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Part 500 – Watershed Program Management

500.10 NRCS Responsibilities

A. NRCS State Responsibilities

(ii) Watershed Program Information Assistance

NRCS will provide information to interested parties on the potential for and type of assistance available through the Watershed Program. After NRCS receives a request for planning assistance for a potential watershed project, NRCS will prepare the preliminary investigation feasibility report to determine the feasibility of the potential project and its eligibility for the Watershed Program.

500.20 Request for NRCS Planning Assistance

A. Preapplication Requirements

- (1) The SLO must request Watershed Program planning assistance for a potential watershed project in writing. After NRCS receives a request for planning assistance for a potential watershed project, NRCS will prepare the preliminary investigation feasibility report to determine the feasibility of the potential project and its eligibility for the Watershed Program. The preliminary investigation feasibility report is a brief report using existing data (refer to National Bulletin 390-21-4 PDM - Watershed and Flood Prevention Operations Program Funding Guidance - Preliminary Investigation Feasibility Reports and Remedial Projects).
- (2) If a preliminary investigation feasibility report is undertaken, the STC must notify in writing the Governors concerned, the U.S. Fish and Wildlife Service, the National Oceanic Atmospheric Administration National Marine Fisheries Service, the U.S. Army Corps of Engineers, and all other Federal agencies concerned with a decision to initiate any survey or field investigation involving water resources development work and furnish them with appropriate information regarding the scope, nature, status, and results of such survey or investigation (Executive Order 10584 Section 3).
- (3) Initial consultation with Indian Tribes (to include Alaska Natives) and Native Hawaiian Organizations that may be impacted by the potential watershed project will occur during the development of the preliminary investigation feasibility report. (NHPA- 36 CFR 800 and Executive Order 13175).

B. Sponsoring Local Organization Request For Planning Assistance

It is the responsibility of the SLO to request NRCS planning assistance and authorization to develop either a watershed project plan under Public Law 83-566 or a subwatershed plan under Public Law 78-534, including an environmental assessment (EA) or an environmental impact statement (EIS). An application for assistance will consist of the following items:

- (i) An STC approved preliminary investigation feasibility report
- (ii) Letter of Request for Planning Assistance

C. Deleted

500.21 Planning Authorization

C. Requests for a planning authorization will include all of the following items:

- (1) A copy of the STC approved preliminary investigation feasibility report and a plan of work
- (2) The designated State agency's current priority rating for the watershed application
- (3) An estimate of the cost of plan development for NRCS, contracted expertise outside of NRCS, or both

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- (4) A list of the SLOs, the name and address of the current chair, and the name of the person designated as the contact for all the SLOs
- (5) Statements by the SLO confirming its understanding of the commitments it has made, a self-evaluation of the depth and likely commitment of support for the project being planned, its authority and willingness to obtain real property rights, and its willingness to use the power of eminent domain

500.22 Amendments to an Application

A. Amendments

- (1) The STC must have prior approval of the Chief to amend a planning authorization in order to add or change a purpose. Requests for approval will include a revised preliminary investigation feasibility report that clearly identifies watershed problems, proposed alternatives, and the revised plan of work. There will also be an explanation of why the original proposal should be changed.

Part 501 – Development of Watershed Project Plans

501.20 Preliminary Investigation Feasibility Report

- A. A preliminary investigation feasibility report will be developed when inquiries are received concerning a potential watershed project. The preliminary investigation feasibility report is a brief study, using existing data and field information. The purpose of the investigation is to provide reasonable assurance that a feasible plan can be developed that addresses one or more Public Law 83-566 purposes and that there are no apparent insurmountable obstacles.
- B. The preliminary investigation feasibility report will contain the following sections:
 - a. Summary – The summary should be no more than two (2) pages and briefly introduce the project effort and generally summarize the contents of the full report.
 - b. Applicable Agency Authority and Authorized Purposes – This section provides documentation that the project is eligible for federal assistance and will meet statutory requirements.
 - c. Potential for 20% Agricultural (Rural) Benefits – This section will document that there are potential agricultural or rural benefits associated with the potential projects purpose(s). It should also be documented if there are no discernable agricultural (rural) benefits.
 - d. Project Overview –
 - i. Proposed Project Name
 - ii. State
 - iii. County/Parish
 - iv. Congressional District
 - v. USGS Hydrologic Unit Code (HUC) and Watershed Name
 - vi. General Coordinates of the Watershed
 - vii. Project Setting
 - viii. Potential Project Area - Size
 - e. Resource Information – Narrative description of all Soils, Water, Air, Plants, Animals, Energy and Human resources in the proposed project area. NRCS identified Resources of Special Concern will also be described narratively. The NRCS CPA-52 can be used as the basis for the information in this section.
 - f. Proposed Project Purpose and Need Statement
 - g. Resource Concerns and Opportunities – This section describes the resource concerns that may potentially be impacted by implementation of the proposed project.
 - h. Opportunities – Each resource concern that may be addressed through the potential project should include a discussion regarding the opportunities associated with the PL-566 purposes.
 - i. State, Tribal, Federal Stakeholder Engagement – Identify potential state, tribal and federal stakeholders who might have an interest in the potential project and document what decisions are made regarding engagement and meetings.

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- j. Potential Alternatives – At a minimum the estimated positive and adverse impacts and effects for four alternatives will be presented:
 - i. No Action/Future Without Project
 - ii. Structural (combination Structural/Non-Structural)
 - iii. Non-Structural
 - iv. Pie in the Sky, if money was no object, all rules, regulations and permitting were approved (may be an action outside of NRCS program authority)
 - k. Facilitating Factors – This section identifies factors that would facilitate the successful planning and implementation of the potential project.
 - l. Obstructing Factors – This section identifies factors that would make it more difficult to plan and implement the potential project.
 - m. Environmental Document – The section should identify what type of watershed project plan environmental document will be developed for the potential project.
 - n. Sponsors – This section will summarize the roles the sponsor(s) will take in the potential project.
 - o. Potential Cooperating Agencies – This section will summarize those federal entities that may participate in the project as a cooperating agency.
 - p. Potential Stakeholders – Identify and describe the role, resources and contributions of each potential stakeholder who might be involved with the project.
 - q. Notifications – Identify the communications made to the Governor and other entities per Executive Order 10584 Section 3.
 - r. Estimated Project Implementation Timeline – Provide an estimate of the overall project implementation timeline covering the planning, design and construction phases.
 - s. Recommendation – The recommendation section documents if the potential project will or will not meet the statutory requirements of the Watershed Program and that the potential project does not contain any apparent insurmountable obstacles. This section also documents NRCS's technical and programmatic concurrence with the findings of the preliminary investigation feasibility report as well as the STC's final decision to recommend or not recommend the potential project for planning funding.
- C. Deleted