

## Finding of No Significant Impact for the Easement Administration Action on an Agricultural Conservation Easement Program-Wetland Reserve Easement (ACEP-WRE), 666114040087F/66-6114-4-4732, Howard County, Iowa

### I. AGENCY ROLE AND RESPONSIBILITY – United State Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS)

In accordance with the NRCS regulations (7 Code of Federal Regulations Part 650) implementing the National Environmental Policy Act (NEPA), NRCS has completed an environmental assessment (EA) of the following proposed action:

To allow for replacement of the 25th Street over Upper Iowa Bridge (Bridge C-9) in unincorporated north-central Howard County, Iowa (Project L-(C-9)--73-45). The bridge replacement would require 0.52 acres of new permanent right-of-way and 0.25 acres of temporary construction right-of-way on a parcel of land currently enrolled in a NRCS ACEP-WRE conservation easement. In exchange, the County proposes to restore two oxbows located 400 to 900 feet north and northwest of the roadway corridor within the boundary of the conservation easement. Approximately 1.52 acres would be involved with the mitigation effort.

### II. ALTERNATIVES CONSIDERED IN THE EA

Two alternatives were analyzed in the EA and are characterized as follows. A third alternative was proposed, but not carried forward for analysis, due to substantial risks to public safety posed by shifting the road/bridge alignment south of the current location.

Alternative 1 (No Action) – Under this alternative, the 25th Street over Upper Iowa River Bridge would be left as is. Because parts of the bridge are nearly 140 years old, it would require a continual cycle of repairs. Leaving the bridge in place, with yearly repairs, does not impact the effected environment, including the NRCS conservation easement. Not replacing the bridge with a newer, safer structure could result in further load restrictions, risk to public safety, and potential closure should conditions deteriorate further. If closed, agricultural operators and area residences would have a 5-mile detour, resulting in increased operation costs, inconveniences, and longer emergency response times. The No Action Alternative would not meet the stated need for the project.

Alternative 2 (Preferred Alternative) - Subordination of a portion of the existing ACEP-WRE easement, allowing Howard County to replace the 25th Street over Upper Iowa Bridge (Bridge C-9). The bridge replacement would require 0.52 acres of new permanent right-of-way and 0.25 acres of temporary construction right-of-way on a parcel of land currently enrolled in a NRCS ACEP-WRE conservation easement. In exchange, the County proposes to restore two oxbows located 400 to 900 feet north and northwest of the roadway corridor within the boundary of the conservation easement. Approximately 1.52 acres would be involved with the mitigation effort.

### III. PURPOSE AND NEED FOR ACTION

The purpose of the proposed action is to provide for long-term health and safety of rural residents of Howard County by addressing transportation hazards, while also maintaining or improving the ecological function at the project site and compensating for construction impacts with enhancement of easement acres of equal or greater economic and conservation value.

The proposed action meets the public health and safety need through replacement of the bridge that is currently beyond its useful life. This need is based upon the status of 25<sup>th</sup> Street as a minor collector, providing a direct route to US Hwy 63 in the Farm-to-Market system of rural Howard County.

### IV. NRCS DECISION

Based on the evaluation in the EA, I have chosen to select Alternative 2 as the Agency Preferred Alternative. I have taken into consideration all the potential impacts of the proposed action and balanced those impacts with considerations of the Agency's purpose and need for action. Potential impacts to soil, water, air, plants, wildlife, and human resources were heavily considered in the decision. The agency's preferred alternative (Alternative 2) would result in long-term beneficial impacts to environmental resources.

### V. FINDING OF NO SIGNIFICANT IMPACT

To determine the significance of the action analyzed in the Amendment, NRCS is required by NEPA, 40 CFR 1508.27 and NRCS regulations at 7 CFR Part 650 to consider the context and intensity of the proposed action. Based on the review of NEPA criteria for significant effects and the analysis in the amendment, I have determined that the action be selected, Alternative 2 (Agency Preferred Alternative), would not have a significant effect upon the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) on the final action is not required under Section 102(2)(c) of NEPA, CEQ implementing regulations (40 CFR Part 1500-1508, 1508.13), or NRCS environmental review procedures (7 CFR Part 650). This Finding is based on the following factors from CEQ's implementing regulations at 40 CFR Section 1508.27 and from NRCS regulations at 7 CFR Part 650:

- 1) Alternative 2 would not significantly affect public health or safety. As discussed in applicable sections of the EA, the bridge replacement would in fact improve public health and provide long-term beneficial impact to the human environment.
- 2) As analyzed in Section 5 of the EA, there are no anticipated significant effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas under the proposed action. NRCS regulations (7 CFR Part 650) and policy (Title 420, General Manual, Part 401), require that NRCS identify, assess, and avoid effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In accordance with these requirements it is not anticipated that implementing Alternative 2 would have adverse effects on these resources.

- 3) The effects on the human environment are not considered controversial for Alternative 2. There are no impacts associated with the proposed action that would be considered controversial.
- 4) Alternative 2 is not considered highly uncertain nor does it involve unique or unknown risks.
- 5) Alternative 2 would not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations.
- 6) Alternative 2 does not result in significant adverse cumulative impacts to the human environment as discussed in Section 5.14 of the EA. It is, however, anticipated to result in beneficial long-term impacts.
- 7) The EA evaluated both beneficial and adverse impacts of the proposed action. It is anticipated that Alternative 2 would result in long-term beneficial impacts for environmental resources (i.e., soil, water, air, plants, animals, and human resources) due to the restoration/enhancement of the acres protected under the easement. Conversely, the No Action alternative would have long-term adverse impacts to these resources because it would eventually require routing the road and bridges around the easement, impacting more acres of prime farmland, wetlands, floodplain, and habitat. Alternative 2 would not result in significant impacts to the human environment, particularly when focusing on the significant adverse impacts which NEPA is intended to help decision makers avoid, minimize, or mitigate. Specifically, soil, water, wildlife, and plants would be improved and protected.
- 8) Alternative 2 would not be likely to adversely affect endangered or threatened species or critical habitat as discussed in Section 5.3 of the EA. There are no Federally listed species impacted by the proposed action. The United States Fish and Wildlife Service, which has jurisdiction over these species, has reviewed our conclusions and has concurred with our findings.
- 9) Alternative 2 does not violate Federal, State, or local law requirements imposed for protection of the environment as noted in section 5 of the EA. The major laws identified with the proposed alternative include the Clean Water Act, Clean Air Act, Endangered Species Act, Executive orders (on Environmental Justice, Floodplains, and Wetlands), Farmland Protection Policy Act, and Migratory Bird Treaty Act. The proposed action is consistent with the requirements of these laws.

Based on the information presented in the attached EA, I find in accordance with 40 CFR Section 1508.13 that the proposed action (Alternative 2) is not a major Federal action significantly affecting the quality of the human environment requiring preparation of an EIS.



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Jon Hubbert  
State Conservationist

September 17, 2024

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Date