

Environmental Assessment, Finding of No Significant Impact (FONSI)

Box Butte Creek Watershed Plan Box Butte, Dawes, and Sheridan Counties, Nebraska

AGENCY ROLE AND RESPONSIBILITY – United States Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS)

NRCS has prepared an environmental review of the Proposed Action. This environmental document was initiated using the 40 CFR 1500-1508 (April 2022) and 7 CFR 650 regulations, which were recently rescinded and replaced with USDA regulations found under 7 CFR 1b. In a good-faith effort to fulfill NEPA's requirements, the agency decided to continue to use 40 CFR 1500-1508 (April 2022) and 7 CFR 650. This is permissible per the USDA policy guidance issued in the Interim Final Rule's preamble (90 FR 29644 (July 3, 2025)). In the NRCS's expert opinion, it has thoroughly considered the factors mandated by the statute and the regulatory frameworks it used.

The Proposed Action involves constructing three on-channel dam diversion structures and three off-channel storage basins (or catchment basins). Each dam diversion would be designed to divert portions of run-off event flows to an off-channel storage basin excavated in the floodplain adjacent to the diverted water source. A culvert pipe would be placed in the dam diversion structure to allow for normal flows to pass. The goal of the diversion structures and off-channel storage basins is to promote ponding, water infiltration, and groundwater recharge in the watershed. The proposed action also includes improving roads at three sites. Road improvements for each site would consist of raising the roadbed by a maximum of 2 feet and increasing the capacity of flow conveyance by adding and/or enlarging the culverts under the

roadway. The goal of the road improvements is to reduce flood damage to public infrastructure.

NRCS DECISION TO BE MADE

As the delegated Responsible Federal Official for compliance with NEPA, I must make the following decision: I must determine if the agency's Proposed Action (Dam Diversion to Off-Channel Storage and Channel/Infrastructure Improvements) will or will not be a major Federal action significantly affecting the quality of the human environment. The Box Butte Creek Watershed Plan Environmental Assessment accompanying this finding has provided the analysis needed to assess the significance of the potential impacts from the selected alternative. As per 40 CFR 1501.6 (c) (April 2022) all supporting data leading to this decision is incorporated by reference of the Box Butte Creek Watershed Plan Environmental Assessment.

For information regarding this finding, contact: Robert D. Lawson, State Conservationist, U.S. Department of Agriculture, Natural Resources Conservation Service, (Nebraska NRCS, 1121 Lincoln Mall, Room 360, Lincoln Nebraska, 68508, phone 402-437-4103).

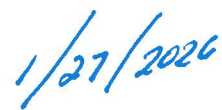
Conclusion

Based on the information incorporated by reference and presented in the attached Box Butte Creek Watershed Plan-EA, I find in accordance with 40 CFR Section 1501.6 (April 2022) that the selection of the agency Proposed Action is not a major Federal action significantly affecting the quality of the human environment requiring preparation of an EIS. Thus, a FONSI has been created for this Federal action.

Signed



ROBERT D. LAWSON
State Conservationist



Date