

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Proposal Name: Supplemental Watershed Plan (No. 3) for the Spring Creek Watershed Improvement Project

NRCS NEPA Unique Tracking #: EAXX-005-53-031-1294230522

Agency Name: NRCS

Unit Name: Nebraska State Office

Documentation Informing the FONSI

This Finding of No Significant Impact incorporates the Environmental Assessment and relies on documentation in the associated proposal record.

Activities Approved

I have decided to approve the Cozad Channel Conveyance and Lexington Northeast Channel Conveyance as described in the “Preferred Alternative” section of the Environmental Assessment.

Construction of the proposed action will require mitigation to comply with Clean Water Act regulations and 404(b) permitting requirements (40 CFR Part 230). The Proposed Action will cause permanent impacts to approximately 0.5 acres of emergent wetlands and approximately 322 linear feet of stream. Mitigation requirements will be determined during permitting, but it is estimated that approximately one to two acres of wetland and stream mitigation will be required. Mitigation would occur on-site within the channel conveyance improvement areas.

NRCS will conduct additional Endangered Species Act Section 7 consultation with U.S. Fish and Wildlife Service (16 U.S. Code 1536) and Nebraska Nongame and Endangered Species Conservation Act with Nebraska Game and Parks Commission (Nebraska Revised Statutes 37-801 to 37-814) prior to project implementation to ensure that the project follows the most up to date guidance to avoid impacts to federal and state listed threatened and endangered species. Minimally these conservation practices include timing construction to avoid whooping crane migration periods, avoiding tree removal between April 1 and November 15, and conducting surveys for the presence of species of special concern prior to disturbance.

Additional investigations and consultation are required under Section 106 of the National Historic Preservation Act (54 U.S. Code 306108) and its implementing regulations (36 CFR Part 800). A programmatic agreement executed per 36 CFR Part 800.4(b)(2) and 36 CFR Part 800.14(b)(1)(ii) will allow for phased identification and evaluation of historic properties within a 50-acre area that was not included in the original investigation and consultation. As required, NRCS would complete a field investigation to identify and evaluate historic properties and conduct further consultations with the Section 106 consulting parties to seek ways to avoid, minimize, or mitigate adverse effects on any historic properties identified during the investigation.

Determination of No Significant Impacts

I have determined no significant impacts are anticipated for the activities approved based on the discussion provided under the “Environmental Consequences” section, and as informed by other analysis and determinations provided in the “Other Environmental Reviews” section of the Environmental Assessment.

In considering the degree of effects I considered the tradeoffs of beneficial and adverse short- and long-term effects of the proposed action on the environment against the consequences of taking no action.

If no action is taken in the watershed, the Cities of Cozad and Lexington would continue to experience adverse, long-term economic and social losses from flood damage. Flooding poses an ongoing threat to public health and safety. It increases the risk of waterborne diseases, as contaminated floodwater often contains human and livestock waste, chemicals, and hazardous debris. Floodwater frequently overtops roads, which prevents residents from accessing emergency services and limits the ability of medical personnel to reach those in need. This disruption can delay critical care and exacerbate health emergencies in the community. Flooded roads and railroads also hinder the transportation of goods, and floodwater causes costly damage to residences and businesses.

The proposed action would benefit the project area by providing approximately \$2,930,800 in annualized flood damage reduction to buildings and public infrastructure. By installing the proposed measures, public health, safety, and welfare in the watershed will improve through reduced frequency and duration of flooding in and around the City of Cozad and the City of Lexington. The project will reduce overtopped roads, inundated buildings, and threats to infrastructure.

Short-term consequences of the proposed action include temporary disruptions to roads, soil, and vegetation as well as increased noise and dust during construction. Soil disturbances will be minimized through best management practices. Vegetation will be reestablished after construction with native seed mixes.

Long-term consequences of the proposed action include the conversion of 257 acres of prime farmland to non-agricultural use (water conveyance channels and berms), the loss of 0.5 acres of wetland, and impacts to 322 linear feet of stream. Wetland impacts will be offset by constructing new wetlands and stream impacts will be offset through stream restoration.

On a watershed level scale, the impacts of the prime farmland conversion are negligible (only 0.02% of prime farmland in the watershed would be converted) and will be offset by the increased long-term productivity and resilience of the human environment from reduced flood damage to buildings, improved economic stability, and improved public safety.

After careful consideration, I determined that the long-term benefits of the proposed action—protection of life and property, improved public safety, economic resilience, and enhancement of ecosystem services—outweigh the adverse impacts and the consequences of inaction. The commitment of resources was deemed necessary to achieve the project’s purpose and to avoid the much greater, ongoing loss of productivity

and quality of life that would result from risks to public safety and damage to property and infrastructure under the no action alternative.

Anticipated Implementation of Authorized Activities

I intend to implement the approved activities following completion of final design and permitting in 2027, with construction anticipated from 2028 through 2032, contingent upon funding, land acquisition, and permit approvals.

Signature and Authorization Date

ROBERT D. LAWSON

The image shows the official USDA logo, which consists of the letters "USDA" in a bold, serif font. Below the letters is a stylized graphic of a mountain range with a river flowing through it. Overlaid on the right side of the logo is a handwritten signature in cursive that reads "Robert D. Lawson".

Digitally signed by ROBERT
LAWSON
Date: 2026.06.26 12:39:49 -05'00'

State Conservationist

Date: 6/26/2026