date. The report should include the extent and magnitude of problems, goals, alternatives for solving the identified problems, the estimated cost, and any effects of proposed alternatives. An example “Feasibility Report Outline” is provided in Title 390, National Watershed Program Handbook (NWPB), Part 606, Subpart B, Section 606.11 (this handbook).
- C. The feasibility report should have enough detailed information for the potential sponsor to understand the merits of the project. Any unresolved conflicts should be resolved in the watershed project plan development phase, and the report should show that this is possible.

601.21 Plan of Work

- A. A plan of work (POW) should be prepared to guide and assist in the management of the planning process and environmental analysis. The POW should follow the nine steps of planning used in the Title 180, National Planning Procedures Handbook (NPPH), Part 600. An example POW format is provided in section 390-NWPH, Part 606, Subpart B, Section 606.13 (this handbook); edit and use only the sections needed.
- B. The POW should show the tasks to be performed in each planning step, the estimated time required for each task, the technical procedure associated with each task, the product of each task, the responsible person for each task, and the planned completion date.
- C. Selection of technical procedures should be based on existing rules, regulations, and guidelines; the nature of the watershed problems and project objectives; and the complexity of potential solutions; and their ability to detect and quantify change. Procedures should be compatible from one discipline to another and should be similar in scope and detail.
- D. Project sponsors and cooperating agencies should be included in the development of the POW and should expect to be assigned and complete tasks. A signature page should be included to officially commit the resources of other staffs, sponsors, and cooperating agencies.

601.22 NEPA Documentation

- A. NEPA documentation may vary depending on the nature and extent of the proposed action. Aside from the requirements found in 7 CFR Sections 650.6 to 650.8 and 390-NWPM, Part 501, Subpart C, Section 501.22, that specify conditions when a particular document is required, several options exist. The required content for each of the various NEPA documents when combined with a plan may be found in the 390-NWPM, Part 501,

Subpart D. When a categorical exclusion applies to the entire project, the “Environmental Consequences” section of the watershed plan will be replaced by the EE documenting the applicability of the categorical exclusion or exclusions. Additional information regarding NEPA documentation is available in Title 190, National Environmental Compliance Handbook (NECH), Part 610, Subpart C, Sections 610.51 to 610.55. The options are as follows:

- (1) Categorical Exclusion (CE).—If the proposed action is listed as an NRCS or USDA categorical exclusion, and there are no extraordinary circumstances (such as historic properties or threatened and endangered species) that would prevent the action from being eligible, then documentation that the CE is being invoked (along with the review and documentation for extraordinary circumstances (EE/CPA-52)), satisfies the NEPA requirement. A list of CEs may be found in 7 CFR Part 650.
- (2) Environmental Assessment (EA).—If the impacts of the proposed action are not anticipated to be significant, then an EA is prepared to verify that assumption. An EA is a brief document (10 to 15 pages) that evaluates the impacts of a proposed action in order to provide sufficient evidence to determine if the action will or will not result in significant impacts. If no significant impacts are identified a finding of no significant impact (FONSI) is prepared. If the EA identifies significant impacts, an EIS and ROD must be prepared. Additional guidance for EA content may be found in section 610.51 of the NECH. Additional guidance for a FONSI is in 390-NWPH, Part 602, Subpart C, Section 602.23A (of this handbook). An example of a FONSI and a notice of intent (NOI) for a FONSI are found in 390-NWPH, Part 606, Subpart C, Section 606.35 and 606.36 (this handbook).
- (3) Environmental Impact Statement (EIS).—An EIS is a detailed statement that fully analyzes the impacts of a proposed action. If an EIS is required by the criteria found in 7 CFR Sections 650.6 to 650.8 and 390-NWPM, Part 501, Subpart C, Section 501.22, or if the impacts of the proposed action are anticipated to be significant, the RFO issues a NOI to prepare an EIS. The NOI is used to request the assistance of agencies, groups, and persons to determine the scope of evaluations to be conducted. It must be published in the Federal Register early enough to allow for meaningful participation in the process. When describing the proposed action and alternatives, enough detail should be provided to give a clear picture of what types of treatment measures are being considered and where they would be located within the project area. The scoping activities noted in the public participation plan should be described in detail including dates, times and places. The name and address of the NRCS contact should also be included. The EIS process concludes with the issuance of a record of decision (ROD). A NOI to prepare and notice of availability (NOA) are required to be published in the Federal Register when an EIS and ROD are prepared. Additional information on EIS content requirements may be found in sections 610.54 and 610.55 of the NECH. Additional guidance for RODs may be found in section 602.23B of this handbook. An example of a NOI is found in section 606.14 of this handbook.

B. In addition to NEPA requirements, documentation of compliance with other laws, regulations, policies, and Executive orders (such as Endangered Species Act (ESA) biological assessments and biological opinions) should be maintained as a part of the administrative record. The results from these analyses are included in the plan/environmental document, and the additional documents will normally be referenced or cited.

C. Environmental documents older than 5 years are generally considered obsolete. These analyses should be reviewed to determine whether the analysis is still sufficient or if it is in

need of supplementation. Supplements should contain analyses based on new information or changed circumstances that, when combined with the original analysis, provide sufficient evaluation. The procedures for supplements follow the same procedures as new analyses.

601.23 Notice of Intent

The NOI to prepare an EIS is used to request the assistance of agencies, groups, and persons to determine the scope of evaluations to be conducted. It must be published in the Federal Register early enough to allow for meaningful participation in the process. When describing the proposed action and alternatives, enough detail should be provided to give a clear picture of what types of treatment measures are being considered and where they would be located within the project area. The scoping activities noted in the public participation plan should be described in some detail including dates, times and places. An example of a “Notice of Intent to Prepare an EIS” is found in 390-NWPH, Part 606, Subpart B, Section 606.14 (this handbook).

601.24 Public Participation

A. Public Information Participation

- (1) A public participation plan should be developed after an application for assistance has been received and the STC decides to provide the assistance. The plan includes an outline of the planning or decisionmaking process and identifies stages when the public is to be invited to participate. Public participation may include meetings, workshops, tours, or open houses. It also includes notations of public hearings required by others. Implementation of the public participation plan (incorporate guidance to meet requirements of Title 400, General Manual (GM), Part 400) should be documented and will become a part of the required reviewable record.
- (2) Public Meetings.—Discuss required time frames, such as time for notice of public meeting, etc.
- (3) Before project action decisions are made, public and interagency review of the planning documents should be solicited through direct mailings to all parties expected to have an interest in the proposed action, including owners or occupants of nearby or affected properties.

B. Scoping

- (1) A preliminary public scoping meeting should be used to identify natural resource concerns of the communities in the watershed, and ensure problems, opportunities, measures, plans, or effects are considered so that efficient analysis and choice among alternative plans can be made.
- (2) Scoping is a systematic approach used to obtain the input of watershed stakeholders and focus on the most relevant issues. It is to be used early and throughout planning. A scoping plan or outline should be prepared with the SLO to effectively engage public input. This will ensure that all significant decisionmaking factors are addressed and that unnecessary and extraneous studies are not undertaken.
- (3) The goals of scoping should include the following:
 - (i) Identify public and agency concerns
 - (ii) Clearly define environmental issues
 - (iii) Identify alternatives to be examined
 - (iv) Identify related issues that originate from separate legislation, regulation or Executive order

- (v) Identify State, Tribal government, and local agency requirements that must be addressed
- (4) All soil, water, air, plant, animal, and human (SWAPA+H) resources should be discussed during scoping. The context and intensity of the related concerns should be identified to the extent possible during this process. During initial scoping meetings the resource concerns presented in 390-NWPH, Part 606, Subpart B, Section 606.18 (this handbook), should be considered.
- (5) Two methods of scoping that are commonly used are the “Nominal Group Technique” and the “Paired Ranking Analysis Technique.” The result should be prioritized lists. The public and Federal, State, and local agencies having expertise in areas that may be affected should be involved in the scoping process. Coordination with agencies and groups, and other public participation, should be documented in the reviewable record as a part of the administrative record. The reviewable record is generally organized by subject (for example, soils, geology, engineering, public participation, etc.). Scoping is an iterative process, which continues throughout the entire planning process.
- (6) The scope and intensity of plan development studies should be sufficiently detailed to provide reliable estimates for the plan. Investigations should be detailed enough for firm determination of location, feasibility, and the general features of project measures. Structural measures in the proposed action should be analyzed in enough detail to develop real property work maps. When a plan includes a number of grade stabilization structures or land treatment measures of similar size and nominal cost, separate site locations and feasibility studies may not be feasible.
- (7) Public meetings or hearings are held at the discretion of the STC after consultation with the SLO. Several formats may be used for meetings. These include but are not limited to workshops, tours, and open houses.
- (8) Notices of public meetings or hearings should be submitted to State and areawide clearinghouses if they exist; submitted to Indian Tribes; published in local papers; distributed through other media; provided to potentially interested community organizations including small business associations; published in newsletters; mailed directly to owners and occupants of nearby or affected property; and posted onsite and offsite in the area where the action is to be located. Meeting notices should be published in the legal notice section of local papers in addition to other sections.
- (9) Information packets should be prepared for distribution for all public meetings. Consider whether one or several meetings will be necessary and whether different groups should be targeted at different meetings. The public hearing procedures of all appropriate State and Federal agencies should be identified.
- (10) The public should be kept informed of the results of the scoping process. The results should also be documented in the administrative record.

601.25 Pre-NEPA Plans

A. Either an EA and a FONSI or an EIS and a ROD, as appropriate, will be prepared for works of improvement for pre-NEPA projects. The environment document must stand on its own and should be prepared in sufficient detail to clearly describe the alternatives; direct, indirect, and cumulative effects; and public participation activities. Supplements may be combined or kept separate from the environmental document and handled according to procedures outlined in 390-NWPH, Part 603, of this handbook.

B. If a modified pre-NEPA plan results in a revised watershed project plan (390-NWPM, Part 503), the EA or EIS and revised plan will be one document. The revised Plan-EA or EIS replaces the original pre-NEPA plan.

601.26 Status

If a plan is a supplement or revision to an existing plan, it should be identified appropriately in the title and should be numbered in sequence. Working copies developed during the planning process for internal use and informal review by others should be appropriately labeled. Examples of proper status labeling may be found in 390-NWPH, Part 606, Subpart B, Sections 606.15 and 606.16.