

Gulf Coast Ecosystem Restoration Council Categorical Exclusion Determination Form

This form is to be completed before the Gulf Coast Ecosystem Restoration Council (Council) uses one or more Categorical Exclusions (CEs) to comply with the National Environmental Policy Act (NEPA) for a specific action or group of actions, as appropriate. More information on the Council's NEPA compliance and use of CEs can be found in the Council's NEPA Procedures.

roposed Action Title:	
roposed Action Location: (State, County/Parish)	
roposed Action Description:	
ategorical Exclusion(s) Applied:	

Council Use of Member Categorical Exclusion(s)

If the Categorical Exclusion(s) was established by a Federal agency Council member, complete the following. If not, leave this section blank and proceed to the segmentation section.

Member with Categorical Exclusion(s)

Has the member with CE(s) advised the Council in writing that use of the CE(s) would be appropriate for the specific action under consideration by the Council, including consideration of segmentation and extraordinary circumstances (as described below)?

Yes No

Segmentation

Has the proposed action been segmented to meet the definition of a Categorical Exclusion? (In making this determination, the Council should consider whether the action has independent utility.)

Yes No

Extraordinary Circumstances

In considering whether to use a Categorical Exclusion for a given action, agencies must review whether there may be extraordinary circumstances in which a normally excluded action may have a significant environmental effect and, therefore, warrant further review pursuant to NEPA. Guidance on the review of potential extraordinary circumstances can be found in Section 4(e) of the Council's NEPA Procedures. The potential extraordinary circumstances listed below are set forth in the Council's NEPA Procedures.

The Council, in cooperation with the sponsor of the activity, has considered the following potential extraordinary circumstances, where applicable, and has made the following determinations. (By checking the "No" box, the Council is indicating that the activity under review would not result in the corresponding potential extraordinary circumstance.)

- Yes No 1. Is there a reasonable likelihood of substantial scientific controversy regarding the potential environmental impacts of the proposed action?
- Yes No 2. Are there Tribal concerns with actions that impact Tribal lands or resources that are sufficient to constitute an extraordinary circumstance?
- Yes No 3. Is there a reasonable likelihood of adversely affecting environmentally sensitive resources? Environmentally sensitive resources include but are not limited to:

- a. Species that are federally listed or proposed for listing as threatened or endangered, or their proposed or designated critical habitats; and
- b. Properties listed or eligible for listing on the National Register of Historic Places.
- Yes No 4. Is there a reasonable likelihood of impacts that are highly uncertain or involve unknown risks or is there a substantial scientific controversy over the effects?
- Yes No 5. Is there a reasonable likelihood of air pollution at levels of concern or otherwise requiring a formal conformity determination under the Clean Air Act?
- Yes No 6. Is there a reasonable likelihood of a disproportionately high and adverse effect on low income or minority populations (see Executive Order 12898)?
- Yes No 7. Is there a reasonable likelihood of contributing to the introduction or spread of noxious weeds or non-native invasive species or actions that may promote the introduction, or spread of such species (see Federal Noxious Weed Control Act and Executive Order 13112)?
- Yes No 8. Is there a reasonable likelihood of a release of petroleum, oils, or lubricants (except from a properly functioning engine or vehicle) or reportable releases of hazardous or toxic substances as specified in 40 CFR part 302 (Designation, Reportable Quantities, and Notification); or where the proposed action results in the requirement to develop or amend a Spill Prevention, Control, or Countermeasures Plan in accordance with the Oil Pollution Prevention regulation?

Supplemental Information

Where appropriate, the following table should be used to provide additional information regarding the review of potential extraordinary circumstances and compliance with other applicable laws. The purpose of this table is to ensure that there is adequate information for specific findings regarding potential extraordinary circumstances.

Supplemental information and documentation is not needed for each individual finding regarding the potential extraordinary circumstances listed above. Specifically, the nature of an activity under review may be such that a reasonable person could conclude that there is a very low potential for a particular type of extraordinary circumstance to exist. For example, it would be reasonable to conclude that the simple act of acquiring land for conservation purposes (where

there are no other associated actions) does not present a reasonable likelihood of a release of petroleum, oils, lubricants, or hazardous or toxic substances.

For some types of activities, no supplemental information may be needed to support a finding that there are no extraordinary circumstances. For example, where the activity under review is solely planning (with no associated implementation activity), it may be reasonable to conclude that none of the extraordinary circumstances listed above would apply. In such cases, the table below would be left blank.

In other cases, it may be appropriate to include supplemental information to ensure that there is an adequate basis for a finding regarding a particular extraordinary circumstance. For example, it might be appropriate in some cases to document coordination and/or consultation with the appropriate agency regarding compliance with a potentially applicable law (such as the Endangered Species Act). In those cases, the table below should be used to provide the supplemental information.

Agency or Authority Consulted	Agency or Authority Representative: Name, Office & Phone	Date of Consultation	Notes: Topic discussed, relevant details, and conclusions. (This can include reference to other information on file and/or attached for the given action.)

Additional supplemental information may be attached, as appropriate. Indicate below whether additional supplemental information is attached.

Additional Information A	Attached:	Yes	No

If "Yes", indicate the subject:

Determination by Responsible Official

Based on my review of the proposed action, I have determined that the proposed action fits within the specified Categorical Exclusion(s), the other regulatory requirements set forth above are met, and the proposed action is hereby Categorically Excluded from further NEPA review.

Responsible Official (Name)

Responsible Official (Signature)

Date Dec 10, 2015

Tostin R. Ehrenwerth

Land Control

Tostin R. Ehrenwerth



September 25, 2015

Justin Ehrenwerth
Executive Director
Gulf Coast Ecosystem Restoration Council
500 Poydras Street, Suite 1117
New Orleans, Lousiana 70130

Dear Mr. Ehrenwerth:

This letter is to advise you of the results of the environmental compliance review completed by the USDA Natural Resources Conservation Service (NRCS) for a project proposed by the USDA for RESTORE Act funding. The project is part of the USDA-NRCS Gulf Coast Conservation Reserve Program proposal.

NRCS has determined that this project meets USDA criteria for categorical exclusion from NEPA. Specifically, all activities to be undertaken in the project are authorized under one or more of eight USDA categorical exclusions (CE's) that have been determined applicable to the work to be conducted. No extraordinary circumstances were found in our analyses. See the enclosed NRCS Environmental Evaluation Worksheet for details of the analyses and applicable USDA CE's.

We therefore recommend this project for RESTORE Act funding in accordance with the Council CE entitled "Council Funded Activities that Fall under a CE of a Federal Council Member (Documentation Required)."

Sincerely.

KURT SIMON

Acting State Conservationist

cc:

John Ettinger, Director, Environmental Compliance, Gulf Coast Ecosystem Restoration Council Michele Laur, Senior Advisor, USDA-NRCS, Gulf Coast Ecosystem Restoration Team Steve Musser, Assistant State Conservationist-Programs, USDA-NRCS, Auburn, AL Charles Ramsey, Assistant State Conservationist-Field Operations, USDA-NRCS, Grove Hill, AL

Enclosure: NRCS Environmental Evaluation Worksheet – USDA-NRCS Gulf Coast Conservation Reserve Program – Baldwin & Mobile Counties, Alabama

> Natural Resources Conservation Service P.O. Box 311 (36831) 3381 Skyway Drive Auburn, Alabama 36830 www.al.nrcs.usda.gov

U.S. Department of Agriculture	NPCE	Charr.				
U.S. Department of Agriculture NRCS-CPA-52 Natural Resources Conservation Service 4/2013		IA Client Name: IISDA NDCS				
			B. Conservation Plan ID # (as applicable):			
D. Client's Objective(s) (purpose):		USDA-NRCS Gulf Coast Conservation Reserve Program				
		-	Program Authority (o C. Identification # (farm, tract, field #, etc.			
Reduce the discharge of sedi	N.O		Individual project sites not yet identified. Se			alv 25.
agricultural operations and associated critically eroding areas that drain to the Mobile Bay, Mississippi Sound, Bon Secour		50 farms and adjacent sites will be selected			200	
		Farmland, severity of erosion, and proximity	to sens	itive areas. The project area		
Bay and Perdido Bay by work	[HOTE	•	encompasses Baldwin and Mobile Counties	3 .		
to implement activities that wi pollutants (primarily sediment						
Conservation Reserve Progra						
USDA for more information.		Ĭ.				
5 N 16 A 4						
E. Need for Action:	H. Alternatives No Action √if RM		Alternative 1 √ if RMS		Alternative 2 √ if RM	
Improve hydrology, reduce sedimentation, and Improve	N/A - Analysis conducted to		Implementing conservation measures to sta	hilize	Alternative 2 √ if RM N/A	s <u> </u>
water quality in tributary	determine whether agency		eroding areas, increase infiltration and redu		ING.	
streams and headwaters by	criteria for categorically		site pollution. Practices include soil control			
stabilizing critical erosion	excluding the action are me	et.	measures such as grade stabilization struct	ures		
areas (such as head cutting			(pipe drops), sediment basins, terraces, gra			
gullies and eroding agricultural land) and			waterways, filter strips, riparian forest buffe			
improving the infiltration and			area planting, stream bank stabilization, so practices that increase infiltration and reduce			
soil health of land draining to			runoff, planting of appropriate herbaceous			
the Gulf, particularly, above			woody vegetation, and minor agricultural pr			
critical erosion sites.			such as fencing, stream crossings, and off-	stream		
			watering facilities that are used to facilitate			
			ecological restoration .			
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Charlett	I		F			
			Environmental Laws, Executive (ures Guide Sheets for documentation as a			
determined in consultation consultation.	with another agency. Pla	nning	ad agency and another government agency and practice implementation may procee			i to be
G. Special Environmental	J. Impacts to Special Er	iviron				
Concerns (Document existing/	No Action	Vif	Alternative 1		Alternative 2	
benchmark conditions)	Document all impacts (Attach Guide Sheets as		Document all impacts			
		needs	(Attach Cuide Chaste as applicable)	√if needs	Document all impacts	√if
0		furthe	(Attach Cuide Chaste as applicable)	needs further	(Attach Guide Sheets as	needs further
	applicable)		(Attach Guide Sheets as applicable)	needs		needs
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Guide Sheet FS1 FS-2		furthe r	(Attach Guide Sheets as applicable) No Effect	needs further	(Attach Guide Sheets as	needs further
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Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Section 303d listed Impaired	applicable)	furthe r	No Effect Soil stabilization will reduce likelihood of particulate emissions No Effect/May Effect - Beneficial Effect Activities and practices will serve to	needs further action	(Attach Guide Sheets as	needs further action
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Cultural Resources / Historic Properties Guide Sheet Fact Sheet Cultural resources may be present on or near project sites.		No Effect Many activities are limited to ground disturbance within the top 6" of lands currently in row crop use or are in previously disturbed and/or eroding soils. All activities will undergo a site assessment to avoid disturbance of historic properties and will be in compliance with Section 106 of the NHPA, the NRCS National Prototype Agreement and Alabama NRCS State and Tribal Agreements.		
•Endangered and Threatened Species Guide Sheet Fact Sheet Gopher tortoise potentially on sites. Gulf sturgeon critical habitat in rivers and tributaries within the project area.		Not Likely to Adversely Affect All requirements of the USFWS-NRCS Informal ESA Consultation for federally listed species will be followed. See Part L for mitigation measures. Installed practices will have a beneficial effect for many species, mainly due to reduction of sedimentation. For other species, there will be No Effect.		□
Environmental Justice Guide Sheet Fact Sheet communities present in both project counties		No Effect Outreach efforts will encourage participation from low income and/or minority producers		
Essential Fish Habitat Guide Sheet Fact Sheet project area does not incl. marine habitat (Gulf of Mexico or estuaries)		No Effect Mitigation measures for ESA will result in no effect on EFH or may even have a beneficial effect on estuarine resources		
Floodplain Management Guide Sheet Fact Sheet 100-year floodplains are present in all project counties		No Effect Not likely to result in an increased flood hazard, incompatible development, or other adverse effect		
Invasive Species Guide Sheet Fact Sheet Presence likely on all sites; particularly cogongrass and tallow tree		No Effect Control of invasives on the project sites will occur as part of practice implementation. No invasives will be planted.		
Migratory Birds/Bald and Golden Eagle Protection Act Guide Sheet Fact Sheet migratory birds and bald eagles may be present near project sites		No Effect Construction activities will be avoided within 660 feet of an active bald eagle nest between Oct 1-May 15.		
Natural Areas Guide Sheet Fact Sheet Several, including Grand Bay NWR, Weeks Bay Natl. Estuarine Reserve, Bon Secour NWR		No Effect Activities and practices will serve to decrease nutrient and sediment loading to tributaries of these areas.		
Prime and Unique Farmlands Guide Sheet Fact Sheet some project sites may contain prime farmland		No Effect Action will not convert any agricultural lands to non-agricultural use		
Riparian Area Guide Sheet Fact Sheet may be adjacent or down- stream of project areas.		No Effect/May Effect - Beneficial Effect Nutrient and sediment transport to these areas will decrease.	8	
Scenic Beauty Guide Sheet Fact Sheet project sites are predominately rural		No Effect Eroding sites will be vegetated, improving landscape views		

 Wetlands Guide Sheet 	Fact Sheet		No Effect/May Effect - Beneficial Effect Adverse effects to wetlands will be avoided.	
may be present			Beneficial effects are expected due to	
project sites			erosion control above wetlands.	
 Wild and Scenic Guide Sheet 	Rivers Fact Sheet		No Effect No rip-rap, bank stabilization or erosion	
Recreational Ri	iver Seg-		control structures are planned on these]
ments in the pro	- 150 mm		river segments. All actions will be	
include the Blac Chickasaw Cre			consistent with the Recreational values of the Rivers.	
Creek, Styx, Lit			the Rivers.	
	ther Agencies and		Alternative 1	Alternative 2
Broad Public (Easements, Perm				7.11.01.11.01.0
Review, or Permit			None required or anticipated. However, the following may be consulted, as needed: Alabai	ma
Agencies Consult	ed.	**	Department of Environmental Management for	
			Clean Water Act, US Fish & Wildlife Service for	
		-2	ESA, Alabama Historical Commission and Tribe for Section 106, and AL Dept. of Cons. and Nat	
			Resources for CZM. 404 permits will be acquir	50.00 CT
			needed on a site specific basis.	
Cumulative Effect	ts Narrative	Action will result in the installation	n of conservation practices that will reduce sedir	nent, pesticides, nutrients, and fecal
(Describe the cur			eds near the Gulf, improving water quality of fre	
considered, include present and know	3.53.74.795.743.777.52			
regardless of who	performed the			
actions) L. Mitigation		For federally listed species:	n Mobile County, where the use of heavy equipm	gent can not be avoided use a 25 foot
(Record actions to	1000000		se burrow. Staging areas will be sited away fro	
minimize, and cor	mpensate)	species will be avoided or mitiga	ted as outlined in the NRCS/USFWS Programm	
l		Matrix.		
		Construction activities will not	occur within 660 ft. of active bald eagle nests du	ring nesting season.
	√ preferred			
M. Preferred Alternative	alternative		V	
M. Preferred Alternative			No adverse effects of this action based on review	w
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Profession and State and State of the Control of th			No adverse effects of this action based on review	
Alternative N. Context (Re	Supporting reason	of alternatives analysis) loca	No adverse effects of this action based on review of project information and application of the mitigation measures above and further describing the guide sheets. regional	ed
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N. Context (Rother Significance interests, and to the Double of the Doub	Supporting reason ecord context to of an action the locality. It is to the seven balance the first the possible first the possible first to the seven balance the first the possible first the possible first the first th	cance or Extraordinary Circum wity of impact. Impacts may be be affect will be beneficial. Significated with the beneficial of the benefic	No adverse effects of this action based on revie of project information and application of the mitigation measures above and further describing in the guide sheets. I regional exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as whole (human, national	by exist even if the Federal agency porary or by breaking it down into small may be extraordinary circumstances Orgraphic area such as proximity to so, or ecologically critical areas? It is be highly controversial? Trisks on the human environment?
N. Context (Rother Significance interests, and to component partify you answer and significance yes No	Supporting reason ecord context se of an action he locality. Silver served to the seven balance the state. ANY of the best served in balance the served served to the seven balance the served in balance the served serv	cance or Extraordinary Circum rity of impact. Impacts may be be affect will be beneficial. Significated with the beneficial of the benefic	No adverse effects of this action based on review of project information and application of the mitigation measures above and further describing in the guide sheets. I regional exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as whole (human, national e	by exist even if the Federal agency porary or by breaking it down into small may be extraordinary circumstances Prographic area such as proximity to so, or ecologically critical areas? It is be highly controversial? It is be highly controversial? It is on the human environment? It is or represent a decision in principle invironment impacts to the quality of the
N. Context (Rother Significance interests, and to the Double of the Doub	Supporting reason ecord context to fan action the locality. Iton of Significant to the sevent balance the fats. ANY of the balance issues to the support of the phistoric fare the face issues to the support of the face issues to the phistoric fare the face issues to the face is the phistoric face is the p	cance or Extraordinary Circum wity of impact. Impacts may be be affect will be beneficial. Significal blow questions "yes" then conticonsider and a site specific NE referred alternative expected to a consider and a site specific NE referred alternative expected to so or cultural resources, park lands, reffects of the preferred alternative have high the preferred alternative have high referred alternative known or reason to the preferred alternative known or reason to the preferred alternative known or reason to the preferred alternative likely have also procedure Guide Sheets to a rical resources, endangered and	No adverse effects of this action based on revie of project information and application of the mitigation measures above and further describing in the guide sheets. I regional exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as a whole (human, national exts such as society as whole (human, national	by exist even if the Federal agency porary or by breaking it down into small may be extraordinary circumstances Tographic area such as proximity to so, or ecologically critical areas? To be highly controversial? Trisks on the human environment? The acts or represent a decision in principle environment impacts to the quality of the environmental concerns? Use the ot limited to, concerns such as cultural ends, floodplains, coastal zones, coral

120 124		edge, the data shown on this form is accurate and complete:	-1 the a NIDOO is to sign the second
in the case whe block to verify th		S person (e.g. a TSP) assists with planning they are to sign the first signature block ar s accuracy.	nd then NKCS is to sign the second
Sh	Signature (TS	SP If applicable) K. Weaver Assistant State Conservationist - Technology	Date 9/25/2015
74/-	to an artist of the second of	ire (NRCS) Title	Date
	ernative is no	t a federal action where NRCS has control or responsibility and this NRCS-CPA-to whom this is being provided.	52 is shared with someone other
		owing sections are to be completed by the Responsible Federal C	
by NRCS). The ultimately does not associated w	ese actions do with that assis with the planni		NRCS cannot control what the client
Q. NEPA Com The preferred a	.5	ng (check one)	Action required
	1) is not a fe	deral action where the agency has control or responsibility.	Document in "R.1" below. No additional analysis is required
		al action ALL of which is categorically excluded from further environmental analysis e no extraordinary circumstances as identified in Section "O".	Document in "R.2" below. No additional analysis is required
	national NEP	Il action that has been sufficiently analyzed in an existing Agency state, regional, or A document and there are no predicted <u>significant adverse environmental effects or circumstances</u> .	Document in "R.1" below. No additional analysis is required.
	document (EA formally ado Significant Im	action that has been sufficiently analyzed in another Federal agency's NEPA A or EIS) that addresses the proposed NRCS action and its' effects and has been pted by NRCS. NRCS is required to prepare and publish its own Finding of No pact for an EA or Record of Decision for an EIS when adopting another agency's EA lent. (Note: This box is not applicable to FSA)	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
		al action that has NOT been sufficiently analyzed or may involve predicted significant commental effects or extraordinary circumstances and may require an EA or EIS.	Contact the State Environmental Liaison. Further NEPA analysis required.
R. Rationale S	supporting the	Finding	
R.1 Findings Docum	nentation		
R.2 Applicable Cate Exclusion(s) (more than one n	AND DAY	(1) Planting appropriate herbaceous and woody vegetation, which does not include n disturbed sites to restore and maintain the sites ecological functions and services; Revegetative community maintain the sites ecological functions and services, which councerting native forests or grasslands.	equires that the established
7 CFR Part 650 C NEPA , subpart 65 Categorical Exclus	50.6	actions are clearly limited in context and intensity;	
prior to determining proposed action is excluded under paths this section, the p	ng that a s categorically aragraph (d) of	(4) Replacing and repairing existing culverts, grade stabilization, and water control str that were damaged by natural disasters where there is no new depth required and or placement of fill is required;	nly minimal dredging, excavation, or
must meet six sid See NECH 610.11		(8) Stabilizing stream banks and associated structures to reduce erosion through biod natural disaster to restore pre-disaster conditions to the extent practicable, e.g., utilizal materials in combination with natural and synthetic support materials, such as rocks, stabilization, erosion reduction, and vegetative establishment and establishment of a shaping and planting, brush mattresses, log, root wad, and boulder stabilization metre.	ation of living and nonliving plant riprap, geo-textiles, for slope ppropriate plant communities (bank
_		(9) Repairing or maintenance of existing small structures or improvements (including utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat or activities include the repair or stabilization of existing stream crossings for livestock of berms, dikes, and associated appurtenances;	onditions). Examples of such
		(11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population determinable pre-impact condition;	n of living resources to a

(19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural
disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing,
fencing, offstream watering facilities, and invasive species control which are undertaken when fish and wildlife are not
breeding, nesting, rearing young, or during other sensitive timeframes;

(20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting;

above.		
S. Signature of Responsible Federal Official:		
Hand Sin	Acting State Conservationist	9/28/2015
Signature	Title	Date

CLEAN AIR ACT			Client/Plan Information:
NECH 610.21			USDA-NRCS
Evaluation Procedure	Guide Sheet		
Check all that apply to this	✓ Alternative 1		RESTORE Act
Guide Sheet review:	Alternative 2	Other	Individual project sites not yet identified. See map of

NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality permitting and regulatory requirements are different for each state. In each step, if more information is needed or there is a question as to whether there are air quality requirements that need to be met, the planner or client should contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what air quality regulatory requirement must be met prior to implementing the planned action or activity.

STEP 1.

Is the action(s) expected to increase the emission rate of any regulated air pollutant?

NOTE: The definition of a "regulated air pollutant" differs depending on the air quality regulations in effect for a given site. For a federal definition of "regulated air pollutant," please refer to the 40 CFR 70.2. Other definitions for "regulated air pollutant" found in state or local air quality regulations may be different. States should tailor this question to the State air quality regulations and definitions since those will include any Federal requirements.

✓ No
If "No," it is likely that no permitting or authorization is necessary to implement the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the planned action or activity. Go to step 3.
Yes
If "Yes," go to Step 2.

STEP 2.

Can the action(s) be modified to eliminate or reduce the increase in emission rate of the regulated air pollutants?

NOTE: This Step is to prompt the planner to review the planned action or activity to see if there is an opportunity to either eliminate the emission rate increase (possibly remove a permitting requirement) or reduce the emission rate increase (possibly move to less stringent permitting).

No If "No," it is likely that permitting or authorization from the appropriate air quality regulatory agency will be required prior to implementing the planned action or activity. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the proposed action or alternative. Go to Step 3.
□ Yes
If "Yes," modify the proposed action or alternative and repeat Step 1.

CLEAN AIR ACT (continued)

STEP 3.

Is the action(s) expected to result in a decrease in the emission rate of any criteria air pollutant for which the
area in which the site is located in an EPA designated nonattainment area for that criteria air pollutant?
NOTE: For an explanation of criteria air pollutants and nonattainment areas, refer to Section 610.21 of the
NECH. Further information regarding nonattainment areas can also be found on the U.S. EPA nonattainment
area Web page.
No sense a constant

☑ No	If "No," go to Step 4.
☐ Yes	If "Yes," the opportunity for obtaining nonattainment pollutant emission credits may exist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client of that potential opportunity. If the client is interested in registering nonattainment pollutant emission credits, advise him/her to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine if and how credits can be documented and/or registered for potential sale. Go to Step 4.
	(s) subject to any other federal (e.g, New Source Performance Standards, National Emissions or Hazardous Air Pollutants, etc.), State, or local air quality regulation (including odor, fugitive dust,

or outdoor burning)? **NOTE:** Refer to Section 610.21 of the NECH for a further discussion of air quality regulations.

☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
Yes	If "Yes," additional permits, authorizations, or controls may be needed before implementing the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what requirements must be met prior to implementing the proposed action or alternative.

otes:			

CLEAN WATER ACT/WATERS of the U.S.	Client/Plan Information:
NECH 610.22	USDA-NRCS
Evaluation Procedure Guide Sheet	
Check all that apply to this 🗸 Alternative 1	RESTORE Act
Guide Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of

NOTE: This guide sheet should be tailored to meet the specific needs of individual State and local regulatory and permitting requirements. It is important for each State to coordinate with their individual State and Federal regulatory agencies to tailor State-specific protocols in order to prevent significant delays in processing permit applications.

Complete both sections of this guide sheet to address Federal as well as State-administered regulatory requirements of the Clean Water Act (CWA).

SECTION I

Federally Administered Regulatory Program - Section 404 of the CWA

STEP 1.

Will the action(s) involve or likely result in the discharge or placement of dredged or fill material or other pollutants into areas that could be considered to be waters of the United States (Including, but not limited to wetlands, lakes, streams, channels, and other water conveyances, including some small ditches)? More

	mation regarding waters of the United States and Federal permitting programs under CWA is NECH 610.22.					
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.					
☐ Yes	If "Yes," go to Step 2.					
•	s) an activity exempt from section 404 regulations (40 CFR Part 232)? emption should be verified with the local U.S. Army Corps of Engineers (Corps) district.					
□No	If "No," go to Step 3.					
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used to verify the exemption applies and proceed with Section II below.					
STEP 3. Can the action of the United	n(s) be modified to avoid the discharge of dredged or fill material or other pollutants into waters States?					
□No	If "No." go to Step 4.					

☐ No	If "No," go to Step 4.
Yes	If "Yes," modify the action to avoid discharge. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.

CLEAN WATER ACT/WATERS of the U.S. (continued)

	nt obtained a section 404 permit (individual, regional, or nationwide) or a determination of an om the appropriate Corps office?							
□No	No If "No," determine if the client has applied for a permit. If a permit has not been applied for, the client will need to do so. If a permit has been applied for, document this, and continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation. Complete Section II below.							
Yes	☐ Yes If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and complete Section II below. The final plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit, such as amount or location of fills or discharges of pollutants should be coordinated with the Corps. Complete Section II below.							
Notes:								
alternative. I	short term runoff might occur during construction, but would be less than the no action Long-term, sites will be stabilized and will result in significantion reductions of off-site discharge of Most would fall under Ag. exemption							
	SECTION II							
State	e Administered Regulatory Programs, Sections 303(d) and 402 of CWA							
	sed action or alternative located in proximity to waters listed by the State as "impaired" under d) of the CWA?							
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.							
✓ Yes	If "Yes," insure consistency with any existing water quality or associated watershed action plans that have been established by the State for that stream segment. Even if TMDLs have not been established by the State for that stream segment, ensure that the action will not contribute to further degradation of that stream segment. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and							

STEP 2

proceed to Step 2.

Will the proposed action or alternative likely result in point-source discharges from developments, construction sites, or other areas of soil disturbance, or sewer discharges [e.g. projects involving stormwater ponds or pointsource pollution, including concentrated animal feeding operations (CAFOs) for which comprehensive nutrient management plans (CNMPs) are being developed]? Section 402 of the CWA requires a permit for these activities through the National Pollutant Discharge Elimination System (NPDES) program which the States administer.

☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," go to Step 3.

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 3

Has the client State-regulate	obtained a NPDES permit or a determination of an exemption from the appropriate EPA or or office?
□No	If "No," determine if the client has applied for any necessary permits. If a permit has not been applied for, the client will need to do so. If they have applied, document this and continue the planning process in consultation with the client and the regulatory agency. Continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. The final NRCS conservation plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit should be coordinated with the appropriate State regulatory agency.
Notes:	
CAFO particip	pation is not likely since there are very few in the project area.

COASTAL	ZONE MANAGEMENT AREAS	Client/Plan Information:				
NECH 610		USDA-NRCS				
	Procedure Guide Sheet					
	that apply to this Alternative 1	RESTORE Act				
	de Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of				
STEP 1.						
Is the action(s	s) in an officially designated "Coastal Zone Mana	gement Area"?				
☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.					
☐ Yes	If "Yes," go to Step 2.					
STEP 2.						
•	s) "consistent" with the goals and objectives of th by Section 307 of the Coastal Zone Management					
☐ No	If "No," go to Step 3.					
☐ Yes	If "Yes," document the finding, including the proceed with planning.	e reasons, on the NRCS-CPA-52 and				
STEP 3.						
Is NRCS prov	riding financial assistance or otherwise controlling	g the action?				
□No	If "No," NRCS should provide the landowner with relevant information regarding any local and State compliance requirements and protocols (permitting, etc.) in special management areas as appropriate to comply with local Coastal Zone Management Programs. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.					
☐ Yes	If "Yes," the NRCS District Conservationist or an NRCS State Office employee must contact the State's Coastal Zone Program Office before the action is implemented to discuss possible modifications to the proposed action. NRCS may not provide assistance if the proposed action or alternative would result in a violation of a State's Coastal Zone Management Plan. NRCS shall provide a consistency determination to the State agency no later than 90 days before final approval of the activity. When concurrence is received from the State, document the agreed to items and reference or attach them to the NRCS-CPA-52.					
Notes:						
	ot within 10' elevation Coastal Zone; therefore, a	ction not subject to any enforceable policies of				

CORAL RE	EFS	Client/Plan Information:				
NECH 610	.24	USDA-NRCS				
Evaluation	Procedure Guide Sheet					
	that apply to this Alternative 1	RESTORE Act				
Guid	de Sheet review: Alternative 2 Othe	r Individual project sites not yet identified. See map of				
STEP 1.						
Are coral reef	fs or associated water bodies (e.g. embayn	nent areas) present in or near the planning area?				
✓ No	If "No," document on the NRCS-CPA-52 and information sources used and pro-	2, or notes section below, the finding, rationale, ceed with planning.				
☐ Yes	If "Yes," go to Step 2.					
STEP 2.						
•	ential for the action(s) to degrade the condi orce Web site for local action strategies in y	tions of the coral reef ecosystem? (Refer to U.S. coral our area.)				
☐ No	If "No," document on the NRCS-CPA-52 and information sources used and pro-	2, or notes section below, the finding, rationale, ceed with planning.				
☐ Yes	If "Yes," go to Step 3.					
STEP 3.						
	n(s) be modified to reduce or avoid degrad	ation to the coral reef ecosystem?				
□ No	If "No," identify the component(s) of the system which will cause the potential impacts. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.					
☐ Yes	If "Yes," modify the action or alternative	and repeat Step 2.				
STEP 4.						
Is NRCS prov	viding financial assistance or otherwise con	trolling the action(s)?				
□No	regarding the current status of U.S. coral	navoidable, provide the client with information reefs and the documented causes of degradation off), and the beneficial aspects of maintaining coral				
☐ Yes	If "Yes," the significance of the impacts must be determined. An Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Contact your State Office for assistance.					
Notes:						

CULTURAL RI	ESOURCI	ES / HISTORIC	,	Client/Pla	an Informat	ion:
PROPERTIES		NECH 610.2		USDA-NRCS		
Evaluation Pro	ocedure (Guide Sheet				
Check all that a	pply to this	✓ Alternative 1		RESTORE A		
Guide Sh	eet review:	Alternative 2	Other	Individual pro	ject sites not yet	identified. See map of potential
NOTE: This guidesheet provides general guidance to field planners and managers. States may need to tailor this Evaluation Procedure Guide Sheet to reflect State Level Agreements (SLAs) with SHPOs or Tribal consultation protocols or operating procedures pertinent to your State or other State-specific protocols that reflect the terms of the current National Programmatic Agreement among NRCS, the Advisory Council on Historic Preservation, and the National Conference of SHPOs. For additional information regarding compliance with Section 106 of the NHPA and NRCS cultural resource policy refer to Title 420, General Manual (GM), Part 401, Cultural Resources; for current operating procedures see Title 190, National Cultural Resource Procedures Handbook (NCRPH), Part 601. NOTE regarding consultations: When dealing with undertakings with the potential to affect cultural resources or historic properties, it is important to follow NRCS policy and the regulations that implement Section 106 and complete consultation with mandatory (SHPOs, THPOs, federally recognized Tribes, and native Hawaiians) and identified consulting parties during the course of planning. This consultation is not documented on this guide sheet but would occur with Steps 2, 3, 4, and 6 and these must be conducted in accordance with NRCS State Office operating procedures to ensure appropriate oversight by Cultural Resources Specialists who meet the Secretary of Interior's Qualification Standards.						SHPOs or Tribal ecific protocols that reflect council on Historic ding compliance with Manual (GM), Part 401, esource Procedures affect cultural resources ement Section 106 and and native Hawaiians) and umented on this guide lance with NRCS State
STEP 1. Is the action(s) fur	nded in whol	le or part or under	the control of I	NRCS? To	make this d	etermination, answer
the following:		arried out by or on		□N		Unknown
	ut with NRC	S financial assista	nce?	✓ N	o 🗌 Yes	Unknown
-		pproval with NRCS cense, approval, e		□ No	o ✓ Yes	Unknown
•	-	nother Federal, Sta ning as lead federa		□ N	o	Unknown
finding, ratio	onale, and i nses are "Y	nformation sourd es," go to Step 2	es used and	proceed w	ith planning.	ection below, the
		ith your State Cult ion/undertaking th			-	st (CRC or CRS) to Step 1.
STEP 2.						
		n "undertaking" (as urces/historic prope		9 190-NCRI	PH and 420-G	iM) with the potential to
☐ No ☑ Yes	and inforr	ocument on the N nation sources u go to Step 3.				v, the finding, rationale,
STEP 3.	,					
Has the undertaking affected, directly of locations for disposition of remoduring determinations.	or indirectly: sition of second concre oved concre on of the AF cultural or re	access and haul rediment, streambanete, as well as the applications of the streambanete, as well as the applications in the streambane and the str	pads, equipme k stabilization a area of the activation of ric properties (to American I	ent lots, bord areas, build ual conserv buildings, s Indian tribal	row areas, sur ling removal a ration practice tructures, site governments	e all areas to be altered or rface grading areas, and relocation sites, c. Consultation is essential es, landscapes, objects, and native Hawaiians)
✓ No ☐ Unknown	determine	the APE.	sult with your s	state specif	ic protocols o	the CRC or CRS to
☐ Yes	If "Yes,"	go to Step 4.				

CULTURAL RESOURCES (continued)

STEP 4.

31EF 4.						
to determine wh	oriate records (National, State and local registers ether any known cultural or historic resources a	re within or in	close prox	kimity to the proposed		
	area? Note: This record checking does not sub and other identified consulting parties.	stitute for ma	ndatory co	insultation with SHPO,		
	egister of Historic Places?	□No	Yes	Unknown		
	ster of Historic Places?	☐ No	Yes	Unknown		
ū	's statewide inventory or data base?	☐ No	☐ Yes	Unknown		
	ty historical society or commission lists?	□No	Yes	Unknown		
	vledge of existing artifacts, historic structures,	☐ No	Yes	Unknown		
checked (so procedures	onses are "No" or "Unknown," work with you ometimes the SHPO will let only the CRS or CR as required by NRCS policy and procedures, Sl as appropriate.	C review the	files). Follo	ow all other operating		
information Document	nses are "Yes," and NRCS providing technic , notify the landowner of any potential affects, ar on the NRCS-CPA-52, or notes section below sed and proceed with planning. If NRCS is pr	nd provide red v, the findin	commenda g, rational	tions for consideration. e, and information		
STEP 5.						
resource indicateresource survey	al the existence of any known or potential cultura ors observed during the field inspection of the A will need to be conducted by qualified personne cialist to determine qualification criteria.	PE? NOTE:	Field insp	ections or cultural		
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed			, the finding, rationale,		
☐ Yes	If "Yes," contact the CRC or CRS. Do NOT proceed with finalizing project design or project implementation until the final CRS response is received. Go to Step 6.					
STEP 6.						
Can the propose	ed actions or alternatives be modified to avoid ef	fects on the l	known culti	ural resources?		
☐ No	If "No," go to Step 7.					
☐ Yes	If "Yes," modify the planned actions or activi document this on the NRCS-CPA-52, or no planning.	-		= =		
STEP 7.						
planner complet	n with appropriate and interested parties been co ring the NRCS-CPA-52 generally does not do the te specialist for the documentation information.					
□No						
☐ Yes	If "Yes," and all necessary historic preservate treatment have been completed, document					

Notes:

Selection of all specific farm tracts and critically eroding areas has not yet been made. In lieu of above, NRCS uses a Cultural Resources Review form as agreed with SHPO and THPO. Protocal is to stop work and contact NRCS if cultural resource discovery occurs during construction.

ENDANGERED AND THREATENED SPECIES	Client/Plan Information:
NECH 610.26	USDA-NRCS
Evaluation Procedure Guide Sheet	
Check all that apply to this	RESTORE Act
Guide Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of

STEP 1.

Are protected species or their habitat present in the area of potential effect?

Note: protected species include federally listed, proposed, and candidate specie, as well as State and Tribal species protected by law or regulation. In addition, if a species' listing or status changes before implementation, you must complete this review again.

- No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- Yes **If "Yes,"** document the species and relevant benchmark data on NRCS-CPA-52, then proceed to the applicable section(s) listed below:
 - Section 1- Federally listed endangered or threatened species/habitats
 - Section 2- Federally proposed species/habitats
 - Section 3- Federal candidate species/habitats
 - Section 4- State/Tribal species/habitats

SECTION 1: Federally listed endangered or threatened species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on endangered or threatened species or their habitat?

✓ No effect	If "No effect, "document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
May affect	If "May affect," meaning that the action might affect endangered and threatened species or their habitat in some way, go to Step 2.

Federally listed endangered or threatened species/habitats (continued)

STEP 2. Is NRCS providing financial assistance or otherwise controlling the action(s)? □No If "No," and the effects are purely benign or beneficial, continue with planning but ensure the client is aware endangered and threatened species or their habitat exists and conservation practices must be applied in a manner that avoids adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "No," and there is a possibility of short-term or long-term adverse effects then inform the ☐ No client of NRCS's policy concerning endangered and threatened species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects or the client obtains a "take" permit from the FWS/NMFS. Refer the client to FWS/NMFS to address the client's responsibilities under Sections 9 & 10 of the ESA, for Federally listed species. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid adverse effects and proceed with planning. If "Yes," and the action will be implemented according to an existing informal ☐ Yes consultation, biological opinion, or 4(d) special rule, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that in order to ☐ Yes proceed with the action NRCS must consult with FWS/NMFS. Contact your area or State biologist for consultation procedures. The action can only be implemented according to the terms of the consultation. When consultation is complete, attach the consultation documents to NRCS-CPA-52 or reference them in the notes section below and proceed with planning. **Notes** for Federally listed endangered or threatened species/habitats: As documented in the NRCS/USFWS Programmatic Agreement/Conservation Practice Matrix, many of the proposed actions will result in Not Likely to Adversely Affect - Beneficial Effect. Stream work where a listed snail or mussel species is present will require consultation. None of the sites identified to date are located within a 12 digit HUC where these listed species may be present.

SECTION 2: Federally proposed species/habitats

STEP 1. What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on proposed species or their habitat? If "No effect," additional evaluation is not needed concerning proposed species √ No effect or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ May effect If "May affect," meaning that the action might affect endangered and threatened species or proposed critical habitat in any way, go to Step 2. STEP 2. Is NRCS providing financial assistance or otherwise controlling the action? ☐ No If "No," and the effects are purely benign or beneficial, continue with planning but ensure the client is aware proposed species or their habitat exists and conservation practices must be applied in a manner as to avoid adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. No If "No," and there is a possibility of short-term or long-term adverse effects then inform the client of NRCS's policy concerning proposed species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects, and to the extent practicable, provide long-term benefits to species and habitat. Should the client or landowner refuse to apply the recommended alternative conservation treatment, NRCS will inform the client and landowner of the NRCS policy and shall not provide assistance for the action or portion of the action affecting the proposed species. If "Yes," and the action will be implemented according to an existing conference report ☐ Yes or conference opinion. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that the NRCS ☐ Yes must conference with FWS/NMFS. Contact your area or State biologist for conference procedures. Further NRCS assistance can only be provided only if the client agrees to implement the conference recommendations to the extent practicable. When the conference is complete, attach the conference documents to NRCS-CPA-52, or reference them in the notes section below, and proceed with planning. **Notes** for Federally proposed species/habitats:

SECTION 3: Federal candidate species/habitats

STFP 1

What is the etheir habitat?	•	ficial/adverse, short-term/long-term, etc.) of the action(s) on candidate species or	
☑ No adve	If "No adverse effect," additional evaluation is not needed concerning proposed critical habitat. Document on the NRCS-CPA-52, or no section below, the finding, rationale, and information sources used and proceed with planning.		
benefit to the species. Document the effects of the selected alternative o		If "May adversely affect," recommend alternative treatments that avoid or minimize the adverse effects and, to the extent practicable, provide long-term benefit to the species. Document the effects of the selected alternative on the NRCS-CPA-52 and proceed with planning.	
Notes for I	Federally pro	posed species/habitats:	
	SE	CTION 4: State/Tribal species/habitats	
	effect (i.e. benef species or their	ficial/adverse, short-term/long-term, etc.) of the proposed action or alternative on habitat?	
State or Tribal species of concern. Document on the NRCS-CPA-5 notes section below, the finding, rationale, and information sou		If "No adverse effect," additional evaluation is not needed concerning State or Tribal species of concern. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ May adv	ersely affect	If "May adversely affect," go to Step 2.	
STEP 2. Is NRCS pro	viding financial	assistance or otherwise controlling the action?	
□ No	client of NRC conservation Further, NRC that avoids or CPA-52, or n assistance is	there is a possibility of short-term or long-term adverse effects then inform the S's policy concerning State and Tribal species and the need to use alternative treatments to avoid or minimize adverse effects on these species or their habitat. S assistance will be provided only if one of the conservation alternatives is selected minimizes adverse effects to the extent practicable. Document on the NRCS-otes section below, the finding, rationale, and information sources used. If continued, document how the alternative conservation treatments avoid or se adverse effects and proceed with planning.	
Yes	If "Yes," and the action cannot be modified to avoid the adverse effect, inform client that the NRCS must coordinate with State/Tribal government and receive concurrence on recommended alternatives. Contact your area or State biologist for coordination procedures. Further NRCS assistance will be provided only if the client agrees to implement a concurred upon alternative and obtains any required permits. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
		species/habitats:	
All practices species.	will follow cond	itions as stated in the USFWS-NRCS Consultation Matrix for federally listed	

	MENTAL JUSTICE	Client/Plan Information:			
NECH 610.		USDA-NRCS			
	Procedure Guide Sheet	DECTORE Ass			
	that apply to this Alternative 1 de Sheet review: Alternative 2 Other	RESTORE Act Individual project sites not yet identified. See map of			
STEP 1.					
In the area af Tribes, or oth	In the area affected by the NRCS action, are there low-income populations, minority populations, Indian Tribes, or other specified populations that would experience disproportionately high and adverse human health impacts resulting from the proposed action or alternative?				
✓ No	If "No," document on the NRCS-CPA-52 rationale, and information sources used	·			
☐ Yes	If "Yes," go to Step 2.				
Unknown If "Unknown," consult your State Environmental Specialist, or equivalent an Liaison for additional guidance, and repeat Step 1. NOTE: The USDA Dep Regulation on Environmental Justice (DR 5600-002) provides detailed "deter procedures" for NEPA as well as non-NEPA activities and suggests social ar effects for considerations.		t Step 1. NOTE: The USDA Departmental 5600-002) provides detailed "determination			
STEP 2.					
•	s) the type that might have a disproportionately hi w-income population, minority population, or India	-			
□No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed				
☐ Yes	If "Yes," initiate Tribal consultation or communithat are categorized as low-income, minority, or participation and input on the proposed program options. Participation of these populations may overcome linguistic, institutional, cultural, econo effective participation. If assistance is needed was Affairs Specialist or Tribal Liaison. Go to Step	r as Indian Tribes. The purpose is to encourage in or activity and any alternatives or mitigating require adaptive or innovative approaches to omic, historic, or other potential barriers to with this process, contact your State Public			
STEP 3.					
Considering the results of the outreach initiative together with other information gathered for the decision-making process, will the action(s) have a disproportionately high and adverse effect on the human health or the environment of the minority, low-income, or Indian populations?					
□No	If "No," notify interested and affected parties NRCS-CPA-52, or notes section below, the fi				
☐ Yes Notes:	effects and the possibility of developing additional alternatives or a mitigation alternative and repeat Step 3. Document results of these early scoping sessions on the NRCS-CPA-52. If it is determined that there remains a disproportionately high and adverse effect on human health or the environment, or the project or action carries a high degree of controversy then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Contact your State Office for assistance.				
110162.					

ESSENTIAL FISH HABITAT			Client/Plan Information:	
NECH 610.28			USDA-NRCS	
	Procedure (
	hat apply to this	✓ Alternative 1		RESTORE Act
Guid	de Sheet review:	Alternative 2	Other	Individual project sites not yet identified. See map of
indirectly or co	umulatively affec	t EFH?		t (EFH) or in an area where effects could
□No		nent on the NRC on sources used		notes section below, the finding, rationale, with planning.
✓ Yes	If "Yes," go to	Step 2.		
	` '	•	•	or alterations that may result in an "adverse (MSA) Section 305(b)(2)]
✓ No	otherwise speci	ified by the State	Biologist. Docu	uation is not needed concerning EFH unless ument on the NRCS-CPA-52, or notes ormation sources used and proceed with
☐ Yes	If "Yes," go to	Step 3.		
STEP 3.				
_	n(s) be modified	to avoid the pote	ential adverse ef	fect?
□No	If "No," docum	•	S-CPA-52, or n	otes section below, the finding, rationale,
☐ Yes	If "Yes," mod	ify the action or	activity and re	peat Step 2.
STEP 4. Is NRCS prov [MSA Section	-	that would result	t in the funding,	authorization, or undertaking of the action(s)?
□No	identified as the terminated, indi	ne proposed act cate the circums CS State Office for	ion or NRCS material transfer in the Re	hat avoids the adverse effect must be nust discontinue assistance. If assistance is emarks section of the NRCS-CPA-52 or (Title 190, General Manual, Part 410, Subpart
☐ Yes	If "Yes," inform Biologist must Section 305(b)(Note: For spec	n the client that t consult with N 2)].	MFS before fur egarding consul	trict Conservationist or NRCS State rther action or activity can proceed [MSA, Itation for EFH, see NMFS "Essential Fish ilable online.
Notes:				
Projects could	d indirectly or cur	mulatively affect I	EFH in a POSIT	TVE manner (beneficial cumulative effect)

since they are upstream of estuarine water bodies.

FLOODPL	AIN MANAGEMENT	Client/Plan Information:	
NECH 610.29		USDA-NRCS	
Evaluation	Procedure Guide Sheet		
	that apply to this	RESTORE Act	
Gui	de Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of	
only (individ	Guide Sheet is intended for evaluation of "n ual projects). For "project" assistance criter s), consult Title 190, General Manual, Part 4	• • • • • • •	
STEP 1. Is the project	area in or near a 100-year floodplain?		
□No			
✓ Yes	If "Yes," go to Step 2.		
Unknow	Unknown If "Unknown," review the HUD/FEMA flood insurance maps and other available data such as soils information relating to flood frequency. If still "Unknown", contact the appropriate field or hydraulic engineer. Repeat Step 1.		
•	g area in the floodplain an agricultural area that eed for at least 3 of the last 5 years before the re	•	
□No	If "No," go to Step 4.		
✓ Yes	Yes If "Yes," document the agricultural use history and go to Step 3.		
STEP 3. Is the floodplans?	ain's agricultural production in accordance with o	official state or designated area water quality	
✓ No	If "No," advise the client of conservation practices or other measures that will bring the land into accordance with water quality plans and incorporate these into the conservation plan. Go to Step 4.		
√ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.		
STEP 4.			
Over the sho incompatible	rt or long term, will the proposed action or altern development, or other adverse effect to the existands adjacent or downstream?	•	
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	· · · · · · · · · · · · · · · · · · ·	adverse effects. Inform landuser of the hazards salternative methods of achieving the objective	

modified to eliminate adverse effects, go to Step 5.

and/or alternative locations outside the 100-year floodplain. If the action can be modified, describe the modification on the NRCS-CPA-52 and repeat 4. If the action cannot be

FLOODPLAIN MANAGEMENT (continued)

STEP 5. Is one or more of the alternative methods or locations practical? □No If "No," the District Conservationist will carefully evaluate and document the potential extent of the adverse effects and any increased flood risk before making a determination of whether to continue providing assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. ☐ Yes If "Yes," and the client agrees to implement the alternative methods or locations outside the floodplain, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ Yes If "Yes," and the client DOES NOT AGREE to implement the alternative methods or locations, advise the client that NRCS may not continue to provide technical and/or financial assistance where there are practicable alternatives. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. STEP 6. Will assistance continue to be provided? \square No If "No," provide written notification of the decision to terminate assistance to the client and the local conservation district, if one exists. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," the district conservationist should design or modify the proposed action or ☐ Yes alternative to minimize the adverse effects to the extent possible. Circulate a written public notice locally explaining why the action is proposed to be located in the 100-year floodplain. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Notes: Per MOA with ADEM, the NRCS developed Conservation Plan should suffice as meeting water quality/watershed plan provisions.

INVASIVE SPECIES	Client/Plan Information:			
NECH 610.30	USDA-NRCS			
Evaluation Procedure Guide Sheet				
Check all that apply to this Alternative 1	RESTORE Act			
Guide Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of			
NOTE: Executive Order 13112 states that "a Federal agency that it believes are likely to cause or promote the introduction elsewhere." Remember that invasive species can include pla	and spread of invasive species in the U.S. or			
STEP 1.				
Is the action(s) in an area where invasive species are known to occur or where risk of an invasion exists? NOTE: Executive Order 13112 (1999) directs Federal agencies to "prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause."				
✓ Yes If "Yes," go to Step 2.				
STEP 2.				
Conduct an inventory of the invasive species and identify area Manual, Part 414, Subpart D, Section 414.30). Delineate the document management considerations in the plan or assistant techniques, management strategies, and risks for invasive speen considered in the planning process?	ese areas on the conservation plan map and accentate notes. Have all appropriate tools,			
☐ No If "No," you must consider and include all appr potential invasive species for the planning area				
✓ Yes If "Yes," describe strategies, techniques, and r	reasons on NRCS-CPA-52 and go to Step 3.			
STEP 3. Is the action(s) consistent with the Executive Order 13112, the and any applicable State or local invasive species management				
☐ No If "No," modify the action and repeat Step 3 action, NRCS must discontinue assistance. Do CPA-52, or notes section below, and in the company of the section below.				
✓ Yes If "Yes," document on the NRCS-CPA-52, o and information sources used and proceed	r notes section below, the finding, rationale, with planning.			
Notes:				
All fields and project sites will include control techniques for in	vasive plant species.			

MIGRATORY BIRDS, BALD AND GOLDEN	Client/Plan Information:
EAGLE PROTECTION ACT, NECH 610.31	USDA-NRCS
Evaluation Procedure Guide Sheet	
Check all that apply to this Alternative 1	RESTORE Act
Guide Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of

NOTE: This guide sheet includes evaluation guidance for compliance with both the Migratory Birds Treaty Act, Executive Order 13186 (2001), and the Bald and Golden Eagle Protection Act. Both sections must be completed if eagles are identified within the area of potential effect.

SECTION I: MIGRATORY BIRDS TREATY ACT

In the lower 48 states, all species except the house sparrow, rock pigeon, common starling, and non-migratory game birds like pheasants, quail, grouse, and turkeys, are protected.

STEP 1.

Could the action(s) result in a take (intentionally or unintentionally) to any migratory bird, nest or egg? The term "take" means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR Section 10.12).

NOTE: The MBTA does not prohibit the destruction of a migratory bird nest alone (without birds or eggs) provided that no possession occurs during the destruction (USFWS, Migratory Bird Memorandum, MBPM-2, April, 2003).

☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," go to Step 2.

STEP 2.

Is it the purpose of the action(s) to intentionally "take" a migratory bird or any part, nest or egg (such as, but not limited to: controlling depredation by a migratory bird, or removal of occupied nests of nuisance migratory birds)?

NOTE: Migratory game birds taken under state and Federal hunting regulations are exempt.

and in the plan. Go to Step 4.

NOTE: Migr	atory game birds taken under state and Federal nunting regulations are exempt.
☐ No	If "No," go to Step 3.
☐ Yes	If "Yes," document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Inform the client that they must obtain a permit from USFWS and any required state permit before the action is implemented.
STEP 3. Have adverse practicable ex	e effects on migratory birds been mitigated (avoided, reduced, or minimized) to the maximum ktent?
□No	If "No," modify the action and repeat Step 1. If client is unwilling to modify the action then NRCS must discontinue assistance until issue has been resolved with USFWS.
Yes	If "Yes," document mitigation measures on the NRCS-CPA-52, or notes section below

MIGRATORY BIRDS TREATY ACT / BALD AND GOLDEN EAGLE PROTECTION ACT (continued) STEP 4. Will unintentional take of migratory birds, either individually or cumulatively, result in a measurable negative effect on a migratory birds population? ☐ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," additional principles, standards and practices shall be developed in coordination with ☐ Yes USFWS to further lessen the amount of unintentional take (E.O. 13186(3)(e)(9)). Repeat Step 1 or indicate which of the following options is pursued by the client (pick one). Document the effects, including the reasons, on the NRCS-CPA-52, or notes section The client will obtain a permit from USFWS before the action is implemented: OR NRCS may need to terminate assistance. Contact the NRCS State Environmental Specialist or Wildlife Biologist. Notes: SECTION II: BALD & GOLDEN EAGLE PROTECTION ACT STEP 1. Will the action(s) result in the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import "of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit"? (The term "take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under this act means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, injury to an eagle; a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.) ✓ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ Yes If "Yes," go to Step 2. STEP 2. Can the action(s) be modified to avoid the adverse effect? Refer to the National Bald Eagle Management Guidelines for measures that can be taken to avoid disturbing nesting bald eagles and their young.

□ No If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to avoid adverse effects prior to providing final designs or implementing the proposed action or alternative. No permit authorizes the sale, purchase, barter, trade, importation, or exportation of eagles, or their parts or feathers. The regulations governing eagle permits can be found in 50 CFR Part 22.

If "Yes," modify the alternative and repeat Step 1. If the client is unwilling to modify the action then NRCS may need to discontinue assistance. Contact the NRCS State environmental specialist or wildlife biologist for assistance. Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below.

Notes:

☐ Yes

If active eagle nests are present within 660 feet of a construction site, the activity(s) will not be carried out during the nesting season (Oct 1-May 15) in accordance with the FFWCC Bald Management Plan (2008). If

avoidance is not possible, an incidental take permit from the USFWS may be required.

		[O]; (/D) (; ; ; ;)	
NATURAL		Client/Plan Information:	
GM 190, Part 410.23 Evaluation Procedure Guide Sheet		OODA-NINGS	
		RESTORE Act	
	that apply to this Alternative 1 de Sheet review: Alternative 2 de Other de Other	Individual project sites not yet identified. See map of	
	/ Itoliidiyo 2	, , , , , , , , , , , , , , , , , , , ,	
areas designa provided unde	s are defined as land and water units where natur ated on Federal government, non-federal governr er Federal regulations, by foundations or conserv as such (GM 190. Part 410.23).	ment, or on private land. Designation may be	
STEP 1.			
Are there any	designated natural areas present in or near the p	planning area?	
□No	If "No, "document on the NRCS-CPA-52, or n and information sources used and proceed v		
✓ Yes	If "Yes," go to Step 2.		
STEP 2. Will the action	n(s) affect the natural area?		
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," go to Step 3.		
STEP 3. Are the effect characteristic	s consistent with maintaining, protecting, and pre s?	eserving the integrity of the natural	
□No	If "No," Inform the client about the effects of the identified natural areas. You must also encoura to arrive at a mutually satisfactory alternative [G effects of the action and any communication notes section below, and proceed with plant	mge the client to consult with concerned parties M 190, Part 410.23(c)4]. Document the as with the client on the NRCS-CPA-52, or	
☐ Yes	If "Yes," document on the NRCS-CPA-52, or and information sources used and proceed v		
Notes:			

				Γ			
PRIME AN	D UNIQUE F	ARMLANDS	Client/Plan Information:				
NECH 610	_		USDA-NRCS				
	n Procedure (
Check all that apply to this Alternative 1				RESTORE Act			
Gui	de Sheet review:	Alternative 2	Other	Individual project sites not yet identified. See map of			
STEP 1. Using the criteria found in the FPPA Rule (7 CFR Part 658.5), does the action(s) convert farmland to a nonagricultural use? NOTE: Conversion does not include construction of on-farm structures necessary for farm operations. Also, form AD-1006 entitled "Farmland Conversion Impact Rating" and form NRCS-CPA-106 entitled "Farmland Conversion Impact Rating for Corridor Type Projects" are used to document effects of proposed projects that may convert farmland. If you are uncertain about the effects on prime and unique farmlands in your planning area, consult the State Soil Scientist.							
☑ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.							
☐ Yes	If "Yes," go to Step 2.						
STEP 2. Are prime or unique farmlands or farmlands of statewide or local importance present in or near the area that will be affected by the action(s)?							
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.						
☐ Yes	If "Yes," go to Step 3.						
STEP 3. Can the action(s) be modified to avoid adverse effects or conversion?							
□No	If "No," document the adverse effects on the NRCS-CPA-52, or notes section below, and proceed with planning.						
☐ Yes	If "Yes," modify and repeat Step 1 or contact the State Soil Scientist for further assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.						
Notes:							
Prime farmland are present within the project area counties. Activities will help further protect farmland by							
controlling headcutting gullies. No farmland will be converted to other uses.							

RIPARIAN AREA				Client/Plan Information:	
NECH 610).33			USDA-NRCS	
	n Procedure G <u>u</u>				
Check all that apply to this Alternative 1			Cub au	RESTORE Act	
Gui	ide Sheet review:	Alternative 2	Other	Individual project sites not yet identified. See map of	
STEP 1. Is a riparian a Part 411.)	area present in or n	near the planninç	g area? (Defin	ition can be found in Title 190, General Manual,	
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.				
✓ Yes	If "Yes," go to Step 2.				
STEP 2.					
Do the action(s) address maintenance or improvement of water quality, water quantity, and fish and wildlife benefits provided by the riparian area?					
□No	If "No," revise the plan to maintain or improve water quality, water quantity, and fish and wildlife benefits. Document the benchmark conditions and effects on the NRCS-CPA-52, or notes section below, go to Step 3.				
✓ Yes	If "Yes,", go to Step 3.				
STEP 3. Do the action	n(s) conflict with the	conservation va	alues/functions	s of the riparian area?	
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.				
☐ Yes	If "Yes," inform the client of the values and functions of riparian areas, including their contribution to floodplain function, stream bank stability and integrity, nutrient cycling, pollutant filtering, sediment retention, and biological diversity, and present alternatives that will resolve the conflict. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.				
Notes:					
Actions will n	ot take place in ripa	arian areas but r	nutrient and se	diment transport to these areas will decrease.	

SCENIC B	EAUTY	Client/Plan Information:					
GM Title 1 9	90, Part 410.24	USDA-NRCS					
Evaluation	Procedure Guide Sheet						
	that apply to this Alternative 1	RESTORE Act					
Guide Sheet review: Alternative 2 Other Individual project sites not yet identified. See map of							
STEP 1.	STED 1						
_	n(s) adversely affect the scenic quality of the gene	eral landscape or any specifically designated					
unique or valuable scenic landscape? (Consult Section II of the FOTG for a listing of any identified areas of scenic beauty.)							
occino bodat,	••,						
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.						
	and mornianon courses used and process .	····· Þ.a					
☐ Yes	If "Yes," go to Step 2.						
STEP 2.							
Can the action(s) be modified to avoid the adverse effects on the scenic quality of the landscape? NOTE: NRCS must provide technical assistance with full consideration of alternative management and development systems that preserve scenic beauty or improve the landscape (GM 190, Part 410.24).							
□No	If "No," consider any state or local requirements. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.						
Yes	If "Yes," modify the planned action or activity and repeat Step 1.						
Notes:							

WETLAND	os e e e e e e e e e e e e e e e e e e e	Client/Plan Information:
NECH 610	0.34	USDA-NRCS
Evaluation	n Procedure Guide Sheet	
Check all	that apply to this Alternative 1	RESTORE Act
Gu	ide Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of
-	heet addresses policy found in Title 190, General an Water Act Guide Sheet for addressing wetland	•
STEP 1.		
	s present in or near the planning area?	
NOTE: This determined a	includes all wetlands except those artificial wetlands prior converted (PC) in accordance with the 19 ands (AW), which retain wetland characteristics, and	85 Food Security Act and nonirrigation induced
□No	If "No," document on the NRCS-CPA-52, or and information sources used. (If the area of States" such as lakes, streams, channels, or of Water Act Section 404 permit may be required Clean Water Act Guide sheet.)	ould qualify as an "other water of the United her impoundment or conveyances, a Clean
✓ Yes	If "Yes," document the extent and location of	of wetlands and go to Step 2.
STEP 2. Will the action restoration p	on(s) impact any wetland areas (this includes charrojects)?	nging wetland types when considering wetland
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
☐ Yes	If "Yes," assess the wetland functions and of the proposed activity on the wetland area. If ef planning. If adverse effects exist, go to Step 3 .	
STEP 3. Do practicab	le alternatives exist that avoid adverse impact to	wetlands?
□No	If "No," go to step 4.	
☐ Yes	If "Yes," advise the client of the available alternative that avoids adverse impact (includin	•

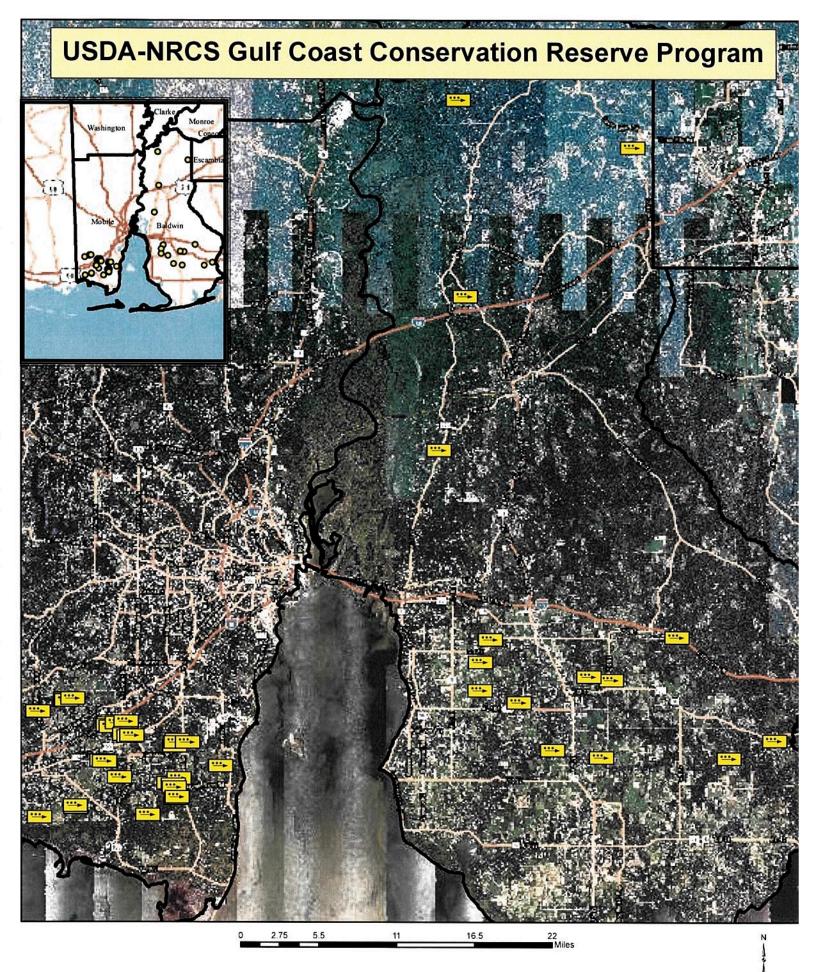
on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance

for the project.

WETLANDS (continued)

STEP 4. Do other mea	asures exist that will minimize adverse effects to wetlands?
☐ No	If "No," go to step 5.
☐ Yes	If "Yes," advise the client of the minimization measures. If the client chooses to implement the minimization measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
	nt wish to pursue an action that will result in adverse impacts to wetlands (where no practicable or minimization measures exist)?
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," advise that client of the need to compensate for the lost wetland acres and functions. NRCS may assist the client in the development of a mitigation plan. If the client chooses to implement the compensation measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
Notes: NRCS policy	is to Avoid first, then if no practical alternative, minimize and/or mitigate.

		,
	SCENIC RIVERS	Client/Plan Information:
NECH 610		USDA-NRCS
	n Procedure Guide Sheet that apply to this Alternative 1	RESTORE Act
	that apply to this Alternative 1 de Sheet review: Alternative 2 Other	Individual project sites not yet identified. See map of
CTED 4		
STEP 1. Could the act	tion(s) have an effect on the natural, cultural or re	ecreational values of any nearby rivers?
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
✓ Yes	If "Yes," analyze the potential effects and dever mitigate potential adverse effects, then go to S	·
STEP 2.		
Is there a Fe	deral or State designated Wild, Scenic, or Recreativers Inventory (NRI) in or near the planning area	
□No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
✓ Yes	If "Yes," and there is still potential for effect co with determining the nature and significance of NOTE: The State Office may request the admir Service in the case of NRI) to assist you in devergeasures.	the effect. Go to Step 3. nistering federal or state agency (National Park
•	oposed action or alternative have an adverse effecenic, or recreational river segment that cannot b	
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
☐ Yes	If "Yes," go to Step 4.	
STEP 4. Is NRCS pro	viding financial assistance or otherwise controlling	g the action(s)?
□No	If "No," inform the client that a permit may be consult with the administering federal or state a reflected in the final plan and documentation. On to implementation.	gency. The permit authorization should be
☐ Yes	If "Yes," consult with the administering feder proposed action could foreclose options to class scenic or recreational and to develop avoidance NRCS-CPA-52, or notes section below, the forest and proceed with planning.	sify any portion of the river segment as wild, e or mitigation measures. Document on the
Notes:		
	e listed river segments will result in reduction of n	nutrient and sediment pollutant loads.



Potential Erosion Control Project Sites



Image Source: 2015 NAIP

Justification for Approval of NRCS Categorical Exclusions

Gulf Coast Conservation Reserve Program (GCCRP) Description:

The Alabama Gulf Coast Conservation Reserve Program focuses on reducing erosion and downstream sedimentation, thus improving water quality in waters flowing into the Gulf of Mexico. The conservation planning and implementation will occur on private lands within Alabama Coastal watersheds, predominantly those draining to the Mobile Bay and Mississippi Sound. Primary objectives of this project are restoration, improvement and protection of water resources; while secondary objectives include restoration, enhancement, and protection of habitat. This landscape scale project meets RESTORE Act and Comprehensive Plan priority criteria by substantially contributing to the restoration and protection of the natural resources and wildlife habitats of Gulf Coast ecosystems.

This program will reduce the discharge of sediments and pollutants from agricultural operations and improve the tributary streams, rivers and groundwater that drain to the Gulf of Mexico. The ecosystems in the project area provide habitat for numerous threatened and endangered plants and animals, which will benefit from the proposed land treatments. Additionally, non-native invasive species will be controlled. To enhance this effort and ensure equal opportunity for participation, an outreach and education program targeting private land owners will be developed and implemented along with technical assistance. Financial assistance from this project will help landowners not only accomplish their restoration goals on property they own, but will have positive off-site and downstream benefits. This outreach program, a long history of cooperation among partners with proven restoration experience and shared restoration goals, provides a high probability of success and sustainability.

The USDA Natural Resources Conservation Service (NRCS) would oversee a technical and financial assistance program for private landowners in Baldwin and Mobile Counties in Alabama to implement NRCS conservation practices. It is estimated that between 25-50 landowners will participate in the program.

The planned NRCS activities fall within several NRCS categorical exclusions (CE). However to ensure applicable permits are obtained and consultations are conducted, including a review for extraordinary circumstances, each site will undergo an Environmental Evaluation (EE), the results of which will be documented on the NRCS-CPA-52, Environmental Evaluation Worksheet. A copy of the EE Worksheet is available at http://www.nrcs.usda.gov/Internet/FSE DOCUMENTS/stelprdb1097240.pdf.

Categorical Exclusions Proposed for Project Activities (NRCS Conservation Practices)

The USDA NRCS categorical exclusions described in Table 1 have been determined to be applicable for use in the activities described in this proposal.

All the actions identified as a NRCS categorical exclusion in Table 1 require documentation in accordance with 7 CFR §650.6 that address whether extraordinary circumstances are

determined to exist (see section III of this document). This documentation is to be done through use of the environmental evaluation process and documented on an NRCS-CPA-52, Environmental Evaluation Worksheet.

In addition, overarching criteria/sideboards for the NRCS categorical exclusions ONLY apply to proposed actions that (as applicable):

- (1) Are designed to mitigate soil erosion, sedimentation and downstream flooding;
- (2) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;
- (3) Are based on current Federal principles of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, "Stream Corridor Restoration, Principles, Processes, and Practices;"
- (4) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide (FOTG)
- (5) Do not require substantial dredging, excavation, or placement of fill; and
- (6) Do not involve a significant risk of exposure to toxic or hazardous substances.

Table 1. Agency Justification for Categorical Exclusions for Applicable NRCS Conservation

Practices

Applicable NRCS Conservation Practice Code(s)	CE Reference	Categorical Exclusion Description / Agency Justification
327, 342, 381, 386, 391, 393, 422, 490, 512, and 612	NRCS - 7 CFR 650.6 (d)(1)	Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants, on disturbed sites to restore and maintain the sites ecological functions and services; Requires that the established vegetative community maintain the sites ecological functions and services, which could not be accomplished by converting native forests or grasslands.
356, 587, 643, and 646	NRCS - 7 CFR 650.6 (d)(4)	Replacing and repairing existing culverts, grade stabilization, and water control structures and other small structures that were damaged by natural disasters where there is no new depth required and only minimal dredging, excavation, or placement of fill is required.
326,342, 382, 391, 578, 580 and 584	NRCS - 7 CFR 650.6 (d)(8)	Stabilizing stream banks and associated structures to reduce erosion through bioengineering techniques following a natural disaster to restore pre-disaster conditions to the extent practicable, e.g., utilization of living and nonliving plant materials in combination with natural and synthetic support materials, such as rocks, riprap, geotextiles, for slope stabilization, erosion reduction,

		and vegetative establishment and establishment of appropriate plant communities (bank shaping and planting, brush mattresses, log, root wad, and boulder stabilization methods).
356, 472, 587, 643, and 646	NRCS - 7 CFR 650.6 (d)(9)	Repairing or maintenance of existing small structures or improvements (including structures and improvements utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat conditions). Examples of such activities include the repair or stabilization of existing stream crossings for livestock or human passage, levees, culverts, berms, dikes, and associated appurtenances
314, 315, 327, 338, 342, 381, 386, 391, 393, 394, 422, 472, 490, 512, 612, 643, 644, 645, 646, 647, and 666	NRCS - 7 CFR 650.6(d)(11)	Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition. (NRCS routinely evaluates resource conditions and recommends the use of herbicides for controlling invasive species under Conservation Practices Codes 314, 315, and 666; and for site preparation prior to establishment of native species on non-federal lands under 314, 315, and 490. Restoring wildlife habitat/ecosystems is the primary objective of this category, and some of these practices may be planned as part of a Comprehensive Conservation Plan which not only addresses soil erosion, but overall ecosystem health to include plant health, animal health, and hydrologic function.)
314, 315, 362, 378, 381, 382, 460, 468, 511, 516, 528, 533, 560, 561, 576, 578, 590, 595, 614 and 642	NRCS - 7 CFR 650.6(d)(19)	Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, off-stream watering facilities, and invasive species control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes.
327, 342, 362, 386, 391, 393, 410, 412, 460, 466, 468, 512, 561, 600, 612, 638 and 620	NRCS - 7 CFR 650.6(d)(20)	Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting.
All	NRCS - 7 CFR Part 1b 3. (a)(3)	Inventories, research activities, and studies, such as resource inventories and routine data collection

when such actions are clearly limited in context and
intensity.

OVERVIEW OF EXTRAORDINARY CIRCUMSTANCES

Use of the CEs identified in Table 1 does not constitute inappropriate segmentation because the activities do not represent connected actions, they occur on distinct ownerships and are based on activities that are part of the approved program and site specific conservation plans. The activities have independent utility because while many activities are related to achieving similar overall objectives of the proposal, they are not dependent on the completion of other activities. It is acknowledged that collectively their beneficial effects are enhanced when all activities are implemented, but it is not a prerequisite of implementation. Also it is acknowledged that some gullies and erosion control projects may occur across multiple land ownership, and in those cases, coordination between the landowners may be necessary for the activity to move forward.

In addition, there is a low likelihood these activities would result in a significant adverse cumulative effect either individually or collectively. Any adverse effects caused during implementation would be short-term in nature and limited to the immediate project area and are of the nature expected to occur when implementing categorically excluded activities. Long-term effects would be positive by reducing existing adverse effects caused by improperly functioning erosion control structures, reducing non-native species, and restoring and maintaining native ecosystems.

The following section outlines the reasons there are not likely to be extraordinary circumstances requiring preparation of an environmental assessment or impact statement associated with the projects to be implemented under the AL GCCRP. For confirmation, a site-specific review will be conducted for extraordinary circumstances before activities within this proposal are implemented.

Natural Resources Conservation Service Extraordinary Circumstances

- The proposed action cannot cause significant effects on public health or safety. This
 program is expected to have an indirect positive effect to public health and safety related to
 fishing, swimming, and health of shellfish for consumption through a reduction of pollutant
 loading and sediment generated from agricultural operations.
- 2. The proposed action cannot significantly affect unique characteristics of the geographic area such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas. This program will have either no effect or a positive effect on unique characteristics of the geographic areas as the practices will reduce nutrient loads, conserve water, and improve water quantity. A survey of known artifacts will be done before work begins. Additionally, if any cultural or archaeological item is discovered work stoppage will immediately occur

and NRCS will determine further action needed. No critical habitat for endangered species exists on the active farmlands where work will occur nor will these practices adversely affect critical habitat that may be near the fields. The program will not result in an increased flood hazard, incompatible development, or other adverse effect to the existing natural and beneficial values of the 100-year floodplain or lands adjacent or downstream.

- 3. The effects of the proposed action on the quality of the human environment cannot be highly controversial. This program is not expected to have any highly controversial effects on the quality of the human environment since only tried and proven technologies will be employed that have no known adverse effects on natural resources or adjacent landowners. It is anticipated to have a positive effect as the program will implement agricultural best management practices to reduce erosion, improve water infiltration and decrease nutrient runoff.
- 4. The proposed action cannot have highly uncertain effects, including potential unique or unknown risks on the human environment. The program is expected to have a positive human environment impact as it will reduce the current discharge of sediment loading and increase conservation by implementing best management practices thereby improving the water quality. The conservation practices to be employed are tried and true technologies and meet NRCS standards, therefore there are no uncertain effects or unique or unknown risks on the human environment.
- 5. The proposed action cannot include activities or conservation practices that establish a potential precedent for future actions with significant impacts. This program does not establish a precedent for future actions with significant impacts as similar programs with the same conservation practices have been and are currently in place in the state of Alabama.
- 6. The proposed action is known to have or reasonably cannot be expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time. This program will have a positive effect to the quality of the human environment as it will result in more efficient agricultural operations, reduced sediment loading and increased water conservation. It will strengthen the economic viability and environmental compatibility of agriculture within the focus area.
- 7. The proposed action cannot cause or promote the introduction of invasive species or have a significant adverse effect on any of the following special environmental concerns not previously identified in paragraph (c)(2)(B) of this section, such as: endangered and threatened species, environmental justice communities as defined in Executive Order 12898, wetlands, other waters of the United States, wild and scenic rivers, air quality, migratory birds, and bald and golden eagles. There will either be no effect or a benefit to environmental justice, coastal zones, coral reefs, essential fish habitat, clean air, riparian areas, natural areas, and invasive species. NRCS-approved minimization measures will be used to prevent any adverse effects to the gopher tortoise, Alabama red-bellied turtle, Gulf Sturgeon, and listed snails and/or mussels. In accordance with the Bald and Golden Eagle

Sturgeon, and listed snails and/or mussels. In accordance with the Bald and Golden Eagle Protection Act, activities will be avoided within any designated bald eagle buffers during nesting season. If any threatened or endangered species is discovered work stoppage will immediately occur and NRCS will determine further action needed. Environmental justice will be positively affected as NRCS and their partners will make every effort to reach out to these farmers to participate in the program.

8. The proposed action will not violate Federal or other applicable law and requirements for the protection of the environment. - Any required permits will be obtained prior to implementation of practices; however no Federal, State, or local permits are anticipated.

Per NRCS regulations that implement NEPA at 7 CFR Part 650, site-specific EE are developed as part of the conservation planning process. The EE evaluates conservation planning options developed to address and mitigate potential environmental resource concerns that may exist on the property or conservation management unit. The EE also determines if protected resources exist on the property and if those resources have the potential to be affected by conservation practices outlined in the conservation plan. NRCS guidance on the site-specific environmental evaluation process and definitions of protected resources can be found in the NRCS "National Environmental Compliance Handbook" (2011).

http://directives.sc.egov.usda.gov/RollupViewer.aspx?hid=29769

Appendix A - List of Planned NRCS Conservation Practices and Associated Practice Code (#)

Access Control (472)

Access Roads (560)

Brush Management (314)

Conservation Cover (327)

Prescribed Burning (338)

Channel Bed Stabilization (584)

Clearing and Snagging (326)

Critical Area Planting (342)

Diversion (362)

Dike (356)

Pond (378)

Early Successional Habitat Development and Management (647)

Fence (382)

Field Border (386)

Filter Strip (393)

Firebreak (394)

Forage Harvest Management (511)

Forage and Biomass Planting (512)

Forest Stand Improvement (666)

Grade Stabilization Structure (410)

Grassed Waterway (412)

Heavy Use Area Protection (561)

Hedgerow Planting (422)

Herbaceous Weed Control (315)

Integrated Pest Management (595)

Land Clearing (460)

Land Smoothing (466)

Lined Waterway or Outlet (468)

Livestock Pipeline (516)

Livestock Shelter Structure (576)

Nutrient Management (590)

Prescribed Grazing (528)

Pumping Plant (533)

Riparian Forest Buffer (391)

Restoration and Management of Rare or Declining Habitats (643)

Shallow Water Development and Management (646)

Silvopasture Establishment (381)

Stream Crossing (578)

Streambank and Shoreline Protection (580)

Structure for Water Control (587)

Terrace (600)

Tree/Shrub Establishment (612)

Tree/Shrub Site Preparation (490)

Underground Outlet (620)

Upland Wildlife Habitat Management (645)

Watering Facility (614)

Water and Sediment Control Basin (638)

Water Well (642)

Wetland Wildlife Habitat Management (644)



United States Department of the Interior

FISH AND WILDLIFE SERVICE 1208-B Main Street Daphne, Alabama 36526

OCT 0 9 2015

IN REPLY REFER TO 2016-I-0023

Mr. John Ettinger, Environmental Compliance Officer Gulf Coast Ecosystem Restoration Council 500 Poydras Street, Ste. 1117 New Orleans, LA 70130

Dear Mr. Ettinger:

The Fish and Wildlife Service (Service) has reviewed the Restore Act funding proposal titled "Gulf Coast Conservation Reserve Program (GCCRP)". The Natural Resource Conservation Service (NRCS) has determined this action is categorically excluded from needing an evironmental impact statement or environmental assessment under the National Environmental Policy Act of 1969 (83 Stat. 852, as amended; 42 U.S.C. 4321 et seq.) because the proposed action would not result in a significant impact to the human environment. We submit this letter under the authority of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The Gulf Coast Conservation Reserve Program (GCCRP) would be established through USDA-NRCS (NRCS) in Texas, Mississippi, Alabama, and Florida for the purposes of protecting and restoring critical wildlife habitat and improving water quality through the implementation of wildlife habitat, conservation, and forest management plans. Conservation practices and restoration activities would be implemented to address the priority resource concerns identified in the Category 1 Planning Phase. Wildlife habitat restoration and natural resource conservation measures would be prioritized on individual land units and implemented based on best available science.

Activities that "may affect" a federally-listed species can only be permitted if the Federal action agency completes consultation under Section 7 of the ESA prior to construction. The Alabama Ecological Services Field Office has a programmatic agreement with NRCS regarding ESA Section 7 consultation for effect determinations contained within the: "NRCS Conservation Practice Effects on Federal Threatened & Endangered Species: USFWS-NRCS Interagency Consultation Matrix", for ESA listed species in Alabama. This programmatic consultation specifically outlines a proposed ESA compliance process that the NRCS would utilize to determine effects to federally listed species that may occur as the result of implementation of these practice standards in the state of Alabama.

With a majority wildlife habitats in Alabama maintained in private ownership, the NRCS has a unique opportunity to assist in the conservation and recovery of listed and candidate species in Alabama through direct contact with private landowner and with conservation programs and technical assistance efforts. Many of the conservation practices that are covered in this

PHONE: 251-441-5181 FAX: 251-441-6222

programmatic consultation could directly benefit these species by controlling erosion and sedimentation, creating new habitats, or buffering, improving, or protecting existing habitats.

Based on the use of our existing programmatic agreement, the Service believes the proposed project should not result in any adverse impact to a listed species or their critical habitat and could provide information needed to help restore such populations and/or their habitats.

If you have any questions or comments regarding this letter, please contact Shannon Holbrook in this office at (251) 441-5871.

Sincerely,

William J. Pearson Field Supervisor

Alabama Ecological Services Field Office



Sept 30, 2015

Justin Ehrenwerth
Executive Director
Gulf Coast Ecosystem Restoration Council

Dear Mr. Ehrenwerth:

This letter is to advise you of the results of the environmental compliance review completed by the USDA Natural Resources Conservation Service (NRCS) for a project we are proposing for RESTORE Act funding. The project is a component within the USDA proposal entitled "Strategic Land Protection, Conservation, and Enhancement of Priority Gulf Landscapes." The project is entitled "Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River Watershed." This project occurs on private lands.

NRCS has determined that this project meets USDA criteria for categorical exclusion from NEPA. Specifically, all activities to be undertaken are authorized under two USDA NRCS categorical exclusions (CE's) that have been determined applicable to the work to be conducted. No extraordinary circumstances were found in our analyses. See the enclosed NRCS Environmental Evaluation Worksheet for details of the analyses and applicable NRCS CE's.

We therefore recommend this project for RESTORE Act funding in accordance with the Council CE entitled "Council Funded Activities that Fall Under a CE of a Federal Council Member (Documentation Required)."

Sincerely,

RUSSELL MORGAN

State Conservationist

Cc: John Ettinger, Director, Environmental Compliance, Gulf Coast Ecosystem Restoration Council Michele Laur, Senior Advisor, USDA NRCS, Gulf Coast Ecosystem Restoration Team

Enclosures: NRCS Environmental Evaluation Worksheet - Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River Watershed

Justification for Application of NRCS Categorical Exclusions for Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River

Watershed, Santa Rosa County, Florida

		-					
U.S. Department of Agriculture NRCS-CPA-52 Natural Resources Conservation Service 4/2013			IA Client Name:		PCS project proposal for ogram funds		
ENVIRONMENT	TAL EVALUATION		B. Conservation Plan ID # (as applica	,	Blackwater River Water	shed	
WORI	KSHEET		Program Authority (optional): RESTORE Act				
D. Client's Objective(s) (pu	. ,		C. Identification # (farm, tract, field #,		• /		
The agency's objective is to			2 individual project sites in the Big Colo			osa	
erosion on private lands to improve water quality and downstream habitat, and protect private property and public infrastructure in portions of the watershed where sediment is			County (see map in "Justification" attac	hed bel	ow this Worksheet).		
causing impairment to water		5111.13					
E. Need for Action:	H. Alternatives						
Restore downstream habitat	No Action √ if RN		Alternative 1 √ if RM	s \square	Alternative 2 √ if RN	ıs 🗆	
in the Blackwater River	N/A - Analysis conducted		Stabilize head cuts and side slopes of		N/A		
Watershed and Pensacola	determine whether agency		to reduce or halt gully erosion via use of	-			
Bay.	criteria for categorically		or all of the following practices at each	project			
	excluding the action are m	ıet.	site: Clearing and Snagging (Code 326)			
			Critical Area Planting (Code 342)				
			Dike (Code 356)				
			Diversion, (Code 362)	0)			
			Grade Stabilization Structure, (Code 41	0)			
			Grassed Waterway, (Code 412) Land Clearing (460)				
			Land Smoothing (Code 466)				
			Lined Waterway or Outlet (Code 468)				
			Obstruction Removal, (Code 500)				
			Streambank and Shoreline Protection,	(Code			
			580)				
			Structure for Water Control (Code 587)				
			Underground Outlet (Code 620)				
Special Env	rironmental Concern	ıs: E	nvironmental Laws, Executive	Orde	ers, policies, etc.		
In Section "G" complete an	d attach Environmental I	Proce	edures Guide Sheets for documentation	on as a	pplicable. Items with a "•"	may	
			ween the lead agency and another go				
effects may need to be dete	ermined in consultation v	vith a	nother agency. Planning and practic	e imple	mentation may proceed for		
practices not involved in co							
G. Special Environmental	J. Impacts to Special E	nviro	nmental Concerns				
Concerns					Altamatica 2		
	No Action		Alternative 1	√if	Alternative 2	√if	
(Document existing/	No Action Document all impacts	√ if need	Alternative 1 Document all impacts	√ if needs	Document all impacts	√ if needs	
(Document existing/	No Action Document all impacts (Attach Guide Sheets as	√ if need s	Alternative 1	needs further	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/	No Action Document all impacts	√ if need	Alternative 1 Document all impacts (Attach Guide Sheets as applicable)	needs	Document all impacts	needs	
(Document existing/ benchmark conditions)	No Action Document all impacts (Attach Guide Sheets as	√ if need s	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable)	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas	No Action Document all impacts (Attach Guide Sheets as	√if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
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(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate.	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information.	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet none present in affected	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information.	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe r	
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(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet none present in affected area •Cultural Resources / Historic Properties	No Action Document all impacts (Attach Guide Sheets as	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information. No Effect No Effect If resources are found at any point	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe r	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet none present in affected area •Cultural Resources / Historic Properties Guide Sheet Fact Sheet	No Action Document all impacts (Attach Guide Sheets as applicable)	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information. No Effect No Effect If resources are found at any point during implementation work will stop	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe r	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet none present in affected area •Cultural Resources / Historic Properties	No Action Document all impacts (Attach Guide Sheets as applicable)	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information. No Effect No Effect If resources are found at any point during implementation work will stop until the resource can be evaluated	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe r	
(Document existing/benchmark conditions) •Clean Air Act Guide Sheet FS1 FS-2 No non-attainment areas present. •Clean Water Act / Waters of the U.S. Guide Sheet Fact Sheet Sections 402 not applicable to proposed activities. No Section 303d Impaired Waters •Coastal Zone Management Guide Sheet Fact Sheet sites are in coastal zone Coral Reefs Guide Sheet Fact Sheet none present in affected area •Cultural Resources / Historic Properties Guide Sheet Fact Sheet No known cultural resources	No Action Document all impacts (Attach Guide Sheets as applicable)	√ if need s furthe	Alternative 1 Document all impacts (Attach Guide Sheets as applicable) No Effect Proposed practices cause negligible or no effect on air quality. No Effect Section 404 permits expected to apply to project work on both project sites. No Effect Consistency determinations will be made as part of Section 404 CWA permit authorizations as appropriate. See Guide Sheet for more information. No Effect No Effect If resources are found at any point during implementation work will stop	needs further action	Document all impacts (Attach Guide Sheets as	needs furthe r	

			,	
Endangered and Threatened Species Guide Sheet Fact Sheet The Eastern Indigo Snake and Gopher Tortoise may be present. Gulf sturgeon has critical habitat downstream in the Blackwater River and Bay. Environmental Justice		No Effect All mitigation measures of the USFWS-NRCS Florida ESA Consultation Matrix for federally listed species will be followed for the application of all practices. Grassed Waterway Code 412 may have specific additional requirements See Part L and the respective Guide Sheet for further information. No Effect		
Guide Sheet Fact Sheet Santa Rosa County is largely rural with demographic characteristics that include protected groups. Minorities comprise a small proportion of the population (12%) but the poverty rate is relatively high at 35%.		No negative economic or environmental consequences are expected to affect protected populations. Possible benefits to covered populations may accrue from improved public safety for local residents where gullies are encroaching on public highways and improved recreational/aesthetic values of downstream waterways upon		
Essential Fish Habitat Guide Sheet Fact Sheet Blackwater River and Blackwater Bay - Gulf Sturgeon	- 1	No Effect decreased sedimentation in the Blackwater River is expected to benefit the sturgeon. All mitigation measures of the USFWS-NRCS Florida ESA Consultation Matrix for federally listed species will be followed and will result in no adverse effect to EFH.		
Floodplain Management Guide Sheet Fact Sheet One project site in or near 100-yr floodplain	1	No Effect project practices will improve floodplain functions by reducing or preventing loss of eroded land.		
Invasive Species Guide Sheet Fact Sheet No data at present	1	No Effect Procedures in the Guide Sheet will be followed to ensure control of invasive species and compliance with Executive Order 13112		
 Migratory Birds/Bald and Golden Eagle Protection Act Guide Sheet Fact Sheet Migratory birds may be present on project sites. No bald eagle nests have been identified within 660 feet of project sites. 		No Effect Minimal or negligible incidental take of non-listed birds may occur if land clearing if applied as preparation for construction of certain practices.		
Natural Areas Guide Sheet Fact Sheet Blackwater River is designated as an Outstanding Florida Water. Segments of Big Coldwater Creek and Blackwater River downstream of project site also have wild/scenic designation (see Wild & Scenic Rivers guide sheet)		No Effect water quality and riparian and instream habitat expected to improve due to reduction in sediment loading.		
Prime and Unique Farmlands Guide Sheet Fact Sheet	1	No Effect No conversion or farmland to other use will occur. Projects will help to preserve prime and locally important farmland by prevention loss of topsoil.		
Riparian Area Guide Sheet Fact Sheet present at both sites		No Effect substantial benefits are expected via prevention of the erosion of these areas. Short term impacts during construction will be minimized per applicable practice standard criteria.		

Scenic Beau Guide She	•	act Sheet			No Effect restoration of riparian areas will improve scenic beaurty			
Wetlands Guide She One site is upstream or riparian we with Lower Coldwater	immedi of foreste tland as West F	ed sociated			No Effect Section 404 permit conditions as well as any state permits, E.O. 11990, and NRCS policy for avoidance of adverse effects will be followed to avoid any short term impacts while working in the gully area. Repair and stabilization of gully erosional features will benefit the adjacent forested wetland.			
 Wild and So Guide She Segments Creek and downstrear 	eet F of Big C Blackwa	act Sheet oldwater			No Effect water quality and riparian and instream habitat expected to improve due to reduction in sediment loading.			
K. Other A Broad Pub			No Action		Alternative 1		Alternative 2	
Easements, Review, or P Agencies Co	ermits Re	,			CWA Section 404 permits, state ERP Permits, and county permits for work in ajacent to Creek may apply.			
Cumulative E (Describe the considered, i present and regardless of actions)	e cumulat including known fut	tive impacts past, ture actions	Blackwater River, and in to values of the watershed. ⁻ watershed and is also exp	ırn in Γhis e ectec	area and contribute to reduction of sedim nprove downstream riparian health, aqua effort will add to a history of similar work led to improve public safety, as it will serve astrucuure such as roads and bridges.	tic habi by NRC	tat, and recreational and ecor S in various portions of the	
minimize, an	ia compe	isate	 All practice criteria sperwill be followed, including a burrows where a snake copermanent structure place be maintained. Directions in the Wetlar impacts. If invasive species are 	cified all cu uld b ment nds (iverted via use of Code 362 Diversion. I in the USFWS-NRCS Florida ESA Consument eastern indigo snake minimization reburied or trapped and injured during protect, plowing below 6 inches), a 25 ft buffer a Guide Sheet will be followed to insure avoient, NRCS procedures as stated in the relance with Executive Order 13112	measur oject ad around oidance	es. If there are gopher tortoise ctivities (such as earth moving the entrance to the burrow(s) and minimization of wetland	e J, will
M. Preferre	-	referred		ШРШ	7		П	
Alternative	Su	pporting ason			No adverse effects of this action based analysis of practice effects and applicati the mitgation measures above.]	
	,		• '	loca				
The signification affected into				al co	ntexts such as society as a whole (huma	n, natio	onal), the affected region, the	
O. Determ Intensity: agency bel down into s If you answ circumsta	nination Refers to the small country wer AN' nces and	of Signif to the seve at on bala mponent p	icance or Extraordinary C erity of impact. Impacts may nce the effect will be benefi parts. elow questions "yes" the	y be cial. n cor	mstances both beneficial and adverse. A significant Significance cannot be avoided by termi ntact the State Environmental Liaison a site specific NEPA analysis may be re	ng an a	action temporary or by breaking the may be extraordinary	
	No ✓	Is the p to histo	oreferred alternative expecte oric or cultural resources, pa	ed to	cause significant effects on public health significantly affect unique characteristics nds, prime farmlands, wetlands, wild and	of the	geographic area such as prox	
	V V	Does th	effects of the preferred alternet effects of the preferred alternative have		ive on the quality of the human environm hly uncertain effects or involve unique or			
	<u></u> ✓				a precedent for future actions with signif	ficant ir	npacts or represent a decision	า in
	V	Is the p	referred alternative known	or re	asonably expected to have potentially sig rindividually or cumulatively over time?	nifican	t environment impacts to the	

Q. NEPA Con The preferred		ding (check one)		Action required
	1) is not a	federal action where the agen	cy has control or responsibility.	Document in "R.1" below. No additional analysis is required
V			gorically excluded from further environmental circumstances as identified in Section "O".	Document in "R.2" below. No additional analysis is required
	regional, or		ently analyzed in an existing Agency state, there are no predicted significant adverse umstances.	Document in "R.1" below. No additional analysis is required.
	document (I been forma Finding of N	EA or EIS) that addresses the pally adopted by NRCS. NRCS No Significant Impact for an EA	ntly analyzed in another Federal agency's NEPA proposed NRCS action and its' effects and has is required to prepare and publish its own or Record of Decision for an EIS when adopting ote: This box is not applicable to FSA)	Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
		adverse environmental effects of	ufficiently analyzed or may involve predicted or extraordinary circumstances and may require	Contact the State Environmental Liaison. Further NEPA analysis required.
R. Rationale S	Supporting t	he Finding		
R.1	nontation			
Findings Docur		determinable pre-impact cond (20) Implementing soil contro	, fish and wildlife habitat, biotic community, or populition; I measures on existing agricultural lands, such as aces, grassed waterways, filter strips, riparian fore	grade stabilization structures (pipe
Applicable Cate Exclusion(s) (more than one r 7 CFR Part 650 C With NEPA, subp	Compliance			
Applicable Cate Exclusion(s) (more than one r 7 CFR Part 650 C With NEPA, subp Annual France I have conside Environmenta finding indicate S. Signature of	compliance part 650.6 ered the effe of Concerns, ted above.		Resource Concerns, Economic and Social Co ances as defined by Agency regulation and po State Conservationist	

CLEAN AIR ACT		Client/Plan Information:
NECH 610.21		none - FL NRCS project proposal for RESTORE program
Evaluation Procedure Guide Sheet		Blackwater River Watershed
Check all that apply to this ✓ Alternative 1		RESTORE Act
Guide Sheet review: Alternative 2	☐ Other	2 individual project sites in the Big Coldwater Creek

NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality permitting and regulatory requirements are different for each state. In each step, if more information is needed or there is a question as to whether there are air quality requirements that need to be met, the planner or client should contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what air quality regulatory requirement must be met prior to implementing the planned action or activity.

STEP 1.

Is the action(s) expected to increase the emission rate of any regulated air pollutant?

NOTE: The definition of a "regulated air pollutant" differs depending on the air quality regulations in effect for a given site. For a federal definition of "regulated air pollutant," please refer to the 40 CFR 70.2. Other definitions for "regulated air pollutant" found in state or local air quality regulations may be different. States should tailor this question to the State air quality regulations and definitions since those will include any Federal requirements.

☑ No
If "No," it is likely that no permitting or authorization is necessary to implement the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the planned action or activity. Go to step 3.

^{⊔ res} If "Yes," go to Step 2.

STEP 2.

Can the action(s) be modified to eliminate or reduce the increase in emission rate of the regulated air pollutants?

NOTE: This Step is to prompt the planner to review the planned action or activity to see if there is an opportunity to either eliminate the emission rate increase (possibly remove a permitting requirement) or reduce the emission rate increase (possibly move to less stringent permitting).

□ No

If "No," it is likely that permitting or authorization from the appropriate air quality regulatory agency will be required prior to implementing the planned action or activity. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the proposed action or alternative. Go to Step 3.

☐ Yes If "Yes," modify the proposed action or alternative and repeat Step 1.

CLEAN AIR ACT (continued)

STEP 3.

Is the action(s) expected to result in a decrease in the emission rate of any criteria air pollutant for which the
area in which the site is located in an EPA designated nonattainment area for that criteria air pollutant?
NOTE: For an explanation of criteria air pollutants and nonattainment areas, refer to Section 610.21 of the
NECH. Further information regarding nonattainment areas can also be found on the U.S. EPA nonattainment
area Web page.

iioa iiob pa	,
☑ No	If "No," go to Step 4.
☐ Yes	If "Yes," the opportunity for obtaining nonattainment pollutant emission credits may exist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client of that potential opportunity. If the client is interested in registering nonattainment pollutant emission credits, advise him/her to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine if and how credits can be documented and/or registered for potential sale. Go to Step 4.
STEP 4.	
Standards for or outdoor bu	s) subject to any other federal (e.g, New Source Performance Standards, National Emissions Hazardous Air Pollutants, etc.), State, or local air quality regulation (including odor, fugitive dust, rning)? to Section 610.21 of the NECH for a further discussion of air quality regulations.
NOTE. Refer	
☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," additional permits, authorizations, or controls may be needed before implementing the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what requirements must be met prior to implementing the proposed action or alternative.
Notes:	

CLEAN WATER ACT/WATERS of the U.S.	Client/Plan Information:
INLOTT OTOLEE	none - FL NRCS project proposal for RESTORE program
Evaluation Procedure Guide Sheet	Blackwater River Watershed
Check all that apply to this ☑ Alternative 1	RESTORE Act
Guide Sheet review: ☐ Alternative 2 ☐ Other	2 individual project sites in the Big Coldwater Creek

NOTE: This guide sheet should be tailored to meet the specific needs of individual State and local regulatory and permitting requirements. It is important for each State to coordinate with their individual State and Federal regulatory agencies to tailor State-specific protocols in order to prevent significant delays in processing permit applications.

Complete both sections of this guide sheet to address Federal as well as State-administered regulatory requirements of the Clean Water Act (CWA).

SECTION I

Federally Administered Regulatory Program - Section 404 of the CWA

STEP 1.

Will the action(s) involve or likely result in the discharge or placement of dredged or fill material or other pollutants into areas that could be considered to be waters of the United States (Including, but not limited to wetlands, lakes, streams, channels, and other water conveyances, including some small ditches)? *More detailed information regarding waters of the United States and Federal permitting programs under CWA is found in the NECH 610.22.*

□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.
☐ Yes	If "Yes," go to Step 2.
	n(s) an activity exempt from section 404 regulations (40 CFR Part 232)? xemption should be verified with the local U.S. Army Corps of Engineers (Corps) district.
□ No	If "No," go to Step 3.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used to verify the exemption applies and proceed with Section II below.

STEP 3.

Can the action(s) be modified to avoid the discharge of dredged or fill material or other pollutants into waters of the United States?

□ No	If "No," go to Step 4.
□ Yes	If "Yes," modify the action to avoid discharge. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.

CLEAN WATER ACT/WATERS of the U.S. (continued)

	t obtained a section 404 permit (individual, regional, or nationwide) or a determination of an om the appropriate Corps office?
□ No	If "No," determine if the client has applied for a permit. If a permit has not been applied for, the client will need to do so. If a permit has been applied for, document this, and continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation. Complete Section II below.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and complete Section II below. The final plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit, such as amount or location of fills or discharges of pollutants should be coordinated with the Corps. Complete Section II below.
Notes:	
	SECTION II
State	e Administered Regulatory Programs, Sections 303(d) and 402 of CWA
	ed action or alternative located in proximity to waters listed by the State as "impaired" under d) of the CWA?
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.
□ Yes	If "Yes," insure consistency with any existing water quality or associated watershed action plans that have been established by the State for that stream segment. Even if TMDLs have not been established by the State for that stream segment, ensure that the action will not contribute to further degradation of that stream segment. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.
STEP 2	
sites, or other source polluti management	osed action or alternative likely result in point-source discharges from developments, construction rareas of soil disturbance, or sewer discharges [e.g. projects involving stormwater ponds or point-on, including concentrated animal feeding operations (CAFOs) for which comprehensive nutrient plans (CNMPs) are being developed]? Section 402 of the CWA requires a permit for these ugh the National Pollutant Discharge Elimination System (NPDES) program which the States
adiriii iiotor.	
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 3

las the client egulatory offi	t obtained a NPDES permit or a determination of an exemption from the appropriate EPA or State- ice?
□ No	If "No," determine if the client has applied for any necessary permits. If a permit has not been applied for, the client will need to do so. If they have applied, document this and continue the planning process in consultation with the client and the regulatory agency. Continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. The final NRCS conservation plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit should be coordinated with the appropriate State regulatory agency.
Notes:	

	L ZONE MANAGEMENT AREAS	Client/Plan Information: none - FL NRCS project proposal for RESTORE program
NECH 610.23		Blackwater River Watershed
	n Procedure Guide Sheet	RESTORE Act
	Il that apply to this ✓ Alternative 1 uide Sheet review: Alternative 2 Other	2 individual project sites in the Big Coldwater Creek
	Anteniative 2	
STEP 1.		
Is the action	(s) in an officially designated "Coastal Zone Mana	agement Area"?
□ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	, , , , , , , , , , , , , , , , , , , ,
✓ Yes	If "Yes," go to Step 2.	
STEP 2.		
	(s) "consistent" with the goals and objectives of the Section 307 of the Coastal Zone Management	
☐ No	If "No," go to Step 3.	
✓ Yes	If "Yes," document the finding, including the with planning.	ne reasons, on the NRCS-CPA-52 and proceed
STEP 3.		
	oviding financial assistance or otherwise controllin	g the action?
□ No	· · · · · · · · · · · · · · · · · · ·	<u> </u>
☐ Yes	the State's Coastal Zone Program Office before modifications to the proposed action. NRCS mor alternative would result in a violation of a State of the state of	e State agency no later than 90 days before final s received from the State, document the
Notes:		
•	determination is made via issuance of Section 40 determination is made via issuance of Section 10 determination is made via issuance of	. , , , , , , , , , , , , , , , , , , ,

CORAL REEFS		Client/Plan Information:		
NECH 610.	24	none - FL NRCS project proposal for RESTORE program		
	Procedure Guide Sheet	Blackwater River Watershed		
	that apply to this Alternative 1	RESTORE Act		
Guid	de Sheet review:	2 individual project sites in the Big Coldwater Creek		
STEP 1.				
Are coral reef	s or associated water bodies (e.g. embayment ar	eas) present in or near the planning area?		
☑ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v			
☐ Yes	If "Yes," go to Step 2.			
STEP 2.				
•	ential for the action(s) to degrade the conditions orce Web site for local action strategies in your are	· · · · · · · · · · · · · · · · · · ·		
□ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v			
☐ Yes	If "Yes," go to Step 3.			
STEP 3.				
	n(s) be modified to reduce or avoid degradation to	the coral reef ecosystem?		
□ No	If "No," identify the component(s) of the system which will cause the potential impacts. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.			
☐ Yes	If "Yes," modify the action or alternative and repeat Step 2.			
STEP 4.				
Is NRCS prov	iding financial assistance or otherwise controlling	the action(s)?		
□ No	If "No," and degradation of the reefs is unavoidathe current status of U.S. coral reefs and the documentation and nutrient runoff), and the benefit	, ,		
☐ Yes	If "Yes," the significance of the impacts must Assessment (EA) or Environmental Impact State State Office for assistance.			
Notes:				

CULTURAL RE	SOURCE	S / HISTORI	IC		ın Informati	
PROPERTIES		NECH 610.	25			sal for RESTORE program
Evaluation Pro					ver Watershed	
Check all that a Guide Sh	pply to this eet review:	✓ Alternative 1 ☐ Alternative 2	☐ Other	RESTORE A 2 individual pr		Big Coldwater Creek
Evaluation Proced protocols or operative current National Conference NHPA and NRCS for current operatir	ure Guide S ing procedual Programm rence of Sh cultural resc	theet to reflect Sures pertinent to natic Agreement IPOs. For addit purce policy refe	state Level Agreer your State or oth t among NRCS, to ional information r to Title 420, Ge	ments (SLA: er State-spe ne Advisory regarding co neral Manua	s) with SHPO ecific protocol Council on H ompliance with al (GM), Part	ates may need to tailor this is or Tribal consultation is that reflect the terms of istoric Preservation, and it has been been section 106 of the 401, Cultural Resources; Handbook (NCRPH), Part
historic properties, complete consulta identified consultin sheet but would on	it is importation with mag g parties du cur with Ste ocedures to	ant to follow NRO ndatory (SHPOs ring the course eps 2, 3, 4, and 6 ensure appropr	CS policy and the s, THPOs, federa of planning. This and these must riate oversight by	regulations lly recognize consultatio be conduct	that implemented Tribes, and not docur is not docur ed in accorda	affect cultural resources or ent Section 106 and d native Hawaiians) and mented on this guide ince with NRCS State cialists who meet the
Is the action(s) fun	ded in whol	e or part or unde	er the control of N	IRCS? To I	nake this de	termination, answer the
following: Is technical as NRCS?	ssistance ca	arried out by or c	on behalf of	□ No	✓ Yes	□ Unknown
	it with NRC	S financial assis	tance?	☑ No	☐ Yes	☐ Unknown
·		oproval with NRocense, approval,		□ No	✓ Yes	□ Unknown
	•	other Federal, S ing as lead fede	·	☑ No	☐ Yes	□ Unknown
rationale, an	d informati		ed and proceed			ction below, the finding,
		•	ultural Resources that requires revi		•	t (CRC or CRS) to
STEP 2.						
Is the action(s) ide cause effects to cu		•	•	190-NCRPI	Hand 420-GN	M) with the potential to
□ No	•		NRCS-CPA-52, used and proce			, the finding, rationale,
✓ Yes ✓ Yes	If "Yes,"	go to Step 3.	•	•	J	
STEP 3.						
affected, directly o locations for dispo- disposition of remo during determination	r indirectly: sition of sec oved concre on of the AF	access and haul iment, streamba te, as well as the E so that all his	I roads, equipmer ank stabilization a e area of the actu toric properties (b	nt lots, borro reas, buildir al conserva puildings, str	w areas, surfing removal artion practice.uctures, sites	all areas to be altered or ace grading areas, nd relocation sites, Consultation is essential s, landscapes, objects, and native Hawaiians) are
□ No □ Unknown	If "No," or determine		onsult with your s	tate specific	protocols or	the CRC or CRS to

✓ Yes

If "Yes," go to Step 4.

CULTURAL RESOURCES (continued)

STEP 4.

to determine wheth or project area? No	te records (National, State and local registers and er any known cultural or historic resources are w ote: This record checking does not substitute for dentified consulting parties.	ithin or in	close proxir	nity to the proposed APE
_	ster of Historic Places? of Historic Places?	□ No □ No	✓ Yes✓ Yes	☐ Unknown☐ Unknown
_	tatewide inventory or data base?	□ No	Yes	□ Unknown
	nistorical society or commission lists?	□ No		□ Unknown
-	dge of existing artifacts, historic structures,	□ No	✓ Yes	□ Unknown
(sometimes th	ses are "No" or "Unknown," work with your Core SHPO will let only the CRS or CRC review the NRCS policy and procedures, SLA, and Tribal core.	files). Fol	low all othe	r operating procedures
information, no Document on sources used Step 5.	es are "Yes," and NRCS providing technical a otify the landowner of any potential affects, and p the NRCS-CPA-52, or notes section below, the land proceed with planning. If NRCS is provide	rovide rec ne finding	ommendationale,	ons for consideration. and information
-	ne existence of any known or potential cultural re			-
survey will need to	observed during the field inspection of the APE? be conducted by qualified personnel in your state nine qualification criteria.		•	
☑ No	If "No," document on the NRCS-CPA-52, or no and information sources used and proceed w			the finding, rationale,
☐ Yes	If "Yes," contact the CRC or CRS. Do NOT pro implementation until the final CRS response is re		• .	
STEP 6.				
Can the proposed a	actions or alternatives be modified to avoid effect	s on the k	nown cultur	al resources?
□ No	If "No," go to Step 7.			
☐ Yes	If "Yes," modify the planned actions or activities document this on the NRCS-CPA-52, or notes planning.	•		•
STEP 7.				
planner completing	ith appropriate and interested parties been completed the NRCS-CPA-52 generally does not do the conspecialist for the documentation information.			
□ No	If "No" refer to State CRC or CRS for further conservationist.	onsultatior	and recom	nmendations to the State
☐ Yes	If "Yes," and all necessary historic preservation treatment have been completed, document any			
Notes:	•		-	-

ENDANGERED AND THREATENED SPECIES	Client/Plan Information:
NECH 610.26	none - FL NRCS project proposal for RESTORE program
Evaluation Procedure Guide Sheet	Blackwater River Watershed
Check all that apply to this ✓ Alternative 1	RESTORE Act
Guide Sheet review: ☐ Alternative 2 ☐ Other	2 individual project sites in the Big Coldwater Creek

STEP 1.

Are protected species or their habitat present in the area of potential effect?

Note: protected species include federally listed, proposed, and candidate specie, as well as State and Tribal species protected by law or regulation. In addition, if a species' listing or status changes before implementation, you must complete this review again.

- □ No
 If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- ☑ Yes If "Yes," document the species and relevant benchmark data on NRCS-CPA-52, then proceed to the applicable section(s) listed below:
 - Section 1- Federally listed endangered or threatened species/habitats
 - Section 2- Federally proposed species/habitats
 - Section 3- Federal candidate species/habitats
 - Section 4- State/Tribal species/habitats

SECTION 1: Federally listed endangered or threatened species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on endangered or threatened species or their habitat?

□ No effect	If "No effect, "document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ May affect	If "May affect," meaning that the action might affect endangered and threatened species of their habitat in some way, go to Step 2.

Federally listed endangered or threatened species/habitats (continued)

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action(s)?

If "No," and the effects are purely benign or beneficial, continue with planning but ensure the □ No client is aware endangered and threatened species or their habitat exists and conservation practices must be applied in a manner that avoids adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "No," and there is a possibility of short-term or long-term adverse effects then inform the □ No client of NRCS's policy concerning endangered and threatened species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects or the client obtains a "take" permit from the FWS/NMFS. Refer the client to FWS/NMFS to address the client's responsibilities under Sections 9 & 10 of the ESA, for Federally listed species. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid adverse effects and proceed with planning. If "Yes," and the action will be implemented according to an existing informal ☐ Yes consultation, biological opinion, or 4(d) special rule, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that in order to ☐ Yes proceed with the action NRCS must consult with FWS/NMFS. Contact your area or State biologist for consultation procedures. The action can only be implemented according to the terms of the consultation. When consultation is complete, attach the consultation documents to NRCS-CPA-52 or reference them in the notes section below and proceed with planning.

Notes for Federally listed endangered or threatened species/habitats:

Sites are within the ESA Consultation Area for the red cockaded woodpecker. However, there are no identified colonies in the Big Coldwater Creek subwatershed. Gulf sturgeon has critical habitat downstream in Blackwater River and Blackwater Bay. Code 362 Diversion will not be applied to natural streams. Stabilization of gullies will benefit Indigo Snake and Gopher Tortoise habitat. Standard NRCS protective measures will be followed as per the USFWS-FL NRCS Consuttation Matrix for these species. Decreased sedimentation in the Blackwater River is expected to benefit the sturgeon.

SECTION 2: Federally proposed species/habitats

STEP 1. What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on proposed species or their habitat? If "No effect," additional evaluation is not needed concerning proposed species ☑ No effect or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ May effect If "May affect," meaning that the action might affect endangered and threatened species or proposed critical habitat in any way, go to Step 2. STEP 2. Is NRCS providing financial assistance or otherwise controlling the action? □ No If "No," and the effects are purely benign or beneficial, continue with planning but ensure the client is aware proposed species or their habitat exists and conservation practices must be applied in a manner as to avoid adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ No If "No," and there is a possibility of short-term or long-term adverse effects then inform the client of NRCS's policy concerning proposed species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects, and to the extent practicable, provide long-term benefits to species and habitat. Should the client or landowner refuse to apply the recommended alternative conservation treatment, NRCS will inform the client and landowner of the NRCS policy and shall not provide assistance for the action or portion of the action affecting the proposed species. If "Yes," and the action will be implemented according to an existing conference report or ☐ Yes conference opinion. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that the NRCS ☐ Yes must conference with FWS/NMFS. Contact your area or State biologist for conference procedures. Further NRCS assistance can only be provided only if the client agrees to implement the conference recommendations to the extent practicable. When the conference is complete, attach the conference documents to NRCS-CPA-52, or reference them in the notes section below, and proceed with planning. **Notes** for Federally proposed species/habitats: none present

SECTION 3: Federal candidate species/habitats STEP 1. What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on candidate species or their habitat? If "No adverse effect," additional evaluation is not needed concerning proposed ☑ No adverse effect species or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ May adversely effect If "May adversely affect," recommend alternative treatments that avoid or minimize the adverse effects and, to the extent practicable, provide long-term benefit to the species. Document the effects of the selected alternative on the NRCS-CPA-52 and proceed with planning. **Notes** for Federally proposed species/habitats: Gopher tortoise protection measures will be followed for the use of Grassed Waterways. SECTION 4: State/Tribal species/habitats STEP 1. What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the proposed action or alternative on State/Tribal species or their habitat? If "No adverse effect," additional evaluation is not needed concerning State ✓ No adverse effect or Tribal species of concern. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ May adversely affect If "May adversely affect," go to Step 2. STEP 2. Is NRCS providing financial assistance or otherwise controlling the action? If "No," and there is a possibility of short-term or long-term adverse effects then inform the □ No client of NRCS's policy concerning State and Tribal species and the need to use alternative conservation treatments to avoid or minimize adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids or minimizes adverse effects to the extent practicable. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid or minimize those adverse effects and proceed with planning. If "Yes," and the action cannot be modified to avoid the adverse effect, inform client that the ☐ Yes NRCS must coordinate with State/Tribal government and receive concurrence on recommended alternatives. Contact your area or State biologist for coordination procedures. Further NRCS assistance will be provided only if the client agrees to implement a concurred upon alternative and obtains any required permits. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.

Notes for State/Tribal species/habitats:

Gopher tortoise protection measures will be followed for the use of Grassed Waterways.

ENVIRONMENTAL JUSTICE				Client/Plan Information:		
NECH 610.27			none - FL NRCS project proposal for RESTORE program			
Evaluation Procedure Guide Sheet				Blackwater River Watershed		
Check all that apply to this ☑ Alternative 1			RESTORE Act			
Guide Sheet review: Alternative 2 Other				2 individual project sites in the Big Coldwater Creek		
STEP 1.						
In the area aff	ected by the NF	RCS action, are ther	e low-income	populations, minority populations, Indian Tribes,		
or other specified populations that would experience disproportionately high and adverse human health impacts						
resulting from	resulting from the proposed action or alternative?					
✓ No	☑ No If "No," document on the NRCS-CPA-52, or notes section below, the finding,					
	rationale, and information sources used and proceed with planning.					
☐ Yes	If "Yes," go to Step 2.					
☐ Unknown ☐ Unknown, ☐ consult your State Environmental Specialist, or equivalent and Tribal Liais for additional guidance, and repeat Step 1. NOTE: The USDA Departmental Regulation on Environmental Justice (DR 5600-002) provides detailed ☐determination procedures ☐ NEPA as well as non-NEPA activities and suggests social and economic effects for considerations.				. NOTE: The USDA Departmental Regulation rovides detailed "determination procedures" for		
STEP 2.						
Is the action(s	s) the type that n	night have a disprop	oortionately hig	gh and adverse environmental or human health		
effect on a lov	v-income popula	ation, minority popul	lation, or India	n Tribe?		
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.					
☐ Yes	If "Yes," initiate Tribal consultation or community outreach to affected and interested parties that are categorized as low-income, minority, or as Indian Tribes. The purpose is to encourage participation and input on the proposed program or activity and any alternatives or mitigating options. Participation of these populations may require adaptive or innovative approaches to overcome linguistic, institutional, cultural, economic, historic, or other potential barriers to effective participation. If assistance is needed with this process, contact your State Public Affairs Specialist or Tribal Liaison. Go to Step 3.					
STEP 3.						
Considering the results of the outreach initiative together with other information gathered for the decision-making process, will the action(s) have a disproportionately high and adverse effect on the human health or the environment of the minority, low-income, or Indian populations?						
□ No		interested and aff tes section below		of agency decision. Document on the NRCS-and rationale.		
☐ Yes	If "Yes," consider the feasibility and appropriateness of the proposed alternatives and their effects and the possibility of developing additional alternatives or a mitigation alternative and repeat Step 3. Document results of these early scoping sessions on the NRCS-CPA-52. If it is determined that there remains a disproportionately high and adverse effect on human health or the environment, or the project or action carries a high degree of controversy then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Contact your State Office for assistance.					
Notes:						

		[OII] (/DI I (
	L FISH HABITAT	Client/Plan Information:
NECH 610	-	none - FL NRCS project proposal for RESTORE program Line Jackwater River Watershed
	Procedure Guide Sheet	RESTORE Act
	that apply to this ☑ Alternative 1 de Sheet review: ☐ Alternative 2 ☐ Other	2 individual project sites in the Big Coldwater Creek
STEP 1.		
•	s) in an area designated as Essential Fish Habita	t (EFH) or in an area where effects could
•	umulatively affect EFH? tional information regarding EFH Descriptions and	I Identification can be found on NMES's
website.	ional information regarding ETTT Descriptions and	a lacitumeation can be found on this 03
□ Na		
☐ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	· · · · · · · · · · · · · · · · · · ·
	·	with planning.
Yes	If "Yes," go to Step 2.	
STEP 2.		
_	n(s) result in short-term or long-term disruptions o	or alterations that may result in an "adverse
	1? [16 U.S.C. 1855(b)(2); Magnuson Stevens Act	
	If "NIa " agree that is a write NIMEC and fronth or avail	vetice is not pooded concerning FFI I value
☑ No	If "No," consultation with NMFS and further eval otherwise specified by the State Biologist. Doc	_
	section below, the finding, rationale, and infe	
	planning.	·
☐ Yes	If "Yes," go to Step 3.	
	100, go to 0.0p o.	
STEP 3.		
Can the actio	n(s) be modified to avoid the potential adverse ef	fect?
☐ No	If "No," document on the NRCS-CPA-52, or n	otes section below, the finding, rationale,
	and information sources used. Go to Step 4	
☐ Yes	If "Yes," modify the action or activity and re	neat Sten 2.
	ii 100, iiiouny tiio uotion or uotivity unu 10	pour 0:0p 2.
STEP 4.		
-	viding assistance that would result in the funding,	authorization, or undertaking of the action(s)?
[MSA Section	1 305(0)]	
□ Na	If "No," an alternative conservation system t	hat avoids the adverse effect must be
☐ No	identified as the proposed action or NRCS m	
	terminated, indicate the circumstances in the Re	
	the NRCS State Office for assistance. (Title 19	0, General Manual, Part 410, Subpart A,
☐ Yes	Section 410.3) If "Yes," inform the client that the NRCS Dist	trict Conservationist or NRCS State
	Biologist must consult with NMFS before ful	
	Section 305(b)(2)].	, , , , , ,
	Note: For specific information regarding consultations and account of the specific information regarding consultations.	
	Habitat Consultation Guidance," April 2004, ava	ılable online.
Notes:		
Notes:		

FLOODPLAIN MANAGEMENT	Client/Plan Information:
NECH 610.29	none - FL NRCS project proposal for RESTORE program
Evaluation Procedure Guide Sheet	Blackwater River Watershed
Check all that apply to this	RESTORE Act
Guide Sheet review: ☐ Alternative 2 ☐ Other	2 individual project sites in the Big Coldwater Creek

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only (individ	Guide Sheet is intended for evaluation of "non-project" technical and financial assistance lual projects). For "project" assistance criteria (those assisting local sponsoring ns), consult Title 190, General Manual, Part 410, Subpart B, Section 410.25.			
STEP 1. s the project	area in or near a 100-year floodplain?			
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.			
✓ Yes	If "Yes," go to Step 2.			
☐ Unknow	If "Unknown," review the HUD/FEMA flood insurance maps and other available data such as soils information relating to flood frequency. If still "Unknown", contact the appropriate field or hydraulic engineer. Repeat Step 1.			
STEP 2.				
•	ng area in the floodplain an agricultural area that has been used to produce food, fiber, feed, forage at least 3 of the last 5 years before the request for assistance?			
☑ No	If "No," go to Step 4.			
☐ Yes	If "Yes," document the agricultural use history and go to Step 3.			
STEP 3. s the floodpl plans?	ain's agricultural production in accordance with official state or designated area water quality			
□ No	If "No," advise the client of conservation practices or other measures that will bring the land into accordance with water quality plans and incorporate these into the conservation plan. Go to Step 4.			
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.			
STEP 4.				
Over the sho	rt or long term, will the proposed action or alternative likely result in an increased flood hazard, development, or other adverse effect to the existing natural and beneficial values of the floodplain			

or lands adjacent or downstream?

☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," modify the action if possible to avoid adverse effects. Inform landuser of the hazards of locating actions in the floodplain and discuss alternative methods of achieving the objective and/or alternative locations outside the 100-year floodplain. If the action can be modified, describe the modification on the NRCS-CPA-52 and repeat 4. If the action cannot be modified to eliminate adverse effects, go to Step 5.

FLOODPLAIN MANAGEMENT (continued)

STEP 5. Is one or more of the alternative methods or locations practical? □ No If "No," the District Conservationist will carefully evaluate and document the potential extent of the adverse effects and any increased flood risk before making a determination of whether to continue providing assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. ☐ Yes If "Yes," and the client agrees to implement the alternative methods or locations outside the floodplain, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ Yes If "Yes," and the client DOES NOT AGREE to implement the alternative methods or locations, advise the client that NRCS may not continue to provide technical and/or financial assistance where there are practicable alternatives. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. STEP 6. Will assistance continue to be provided? If "No," provide written notification of the decision to terminate assistance to the client and the □ No local conservation district, if one exists. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," the district conservationist should design or modify the proposed action or ☐ Yes alternative to minimize the adverse effects to the extent possible. Circulate a written public notice locally explaining why the action is proposed to be located in the 100-year floodplain. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Notes: Most practices will be conducted in gullies or riparian areas.

				[
INVASIVE	INVASIVE SPECIES			Client/Plan Information:	
NECH 610.30				none - FL NRCS project proposal for RESTORE program	
Evaluation Procedure Guide Sheet			Blackwater River Watershed		
	that apply to this	Alternative 1		RESTORE Act	
Guid	de Sheet review:	☐ Alternative 2	Other	2 individual project sites in the Big Coldwater Creek	
NOTE: Executive Order 13112 states that "a Federal agency shall not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction and spread of invasive species in the U.S. or elsewhere." Remember that invasive species can include plants, fish, animals, insects, etc.					
STEP 1.	.				
Is the action(s) in an area where invasive species are known to occur or where risk of an invasion exists? NOTE: Executive Order 13112 (1999) directs Federal agencies to "prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause."					
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.				
☐ Yes	If "Yes," go to	Step 2.			
STEP 2. Conduct an inventory of the invasive species and identify areas at risk for future invasions (Title 190, General Manual, Part 414, Subpart D, Section 414.30). Delineate these areas on the conservation plan map and document management considerations in the plan or assistance notes. Have all appropriate tools, techniques, management strategies, and risks for invasive species prevention, control, and management been considered in the planning process?					
□ No	If "No," you must consider and include all appropriate factors relating to the existing and potential invasive species for the planning area and repeat Step 2.				
☐ Yes	If "Yes," descri	ibe strategies, tech	niques, and re	easons on NRCS-CPA-52 and go to Step 3.	
STEP 3. Is the action(s) consistent with the Executive Order 13112, the national invasive species management plan, and any applicable State or local invasive species management plan?					
□ No	action, NRCS n		sistance. Do	If the client is unwilling to modify the proposed cument the circumstances on the NRCS-CPA-le.	
☐ Yes		ment on the NRC		notes section below, the finding, rationale, vith planning.	
Notes:					
NOT YET AS	SESSED.				

MIGRATORY BIRDS, BALD AND GOLDEN EAGLE PROTECTION ACT, NECH 610.31 Evaluation Procedure Guide Sheet Check all that apply to this Guide Sheet review: ☐ Alternative 2 ☐ Other Client/Plan Information: none - FL NRCS project proposal for RESTORE program Blackwater River Watershed RESTORE Act 2 individual project sites in the Big Coldwater Creek

NOTE: This guide sheet includes evaluation guidance for compliance with both the Migratory Birds Treaty Act, Executive Order 13186 (2001), and the Bald and Golden Eagle Protection Act. Both sections must be completed if eagles are identified within the area of potential effect.

SECTION I: MIGRATORY BIRDS TREATY ACT

In the lower 48 states, all species except the house sparrow, rock pigeon, common starling, and non-migratory game birds like pheasants, quail, grouse, and turkeys, are protected.

STEP 1.

Could the action(s) result in a take (intentionally or unintentionally) to any migratory bird, nest or egg? The term "take" means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR Section 10.12).

NOTE: The MBTA does not prohibit the destruction of a migratory bird nest alone (without birds or eggs) provided that no possession occurs during the destruction (USFWS, Migratory Bird Memorandum, MBPM-2, April, 2003).

□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
✓ Yes	If "Yes," go to Step 2.

STEP 2.

Is it the purpose of the action(s) to intentionally "take" a migratory bird or any part, nest or egg (such as, but not limited to: controlling depredation by a migratory bird, or removal of occupied nests of nuisance migratory birds)?

NOTE: Migratory game birds taken under state and Federal hunting regulations are exempt.

☑ No	If "No," go to Step 3.
☐ Yes	If "Yes," document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Inform the client that they must obtain a permit from USFWS and any required state permit before the action is implemented.

STEP 3.

Have adverse effects on migratory birds been mitigated (avoided, reduced, or minimized) to the maximum practicable extent?

NRCS must discontinue assistance until issue has been resolved with USFWS.	tion below,
□ No If "No," modify the action and repeat Step 1. If client is unwilling to modify the a	ction then

and in the plan. Go to Step 4.

MIGRATORY BIRDS TREATY ACT / BALD AND GOLDEN EAGLE PROTECTION ACT (continued) STEP 4. Will unintentional take of migratory birds, either individually or cumulatively, result in a measurable negative effect on a migratory birds population? □ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," additional principles, standards and practices shall be developed in coordination with ☐ Yes USFWS to further lessen the amount of unintentional take (E.O. 13186(3)(e)(9)). Repeat Step 1 or indicate which of the following options is pursued by the client (pick one). Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. The client will obtain a permit from USFWS before the action is implemented; OR NRCS may need to terminate assistance. Contact the NRCS State Environmental Specialist or Wildlife Biologist. Notes: No ground nesting bird species in this area. Removal of trees will be minimized in accordance with practice standards for Land Clearing and Streambank and Shoreline Protection. **SECTION II: BALD & GOLDEN EAGLE PROTECTION ACT** STEP 1. Will the action(s) result in the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import "of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit"? (The term "take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under this act means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, injury to an eagle; a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.) ✓ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ Yes If "Yes," go to Step 2. STEP 2. Can the action(s) be modified to avoid the adverse effect? Refer to the National Bald Eagle Management Guidelines for measures that can be taken to avoid disturbing nesting bald eagles and their young. □ No If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to avoid adverse effects prior to providing final designs or implementing the proposed action or

CFR Part 22.

the NRCS-CPA-52, or notes section below.

☐ Yes

Notes:

alternative. No permit authorizes the sale, purchase, barter, trade, importation, or exportation of eagles, or their parts or feathers. The regulations governing eagle permits can be found in 50

If "Yes," modify the alternative and repeat Step 1. If the client is unwilling to modify the action then NRCS may need to discontinue assistance. Contact the NRCS State environmental

specialist or wildlife biologist for assistance. Document the effects, including the reasons, on

NATURAL	ADEAS	Client/Plan Information:
		none - FL NRCS project proposal for RESTORE program
GM 190, Pa	art 410.23 I Procedure Guide Sheet	Blackwater River Watershed
	that apply to this Alternative 1	RESTORE Act
	de Sheet review: Alternative 2 Other	2 individual project sites in the Big Coldwater Creek
	7.110.11.01.02	. , ,
designated or under Federa	s are defined as land and water units where natural Federal government, non-federal government, oil regulations, by foundations or conservation organs 190. Part 410.23).	or on private land. Designation may be provided
STEP 1.		
Are there any	designated natural areas present in or near the p	planning area?
□ No	If "No, "document on the NRCS-CPA-52, or n and information sources used and proceed was a source of the source of	
✓ Yes	If "Yes," go to Step 2.	
STEP 2. Will the action	n(s) affect the natural area?	
□ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed w	
✓ Yes ✓ Yes	If "Yes," go to Step 3.	
STEP 3. Are the effect characteristic	s consistent with maintaining, protecting, and press?	serving the integrity of the natural
□ No	If "No," Inform the client about the effects of the natural areas. You must also encourage the clie a mutually satisfactory alternative [GM 190, Part action and any communications with the clie below, and proceed with planning.	410.23(c)4]. Document the effects of the
	If "Yes," document on the NRCS-CPA-52, or and information sources used and proceed v	·
Notes:		

		Oli - (/Dl I - f f
	D UNIQUE FARMLANDS	Client/Plan Information:
NECH 610	-	none - FL NRCS project proposal for RESTORE program
	Procedure Guide Sheet	Blackwater River Watershed
	that apply to this Alternative 1	RESTORE Act
Gui	de Sheet review: Alternative 2 Other	2 individual project sites in the Big Coldwater Creek
nonagricultura farm operatio entitled "Farm proposed pro	eria found in the FPPA Rule (7 CFR Part 658.5), of all use? NOTE : Conversion does not include conns. Also, form AD-1006 entitled "Farmland Convented Conversion Impact Rating for Corridor Type jects that may convert farmland. If you are uncergour planning area, consult the State Soil Scientis	estruction of on-farm structures necessary for ersion Impact Rating" and form NRCS-CPA-106 Projects" are used to document effects of tain about the effects on prime and unique it.
Ŭ NO	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	
☐ Yes	If "Yes," go to Step 2.	
•	unique farmlands or farmlands of statewide or loc ed by the action(s)?	al importance present in or near the area that
□ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	
☐ Yes	If "Yes," go to Step 3.	
STEP 3.		
Can the actio	n(s) be modified to avoid adverse effects or conve	ersion?
□ No	If "No," document the adverse effects on the proceed with planning.	NRCS-CPA-52, or notes section below, and
□ Yes	If "Yes," modify and repeat Step 1 or contact Document on the NRCS-CPA-52, or notes se information sources used and proceed with	ction below, the finding, rationale, and
Notes:		

RIPARIAN	AREA	Client/Plan Information:
NECH 610	.33	none - FL NRCS project proposal for RESTORE program
Evaluation	n Procedure Guide Sheet	Blackwater River Watershed
Check all	that apply to this	RESTORE Act
Gu	ide Sheet review: Alternative 2 Other	2 individual project sites in the Big Coldwater Creek
STEP 1. Is a riparian a Part 411.)	area present in or near the planning area? (Defin	ition can be found in Title 190, General Manual,
□ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed	
✓ Yes	If "Yes," go to Step 2.	
STEP 2.		
Do the action	n(s) address maintenance or improvement of water ided by the riparian area?	er quality, water quantity, and fish and wildlife
□ No	If "No," revise the plan to maintain or improve benefits. Document the benchmark conditions a section below, go to Step 3.	water quality, water quantity, and fish and wildlife and effects on the NRCS-CPA-52, or notes
✓ Yes	If "Yes,", go to Step 3.	
STEP 3.		
Do the action	n(s) conflict with the conservation values/functions	of the riparian area?
☑ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed	
☐ Yes	If "Yes," inform the client of the values and function to floodplain function, stream bank filtering, sediment retention, and biological divers conflict. Document on the NRCS-CPA-52, or and information sources used and proceed to the conflict of the conf	stability and integrity, nutrient cycling, pollutant sity, and present alternatives that will resolve the notes section below, the finding, rationale,
Notes:		

SCENIC BI	EAUTY	Client/Plan Information:
GM Title 19	90, Part 410.24	none - FL NRCS project proposal for RESTORE program
	Procedure Guide Sheet	Blackwater River Watershed
	that apply to this Alternative 1	RESTORE Act
Guid	de Sheet review: Alternative 2 Other	2 individual project sites in the Big Coldwater Creek
STEP 1.		
	n(s) adversely affect the scenic quality of the gene uable scenic landscape? (Consult Section II of the /.)	
☑ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	
☐ Yes	If "Yes," go to Step 2.	
STEP 2.		
NRCS must p	n(s) be modified to avoid the adverse effects on the provide technical assistance with full consideration preserve scenic beauty or improve the landscape	of alternative management and development
□ No	If "No," consider any state or local requirements notes section below, the finding, rationale, a with planning.	
☐ Yes	If "Yes," modify the planned action or activity a	nd repeat Step 1.
Notes:		

WETLANDS		Client/Plan Information:
NECH 610.34		none - FL NRCS project proposal for RESTORE program
Evaluation Procedure Guide	Sheet	Blackwater River Watershed
Check all that apply to this	rnative 1	RESTORE Act
Guide Sheet review: Alter	rnative 2	2 individual project sites in the Big Coldwater Creek

This guide sheet addresses policy found in Title 190, General Manual, Part 410, Subpart B, Section 410.26. Use the Clean Water Act Guide Sheet for addressing wetland concerns relating to the Clean Water Act.

STEP 1.

Are wetlands present in or near the planning area?

NOTE: This includes **all** wetlands except those artificial wetlands created by irrigation water. Thus, areas determined as prior converted (PC) in accordance with the 1985 Food Security Act and nonirrigation induced artificial wetlands (AW), which retain wetland characteristics, are wetlands as they relate to the wetland protection policy.

□ No

If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. (If the area could qualify as an "other water of the United States" such as lakes, streams, channels, or other impoundment or conveyances, a Clean Water Act Section 404 permit may be required from the Corps of Engineers. Refer to the Clean Water Act Guide sheet.)

☑ Yes If "Yes," document the extent and location of wetlands and go to Step 2.

STEP 2.

Will the action(s) impact any wetland areas (this includes changing wetland types when considering wetland restoration projects)?

- □ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- ☑ Yes

 If "Yes," assess the wetland functions and describe (on the NRCS-CPA-52) the effects of the proposed activity on the wetland area. If effects are solely beneficial, continue with planning. If adverse effects exist, go to Step 3.

STEP 3.

Do practicable alternatives exist that avoid adverse impact to wetlands?

☑ No If "No," go to step 4.

☐ Yes If "Yes," advise the client of the available alternatives. If the client chooses to implement the alternative that avoids adverse impact (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.

WETLANDS (continued)

STEP 4. Do other mea	sures exist that will minimize adverse effects to wetlands?
□ No	If "No," go to step 5.
✓ Yes	If "Yes," advise the client of the minimization measures. If the client chooses to implement the minimization measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
	nt wish to pursue an action that will result in adverse impacts to wetlands (where no practicable r minimization measures exist)?
□ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," advise that client of the need to compensate for the lost wetland acres and functions. NRCS may assist the client in the development of a mitigation plan. If the client chooses to implement the compensation measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
	st in close proximitiy to Gully 2, although it is not known at this time whether work will affect these k occurs in or near wetlands, procedures found in GM 190 Part 410.26 will be followed to mitigate se areas.

		I
	SCENIC RIVERS	Client/Plan Information:
NECH 610.		none - FL NRCS project proposal for RESTORE program Blackwater River Watershed
	Procedure Guide Sheet	
	that apply to this ✓ Alternative 1 de Sheet review: Alternative 2 Other	RESTORE Act 2 individual project sites in the Big Coldwater Creek
	Antoniano 2	3
STEP 1.		
Could the act	ion(s) have an effect on the natural, cultural or rec	creational values of any nearby rivers?
□ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	·
Yes	If "Yes," analyze the potential effects and development of the potential adverse effects, then go to Storage to the potential adverse effects.	· ·
STEP 2.		
	deral or State designated Wild, Scenic, or Recreat ivers Inventory (NRI) in or near the planning area	S .
□ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed v	
✓ Yes	If "Yes," and there is still potential for effect conwith determining the nature and significance of the NOTE: The State Office may request the administration of the case of NRI) to assist you in deverge measures.	he effect. Go to Step 3. istering federal or state agency (National Park
STEP 3.		
Could the pro	posed action or alternative have an adverse effectic, or recreational river segment that cannot be av	
☑ No	If "No," document on the NRCS-CPA-52, or n and information sources used and proceed w	·
☐ Yes	If "Yes," go to Step 4.	
STEP 4.		
	riding financial assistance or otherwise controlling	the action(s)?
□ No	If "No," inform the client that a permit may be consult with the administering federal or state agreflected in the final plan and documentation. Complementation.	•
☐ Yes	If "Yes," consult with the administering feder proposed action could foreclose options to class scenic or recreational and to develop avoidance NRCS-CPA-52, or notes section below, the fit used and proceed with planning.	ify any portion of the river segment as wild, or mitigation measures. Document on the
Notes:		
River Segme		
Church Lengt	rater River County: Santa Rosa, Okaloosa Reach:	•

Justification for Application of NRCS Categorical Exclusions for Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River Watershed

Santa Rosa County, Florida

Project Description:

Restoring water quality and habitat are goals of the Comprehensive Plan of the RESTORE Council and the RESTORE Act. The primary focus of this project is to restore and protecting water quality and aquatic habitat in portions of the Blackwater River watershed, but downstream waters in the Gulf ecosystem are expected to benefit.

The Blackwater River watershed consists of approximately 860 square miles, of which about 700 square miles are in the western Florida panhandle. The watershed is composed of the Blackwater River and its principal tributaries Big Juniper Creek, Big Coldwater Creek, Clear Creek, and Pond Creek. The Blackwater River itself runs approximately 62 miles from its origin in Alabama through Okaloosa County, FL, and then Santa Rosa County, FL, to Blackwater Bay. From Blackwater Bay the waters of the Blackwater River watershed eventually reach Pensacola Bay near where it empties into the Gulf of Mexico.

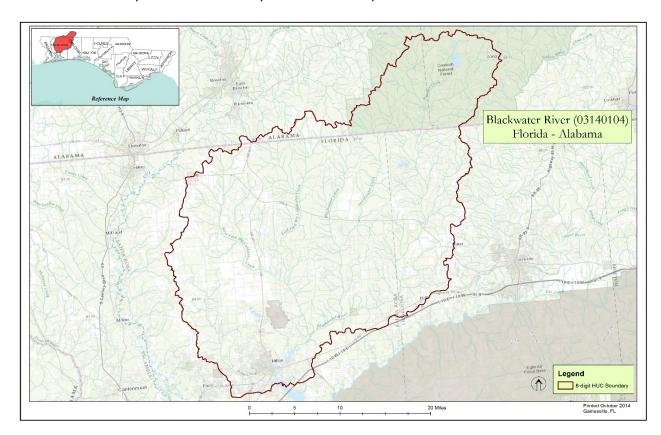


Figure 1. Blackwater River Watershed

The Blackwater River is the smallest riverine component of the Pensacola Bay system and is classified as a small "blackwater" system with sand bottom. (Thorpe et al., 1997). "Blackwater" rivers are named for their reddish water color due to the presence of tannic and organic acids in the water. The Blackwater River is designated as an Outstanding Florida Waters (OFW) under the Florida Water Quality Standards (http://www.dep.state.fl.us/water/wqssp/ofwqa.htm). An OFW is a waterbody that has been deemed worthy of special protection because of its natural attributes (e.g., excellent water quality, or exceptional ecological, social, educational, or recreational value). Only 2% of the water bodies in the state have received this designation. Partly because of the OFW designation the Blackwater River is one of the most popular waterbodies in the state for canoers and kayakers and serves as an economic engine for the area as a result of recreational tourism.

The Blackwater River watershed ecosystem provides habitat for a wide diversity of plants and animals, many of which are listed as endangered or threatened including the red-cockaded woodpecker (*Picoides borealis*), gopher tortoise (*Gopherus Polyphemus*), and Sherman's Fox squirrel (*Sciurus niger shermani*). The rivers of the watershed provide habitat for a diversity of fish species including largemouth bass (*Micropterus salmoides*), longnose gar (*Lepisosteus osseus*), channel catfish (*Ictalurus punctatus*), and the blackmouth shiner (*Notropis melanostomus*; FFS, 2013).

Land use in the watershed is primarily forestry, but row crop agriculture, particularly cotton farming, is a prominent feature on the western side of the watershed in the Big Coldwater Creek subwatershed, shown below in blue.

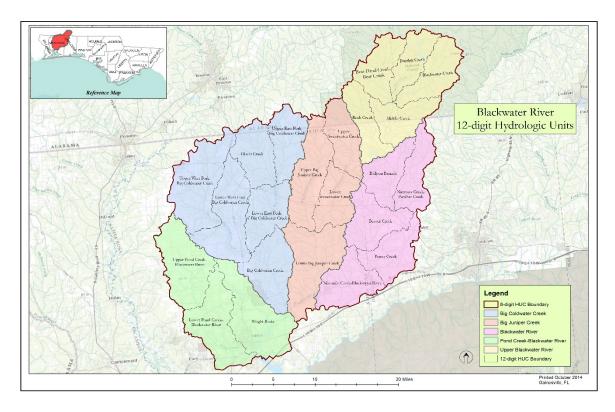
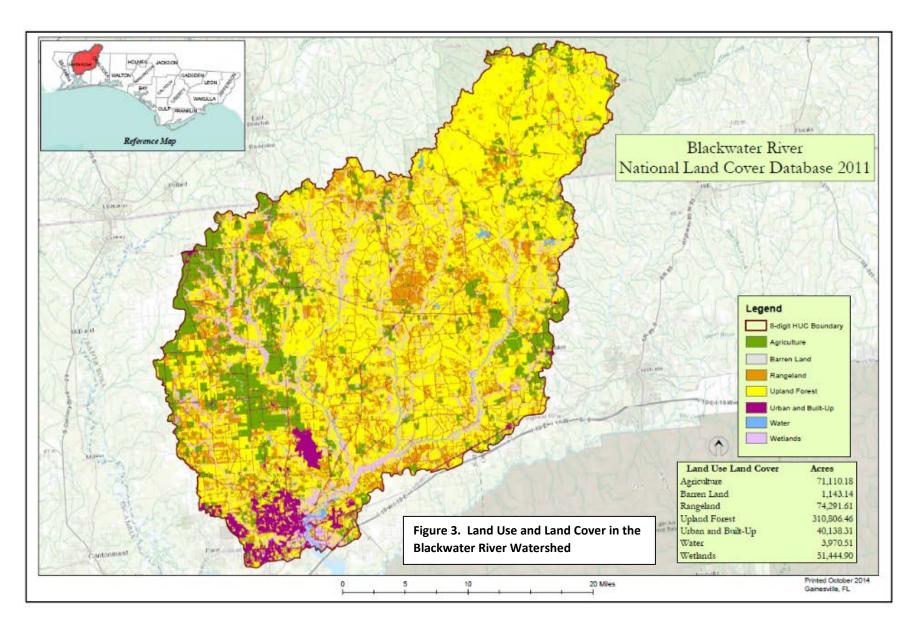


Figure 2. Subwatersheds in the Blackwater River Watershed



Santa Rosa County is comprised primarily of rural communities depending on industries such as agriculture, manufacturing, and service-related professions for income. Relatively limited development in the Blackwater River watershed is thought to be the reason water quality in Blackwater Bay is still relatively good compared to other river systems in the Pensacola Bay watershed, but it is considered one of the more threatened watersheds in the state. Sedimentation due to erosion has been identified as a major concern in the watershed by local and state government agencies and non-governmental organizations (FDEP, 2005; FFS, 2013; TNC, undated). It reduces water holding capacity of natural and artificial impoundments, reduces recreational use, can disrupt natural stream flow and affect adjacent structures, destroy marine and terrestrial habitat, disrupt aquatic food chain, and impair reproduction of some fish species (Blair et al., 2010). A Florida Dep. Environmental Protection study in 2005 determined that sediments were disrupting between 86 and 92% of the potential productive habitat at two test locations on the Blackwater River in 2005 (FDEP, 2005).

The combination of heavy rains, swift water, and sandy soils that occur in the Blackwater River watershed make this area ideal for severe erosion. During natural rain events, water erodes areas not sufficiently

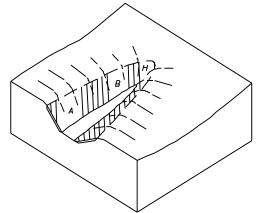


Fig. 4. Illustration of Classic Gully Erosion
H=Headcut
A,B=Sloughing

protected to resisting forces exerted by water flow. Once a gully starts to form (Fig. 4), the water flowing becomes more concentrated into the gully and eventually cuts a deeper trench. The sides start to slough off adding more and more sediment to the water course. As the water falls into the gully, the energy produced creates turbulence that erodes the bottom of the gully, and as the soil above sloughs off, the gully moves upslope. This type of erosion is called a head cut. Thus, erosion can form huge gullies with loss of tons of soil. Gullies in this part of the state can spread to 100 feet wide or more and result in tons of sedimentation in surface water bodies. Until erosion is slowed or stopped the gully will continue to grow, negatively impacting water quality and wildlife habitat.

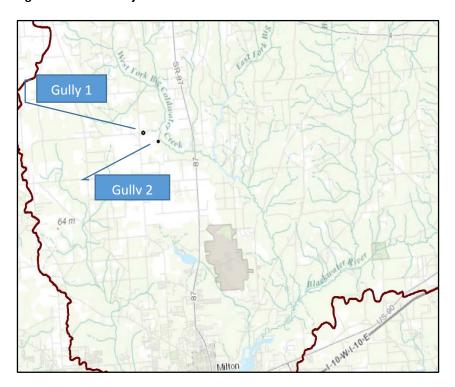
NRCS works with private farmers, ranchers and forest landowners across the country to help them sustain agricultural productivity and protect natural resources through voluntary conservation measures. Two agricultural landowners in the West Fork of the Big Coldwater Creek subwatershed have agreed to work with NRCS to implement measures to repair severe gully erosion and prevent future erosion from impacting the creek and downstream areas. The two farms in question each contain a large gully that is a major source of sediment to the Creek. NRCS has calculated that approximately 116,200 tons of soil have been eroded from one site (Gully 1) and 57,000 tons from the other (Gully 2).

Categorical Exclusions Proposed for the Action:

Combinations of several of the following NRCS conservation practices will be utilized as needed to repair the gullies to prevent excessive erosion and restore the surrounding landscape and downstream waters:

Clearing and Snagging (Code 326) Critical Area Planting (Code 342) Dike (Code 356) Diversion, (Code 362) Grade Stabilization Structure, (Code 410) Grassed Waterway, (Code 412) Land Clearing (460) Land Smoothing (Code 466) Lined Waterway or Outlet (Code 468) Obstruction Removal, (Code 500) Streambank and Shoreline Protection, (Code 580) Structure for Water Control (Code 587) Underground Outlet (Code 620)

Figure 5. General Project Site locations





The USDA NRCS categorical exclusions proposed for application are:

7 CFR 650.6(d)(11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;

7 CFR 650.6(d)(20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting;

A total of thirteen Florida NRCS conservation practices have been found appropriate for application to the proposed gully repair and restoration work. These practices and associated implementation requirements and guidance may be viewed in Section IV of the NRCS Field Office Technical Guide at: http://efotg.sc.egov.usda.gov/.

The following sideboards are required for use of the practices associated with this Categorical Exclusion. All activities subject to this Categorical Exclusion must:

- (i) Be designed to mitigate soil erosion, sedimentation, and downstream flooding;
- (ii) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;
- (iii) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide;
- (iv) Must be based on current Federal principals of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, "Stream Corridor Restoration, Principles, Processes, and Practices;"
- (v) Must not require substantial dredging, excavation, or placement of fill.

The remaining sideboard for use of NRCS Categorical Exclusions does not apply to the proposed activities:

(vi) Must not involve a significant risk of exposure to toxic or hazardous substances

Implementation Methods for Restoration of Riparian and Aquatic Habitat

Typical scenarios for the two project sites are:

<u>Soil Stabilization:</u> Heads of the gullies would be treated with a grade stabilization structure (e.g., pipe drop structure, rock chute, lined waterway) to prevent further erosion. This generally also includes diverting storm water runoff to one location and providing a way for the storm water to be conveyed to the channel below without causing further erosion. Sides of the gullies, where active, would be addressed by grading, shaping and re-vegetating with sod. Slope toes and gully channels would be stabilized using grade stabilization methods to prevent further head cutting within the channel. Lined waterways, streambank stabilization, and grassed waterways could be used to treat the channel.

<u>Stream Restoration:</u> Stream channels would be assessed to determine how to reconstruct the stream with stable dimensions. Methods to prevent further head cutting and reestablish stable primary channels will be based on stream geomorphic characteristics and other factors. Streambanks will be shaped back



Fig. 6. Gully erosion in Blackwater River watershed
October 2014

to a stable grade and re-vegetated with sod (Critical Area Planting, Code 342) and native riparian plant species. NRCS may also work with landowner to fence out the restored riparian area so that stream restoration work would be protected.

Both projects will be completed within five years of receipt of funding.

Analysis of Extraordinary Circumstances

As required by NEPA, NRCS has analyzed the activities involved with this proposal for the following extraordinary circumstances that would preclude the application of its categorical exclusions:

1 Expected to cause significant effects on public health or safety

No adverse effects to public health are expected. The project should positively affect public safety by preventing washing out or other incapacitation of property or infrastructure, e.g., downstream roads or bridges, via halting of the excessive erosion process.

2 Expected to significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

These resources will be protected and in most cases enhanced via the restoration of these riparian areas, as they will no longer be subject to loss from erosive forces or degradation of water quality.

3 Effects on the quality of the human environment likely to be highly controversial

NRCS has a decades-long record of successfully completing similar projects in this part of the state and under similar conditions, particularly in the context of its Emergency Watershed Protection Program where hurricanes and tropical storms have caused or exacerbated similar gully erosional features. EWP projects are completed according to NRCS conservation practice standards and are done in partnership with local governments. These projects and similar NRCS projects have not been controversial in the past.

4 Has highly uncertain effects or involve unique or unknown risks on the human environment

Similar projects conducted by NRCS in the past have had predictable I stabilizing results to targeted lands and water bodies and served to remove risk to the human environment.

5 Establishes a precedent for future actions with significant impacts or represent a decision in principle about a future consideration

Project will not establish precedent or represent a decision in principle for a future consideration for the reasons presented in Items 3 and 4 above.

6 Known or reasonably expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time

Project purpose is to repair environmental damage and prevent future damage, thus restoring and protecting adjacent and downstream resources and structures. No individual or cumulative potentially significant adverse effects are expected.

Will likely have a significant adverse effect on ANY of the special environmental concerns. Use the Evaluation Procedure Guide Sheets to assist in this determination. This includes, but is not limited to, concerns such as cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species.

No areas of high probability for cultural resources have been identified for the two project sites; however, if resources are found at any point during implementation, work will stop until the resource can be evaluated and, if necessary, the activity will be modified to avoid effects. No listed species are known to occur in the areas of work, but all mitigation measures of the USFWS-NRCS Florida ESA Consultation Matrix for federally listed species will be followed for the application of all practices. This includes measures to protect the Eastern Indigo Snake and Gopher Tortoise, which may be at special risk in areas of intensive ground disturbance. Protection measures for wetlands, floodplains and riparian areas will be instituted as part of project work in these areas and are described in the relevant NRCS practice standards and related policies. Beneficial effects are expected to accrue indirectly to environmental justice populations, the coastal zone, and essential fish habitat and wild/scenic rivers, downstream of the project sites. No effects have been identified to invasive species, air quality, or coral reefs.

8 Will threaten a violation of Federal, State, or local law or requirements for the protection of the environment

NRCS abides by all applicable federal, state, and local laws and requirements when conducting its work and is well acquainted with the statutory and legal requirements of the type of project being proposed herein.

References:

Blair, S., A. Cathey, A. Darrow, H. Hall, K. Martinez, A. Pinzino and T.T. Ankerson. 2010. Blackwater River Watershed Master Plan. http://www.blackwaterriver.org/documents/BWRWatershedMasterPlan.pdf

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

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October 13, 2015

Mr. John Ettinger Gulf Coast Ecosystem Restoration Council 500 Poydras Street, Suite 1117 New Orleans, La 70130

> Re: Gulf Restoration - RESTORE Act -USDA-NRCS Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River Watershed

Dear Mr. Ettinger:

The Fish and Wildlife Service (Service) has reviewed the Natural Resource Conservation Service (NRCS) project titled, "Water Quality and Downstream Habitat Improvement in Big Coldwater Creek, Blackwater River Watershed". This project is a component within the United States Department of Agriculture (USDA) Restore Act funding proposal titled "Strategic Land Protection, Conservation, and Enhancement of Priority Gulf Landscapes". Our comments are in reference to compliance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The USDA-NRCS has identified two severe erosional areas contributing sediment loading into the Blackwater River and Pensacola Bay. These erosional "gullies" have been calculated to have contributed 116,000 tons (gully 1) and 57,000 tons (gully 2) of sediment. The project's objective is to reduce or eliminate gully erosion on private lands to improve water quality and downstream habitat, and protect private property and public infrastructure in portions of the watershed where sediment is causing impairment to water quality. This proposal will restore the riparian area and contribute to a reduction of sediment in Big Coldwater Creek and the Blackwater River, and in turn, improve downstream riparian health, aquatic habitat, and recreational and economic values of the watershed.

Activities that "may affect" a federally-listed species can only be permitted if the Federal action agency completes consultation under Section 7 of the ESA prior to construction. The Panama City Ecological Services Field Office has a programmatic agreement with USDA-NRCS regarding ESA Section 7 consultation for effect determinations contained within the: "NRCS Conservation Practice Effects on Federal Threatened & Endangered Species: USFWS-NRCS Interagency Consultation Matrix", for ESA listed species in Florida. This programmatic consultation specifically outlines a proposed ESA compliance process that the NRCS would

Mr. Ettinger 2

utilize to determine effects to federally listed species that may occur as the result of the implementation of these practice standards in the state of Florida.

As such, for this proposal standard NRCS protective measures will be followed per the USFWS-NRCS Interagency Consultation Matrix for these species. Gulf sturgeon has critical habitat downstream in Blackwater River and Blackwater Bay. However, decreased sedimentation in the Blackwater River is expected to benefit the sturgeon. Gopher tortoise protection measures will be followed for the use of Grassed Waterways and the stabilization of gullies will benefit the indigo snake and gopher tortoise habitat. In addition, there are no known red-cockaded woodpecker (RCW) colonies in the Big Coldwater Creek sub-watershed.

Based on the use of the USFWS-NRCS Interagency Consultation Matrix¹ and additional mitigation measure 1 for RCW (see below), the Service would concur with a "May Effect, Not Likely to Adversely Affect" (NLAA) determination for Eastern indigo snake, Gulf sturgeon, and RCW's. Following mitigation measure 2 (see below), will provide additional protections for migratory birds and will reduce impacts under the Migratory Bird Treaty Act (MBTA).

Additional mitigation measures:

- 1) Pine trees that are 30 years old or greater that are contiguous within one-half mile of an active RCW cluster, please reinitiate consultation under ESA
- 2) We encourage tree and vegetation clearing removal to occur during the non-nesting season for neotropical migrants to reduce impacts to birds protected under the MBTA.

If you have any questions about these comments, please contact Channing St. Aubin of this office at extension 248 for additional information and coordination.

Sincerely,

Dr. Sean Blomquist Ecological Services Chief

(1) NRCS - USFWS Consultation Matrix: This document establishes USDA - Natural Resources Conservation Service (NRCS) Floridal policy for implementing the NRCS-USFWS Consultation Matrix. This programmatic consultation tool streamlines the Endangered Species Act (ESA), Section 7, consultation requirements of NRCS and allows for more efficient and timely implementation of conservation measures and practices. This policy shall be used in conjunction with NRCS national policy, General Manual (GM), Title 190, Part 410, Subpart B, Related Environmental Concerns, Section 410.22(e), Endangered and Threatened Species of Plants and Animals and State Species of Concern, NRCS Policy, located in the national Electronic Directive System at http://directives.see.egov.usght.gov/.

U.S. Department of Agriculture Natural Resources Conservation Service

NRCS-CPA-52

A. Client Name:

Alternative 1

Individual private landowners within the GCCRP priority area. Also see Section C below.

√ if RMS

ENVIRONMENTAL EVALUATION WORKSHEET

B. Conservation Plan ID # (as applicable): Gulf Coast CRP Program Authority (optional): RESTORE Act

D. Client's Objective(s) (purpose):

Promotion of at-risk species habitat conservation including development and improvement of wildlife habitat within forestland, pasture and/or hayland. Invasive species will be treated within project area. Primary species include species such as Cogongrass and Chinese Tallow Tree. Reduce the discharge of sediments and pollutants from agricultural operations and associated critically eroding areas that drain to the Gulf of Mexico by working with landowners over 5 years to implement conservation activities. See the Gulf Coast Conservation Reserve Program proposal submitted by the USDA for more information.

C. Identification # (farm, tract, field #, etc as required):

√ if RMS

Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.

E. Need for Action:

Competing vegetation hinders the development & productivity o preferred native trees &/or other desired shrubs, grasses, forbs and legumes. Food, cover/shelter for at-risk species are lacking or of low value due to undesirable, invasive vegetation out-competing desirable vegetation. Habitat restoration/enhancement is needed to promote at-risk species conservation. Also need to improve hydrology, reduce sedimentation, and improve water quality in tributary streams and headwaters by stabilizing critical erosion areas (such as headcutting gullies and eroding agricultural land) and improving the infiltration and soil health of areas above the treatment sites

H. Alternatives No Action

N/A - Analysis conducted to determine whether agency criteria for categorically excluding the action are met.

√ if RMS

Forest Management Plan (106), Grazing Management Plan (110), Brush Management (314) Herbaceous Weed Control (315), Conservation Cover (327), Prescribed Burning (338), Critical Area Planting (342), Dike (356), Pond (378), Silvopasture Establishment (381), Fence (382), Field Border (386), Riparian Forest Buffer (391), Filter Strip (393), Firebreak (394), Grade Stabilization Structure (410), Hedgerow Planting (422), Land Clearing (460), Lined Waterway or Outlet (468), Access Control (472), Tree/Shrub Site Preparation (490), Forage Harvest Management (511), Forage and Biomass Planting (512), Livestock Pipeline (516), Prescribed Grazing (528), Pumping Plant (533), Heavy Use Area Protection (561), Livestock Shelter Structure (576), Stream Crossing (578), Streambank and Shoreline

Control (587), Nutrient Management (590), Integrated Pest Management (595), Tree/Shrub Establishment (612), Watering Facility (614), Water Well (642), Restoration and Management of Rare or Declining Habitats (643), Wetland Wildlife Habitat Management (644), Upland Wildlife Habitat Management (645), Shallow Water Development and Management (646), Early Successional Habitat Development and Management (647), Forest Stand Improvement (666) will be planned and implemented to address site specific resource concerns.

Protection (580), Structure for Water

Special Environmental Concerns: Environmental Laws, Executive Orders, policies, etc. In Section "G" complete and attach Environmental Procedures Guide Sheets for documentation as applicable. Items with a "•" may require a federal permit or consultation/coordination between the lead agency and another government agency. In these cases, effects may need to be determined in consultation with another agency. Planning and practice implementation may proceed for ractices not involved in consultation G. Special Environmental J. Impacts to Special Environmental Concerns Concerns No Action Alternative 1 Alternative 1 continued (Document existing/ Document all impacts Document all impacts Document all impacts needs needs needs benchmark conditions) (Attach Guide Sheets as (Attach Guide Sheets as (Attach Guide Sheets as further further further applicable) applicable) applicable) action action action May Effect - Minor Short Term Clean Air Act FS1 FS-2 Guide Sheet Site specific burn plans required to No non-attainment areas in the be developed & conducted by Mississippi Forest Commission (MFC) certified prescribed burner. Burn plan will avoid sensitive areas and mitigate risks related to wind height and direction in accord with State burning permit conditions. See "Clean Air" Guide Sheet. Clean Water Act / Waters of the No Effect Herbicides will be managed to Alternative 1 continued - while **Guide Sheet** Fact Sheet prevent runoff and leaching. reducing the possibilities of the Section 303d listed Impaired WINPEST evaluations will be nerbicides polluting surface and Waters are present in parts of conducted to identify measures to ground waters or affecting nonthe project area. target species. See "Clean Water" minimize/mitigate effects of Guide Sheet. herbicides. All label directions and restrictions relating to rates, timing and setbacks will be followed to insure control Coastal Zone Management No Effect Guide Sheet Fact Sheet All of the proposed activities are Some project sites may fall in the common practices that are MS CZMA, located in Hancock, ongoing in the area and have Harrison and Jackson Counties. routinely been approved by the State of Mississippi for compliance with the CZMA. After this proposal is funded, consistency determinations, if needed, will be requested for specific planned activities. See "Coastal Zone" Guide Sheet. Coral Reefs **Guide Sheet** Fact Sheet N/A No Coral Reefs present. Cultural Resources / Historic No Effect Properties Actions are in compliance with terms of the NRCS National **Guide Sheet** Fact Sheet Cultural resources may be Prototype Agreement and draft MS present on or near project sites. NRCS State Prototype Programmatic Agreement. Established procedures agreed to with MS SHPO for Section 106 of the NHPA will be applied. See "Cultural Resources" Guide Sheet. Endangered and Threatened May Effect - Beneficial Species All requirements of the USFWS-Alternative 1 continued - habitat. **Guide Sheet** Fact Sheet NRCS WLFW BOCO for the See the "Endangered and Dusky Gopher Frog, Gopher federally listed species, Gopher Threatened Species" Guide Sheet. Tortoise and Black Pine Snake Tortoise, and other protected and may have potential habitat on declining species within the project project sites. Gulf Sturgeon has area will be followed. Also critical habitat in rivers and consistent with 2010 informal tributaries within the 6 project consultation with the USFWS counties. stream setbacks and alternative

herbicide application methods will be followed for Gulf Sturgeon designated critical

Environmental Justice Guide Sheet Fact Sheet EJ communities and Choctaw tribal lands present in area.		No Effect Outreach efforts will encourage participation from landowners. See "Environmental Justice" Guide Sheet.		
Essential Fish Habitat Guide Sheet Fact Sheet Parts of the Gulf Sturgeon designated critical habitat is located in the project area.		No Effect Consistent with 2010 informal consultation with USFWS & NMFS, stream setbacks and alternative herbicide application methods will be followed for Gulf Sturgeon designated critical habitat.		
Floodplain Management Guide Sheet Fact Sheet 100-year floodplains are present in project area.		No Effect No actions affect floodplain functions.		
Invasive Species Guide Sheet Fact Sheet Many undesirable plant pest species, including noxious and invasive species, such as Coggangrass and Chinese Tallow Tree are present.		May Effect - Beneficial Competition from many undesirable plant pest species, including noxious and invasive species, such as Coggangrass and Chinese Tallow Tree will be reduced or controlled. Survival and growth and diversity of desired vegetation within the local ecosystem will be maximized.		
Migratory Birds/Bald and Golden Eagle Protection Act Guide Sheet Fact Sheet Migratory birds and bald eagles may be present near project sites.		No Effect For migratory birds: Practices are to be conducted outside the primary nesting season - April 1 to August 15. For Bald Eagles: Activities will be avoided within 660 feet of an active bald eagle nest between Dec. 1 - June 30. See "Migratory Birds & Eagles" Guide Sheet notes for further information. Mitigation avoids all adverse effects.		
Natural Areas Guide Sheet Fact Sheet There are some state and federal designations on public lands.		No Effect No activities will be conducted in these areas. No adverse effects from off-site activites will occur.		
Prime and Unique Farmlands Guide Sheet Fact Sheet Most project sites may contain prime or designated locally important farmland.		No Effect Actions will not convert any agricultural lands to non- agricultural use. See "Prime Unique Farmlands" Guide Sheet notes.		
Riparian Area Guide Sheet Fact Sheet Riparian areas are present in project area.		No Effect Herbicides will be managed to prevent runoff and leaching. WINPEST evaluations will be conducted to identify measures to minimize/mitigate effects of herbicides. All label directions and restrictions relating to rates, timing and setbacks will be followed to insure control while reducing the possibilities of the herbicides polluting surface and ground waters or affecting non-target species. See "Riparian Area" Guide Sheet.		
Scenic Beauty Guide Sheet Fact Sheet There are some state & federal designations on public lands.		No Effect No activities will be conducted in these areas. No adverse effects from off-site activites will occur.		

 Wetlands 	3					No Effect			
Guide S			Sheet			No activities will be conducted in			
Wetlands i		•				wetland areas. No actions affect			
project site		-				wetland functions. No adverse			
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 Wild and Guide S 			Sheet			No activities will be conducted			
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Black Cree						effects from off-site activites will			
						occur. See "Wild Scenic Rivers"			
						Guide Sheet notes.			
K. Other	r Agen	cies a	nd						
Broad P	ublic C	concer	rns	No Action		Alternative 1		Alternative 1 continued	
Easements	e Dormi	iccione	Dublic			Burn plan required to be developed	1 δ	Alternative 1 continued. If a permit i	ic
Review, or						conducted by MFC certified prescrib		Alternative 1 continued - If a permit is required, NRCS expects nationwide	15
Agencies (roa ana			burner. State burning permits will		permits will apply. Activities are comr	mon
3						obtained from MFC prior to conduct		practices that are ongoing in the area	
						prescribed burns if needed for spec	_	when permits are required, they routing	nely
						projects. Clean Water Act 404 peri		are received and approved. Any requ	
						are not expected to apply to activitie		permits will be obtained by the landow	wner
						However, if required based on the s		prior to implementation of practices.	
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Cumulative	e Effects	Narrot	tive	Native/other desirable vegetation su	ırvivəl	The eradication/control of			
				& growth & natural diversity of veget		undesirable/invasive plants significa	antly		
considered				within the local ecosystem will decli		-	-		
present an	nd knowr	n future	actions	to competetion from many undesiral	ble	Profits will be made available as			
regardless	of who	perform	ned the	plant pest species, including noxious	s and	established marketable trees/forage			
actions)				invasive species.		mature with less vegetative compet			
L. Mitiga						Mitigation avoids all adverse effects			
(Record ad			·0)			to appropriate Guide Sheet(s) Notes section for guidance for mitigation	5		
minimize,	and con	iperisai	ie)			measures.			
M. Prefe	rred	√ prefe	rred						
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P. To the best of my knowledge, the data shown on this form is accurate and complete:				
n the case where a non-NRCS person (e.g. a TSP) assists whe second block to verify the informations accuracy.	ith planning they are to sign the first signature	block and then NRCS is to sign		
Signature (TSP if applicable)	Title	Date		
	State Wildlife Biologist	25-Sep-15		
Signature (NRCS)	Title	Date		
f preferred alternative is not a federal action where NRCS	has control or responsibility and this NRC	S-CPA-52 is shared with		
someone other than the client then indicate to whom this	is being provided			

1	The follow	ing sections are to be complete	ed by the Responsible Fed	eral Official (RFO)
NRCS is the RF approved by NI control what the	FO if the action RCS). These client ultimate	n is subject to NRCS control and respons actions do not include situations in which tely does with that assistance and situations) not associated with the planning proc	sibility (e.g.,actions financed, funder h NRCS is only providing technical ons where NRCS is making a techn	d, assisted, conducted, regulated, or assistance because NRCS cannot
Q. NEPA Com The preferred a		ling (check one)		Action required
	Document in "R.1" below. No additional analysis is required.			
▽	2) is a federal action ALL of which is categorically excluded from further environmental analysis AND there are no extraordinary circumstances as identified in Section "O". Document in "R.2" below. No additional analysis is required			
	3) is a federal action that has been sufficiently analyzed in an existing Agency state, regional, or national NEPA document and there are no predicted <u>significant adverse</u> environmental effects or extraordinary circumstances. Document in "R.1" below. No additional analysis is required.			Document in "R.1" below. No additional analysis is required.
	and has been formally adopted by NRCS. NRCS is required to prepare and publish its own Finding of No Significant Impact for an EA or Record of Decision for an EIS when adopting another agency's EA or EIS document. (Note: This box is not			Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required
			Contact the State Environmental Liaison. Further NEPA analysis required.	
R. Rationale S	upporting th	e Finding		
R.1 Findings Docum	nentation			
R.2 Applicable Categorical Exclusion(s) (more than one may apply) 7 CFR Part 650 Compliance With NEPA, subpart 650.6 Categorical Exclusions states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. (1) Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants. (3) Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants. The proposed action is the sites ecological functions and services; Requires that the established vegetative commination the sites ecological functions and services; Requires that the established vegetative commination the sites to restore and maintain the sites ecological functions and services; Requires that the established vegetative commination to the excomplished by converting native forests or agricultural fields that were altered by farming and ranching activities purpose of restoring ecological processes; (8) Stabilizing stream banks and associated structures to reduce erosion through bioengineering techniques following disaster to restore pre-disaster conditions to the extent practicable, e.g., utilization of living and nonliving plant materials, such as rocks, riprap, geo-textiles, for slope stabilization, ereduction, and vegetative establishment and establishment of appropriate plant communities (bank shaping and plan mattresses, log, root wad, and boulder stabilization methods); (10) Constructing small structures or improvements for restoration of wetland, riparian, in stream, or native habitats. Examples of activities include installation of fences and small berms, dikes, and associated water control structures; (11) Restoring an ecosystem, fish and wildlife habitat, bit community, or population of living resources to a determinable pre-impact condition;		the established vegetative community by converting native forests or grasslands; farming and ranching activities for the gineering techniques following a natural ing and nonliving plant materials in titles, for slope stabilization, erosion inities (bank shaping and planting, brush		
		ude installation of fences and construction of		
(19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a nature on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, offst facilities, and invasive species control which are undertaken when fish and wildlife are not breeding, nesting, rearing during other sensitive timeframes; (20) Implementing soil control measures on existing agricultural lands, such as grastabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, area planting; (21) Implementing water conservation activities on existing agricultural lands, such as minor irrigation irrigation water conveyance (pipelines), irrigation water control structures, and various management practices.				naying, grazing, fencing, offstream watering not breeding, nesting, rearing young, or agricultural lands, such as grade er strips, riparian forest buffer, and critical nds, such as minor irrigation land leveling,
Environmental finding indicat	l Concerns, a ted above.	ets of the alternatives on the Resource and Extraordinary Circumstances as de le Federal Official:		
0. 0.9	, 1.00p	9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	State Conservationist	9/25/2015
	S	ignature	Title	Date
		Additio	onal notes	

CLEAN AIR ACT	Client/Plan Information:	
NECH 610.21	Individual private landowners within the GCCRP priority	
Evaluation Procedure Guide Sheet	Gulf Coast CRP	
✓ Alternative 1	RESTORE Act	
Alternative 2 Other Check all that apply to this Guide Sheet review:	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.	
NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality		

NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality permitting and regulatory requirements are different for each state. In each step, if more information is needed or there is a question as to whether there are air quality requirements that need to be met, the planner or client should contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what air quality regulatory requirement must be met prior to implementing the planned action or activity.

STEP 1.

Is the action(s) expected to increase the emission rate of any regulated air pollutant?

NOTE: The definition of a "regulated air pollutant" differs depending on the air quality regulations in effect for a given site. For a federal definition of "regulated air pollutant," please refer to the 40 CFR 70.2. Other definitions for "regulated air pollutant" found in state or local air quality regulations may be different. States should tailor this question to the State air quality regulations and definitions since those will include any Federal requirements.

✓ No
If "No," it is likely that no permitting or authorization is necessary to implement the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the planned action or activity. Go to step 3.
Yes
If "Yes," go to Step 2.

STEP 2.

Can the action(s) be modified to eliminate or reduce the increase in emission rate of the regulated air pollutants?

NOTE: This Step is to prompt the planner to review the planned action or activity to see if there is an opportunity to either eliminate the emission rate increase (possibly remove a permitting requirement) or reduce the emission rate increase (possibly move to less stringent permitting).

□ No	If "No," it is likely that permitting or authorization from the appropriate air quality regulatory agency will be required prior to implementing the planned action or activity. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the proposed action or alternative. Go to Step 3.
Yes	If "Yes," modify the proposed action or alternative and repeat Step 1.

CLEAN AIR ACT (continued)

STEP 3.

Is the action(s) expected to result in a decrease in the emission rate of any criteria air pollutant for which the area in which the site is located in an EPA designated nonattainment area for that criteria air pollutant?

NOTE: For an explanation of criteria air pollutants and nonattainment areas, refer to Section 610.21 of the NECH. Further information regarding nonattainment areas can also be found on the U.S. EPA nonattainment area Web page.

☑ No	If "No," go to Step 4.
Yes	If "Yes," the opportunity for obtaining nonattainment pollutant emission credits may exist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and and advise the client of that potential opportunity. If the client is interested in registering nonattainment pollutant emission credits, advise him/her to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine if and how credits can be documented and/or registered for potential sale. Go to Step 4.

STEP 4.

Is the action(s) subject to any other federal (i.g., New Source Performance Standards, National Emissions Standards for Hazardous Air Pollutants, etc.), State, or local air quality regulation (including odor, fugitive dust, or outdoor burning)?

NOTE: Refer to Section 610.21 of the NECH for a further discussion of air quality regulations.

☐ No	and information sources used and proceed with planning.
✓ Yes	If "Yes," additional permits, authorizations, or controls may be needed before implementing the proposed action or alternative. Document on the NRCS-CPA-52, or notes section
	below, the finding, rationale, and information sources used and advise the client to contact
	the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine
	what requirements must be met prior to implementing the proposed action or alternative.

If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale,

Notes:

State "Burning" permit required to be obtained from Mississippi Forestry Commission (MFC) just prior to each prescribed burn. Site specific burn plan required to be developed and conducted by a MFC certified prescribed burner. Burn plan will avoid smoke/fire sensitive areas & consider wind height & direction. Minor short term adverse effects can occur to air quality, however significant long term beneficial effects for at risk species and historically fire-dependent ecosystems are expected.

CLEAN WATER ACT/WATERS of the U.S.		Client/Plan Information:		
NECH 610.22			Individual private landowners within the GCCRP priority	
Evaluation Procedure	Guide Sheet		Gulf Coast CRP	
	✓ Alternative 1		RESTORE Act	
Check all that apply to this Guide Sheet review:	Alternative 2	Other	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.	

NOTE: This guide sheet should be tailored to meet the specific needs of individual State and local regulatory and permitting requirements. It is important for each State to coordinate with their individual State and Federal regulatory agencies to tailor State-specific protocols in order to prevent significant delays in processing permit applications.

Complete both sections of this guide sheet to address Federal as well as State-administered regulatory requirements of the Clean Water Act (CWA).

SECTION I

Federally Administered Regulatory Program - Section 404 of the CWA

STEP 1.

☐ Yes

Section II below.

Will the action(s) involve or likely result in the discharge or placement of dredged or fill material or other pollutants into areas that could be considered to be waters of the United States (Including, but not limited to a

wetlands, lak detailed infor	es, streams, channels, and other water conveyances, including some small ditches)? More mation regarding waters of the United States and Federal permitting programs under CWA is NECH 610.22.
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.
☐ Yes	If "Yes," go to Step 2.
•	s) an activity exempt from section 404 regulations (40 CFR Part 232)? emption should be verified with the local U.S. Army Corps of Engineers (Corps) district.
☐ No	If "No," go to Step 3.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used to verify the exemption applies and proceed with Section II below.
STEP 3. Can the action of the United	on(s) be modified to avoid the discharge of dredged or fill material or other pollutants into waters States?
☐ No	If "No," go to Step 4.

If "Yes," modify the action to avoid discharge. Document on the NRCS-CPA-52, or notes

section below, the finding, rationale, and information sources used and proceed with

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 4.

Has the client obtained a section 404 permit (individual, regional, or nationwide) or a determination of an exemption from the appropriate Corps office?

If "No," determine if the client has applied for a permit. If a permit has not been applied for, the client will need to do so. If a permit has been applied for, document this, and continue the planning process in consultation with the client and the regulatory agencies. The permit

authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation. Complete Section II below.

Yes If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale,

and information sources used and complete Section II below. The final plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit, such as amount or location of fills or discharges of pollutants should be coordinated with the Corps. Complete Section II

below.

Notes:

Clean Water Act 404 permits are not expected to apply to activities. However, if required based on the site-specific EE, the permit will be applied for after funding has been approved. If a permit is required, NRCS expects nationwide permits will apply. Activities are common practices that are ongoing in the area and when permits are required, they routinely are received and approved. Any required permits will be obtained by the landowner prior to implementation of practices.

SECTION II

State Administered Regulatory Programs, Sections 303(d) and 402 of CWA

STEP 1

Is the proposed action or alternative located in proximity to waters listed by the State as "impaired" under Section 303(d) of the CWA?

No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2.

If "Yes," insure consistency with any existing water quality or associated watershed action plans that have been established by the State for that stream segment. Even if TMDLs have not been established by the State for that stream segment, ensure that the action will not contribute to further degradation of that stream segment. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and

proceed to Step 2.

STEP 2

Will the proposed action or alternative likely result in point-source discharges from developments, construction sites, or other areas of soil disturbance, or sewer discharges [e.g. projects involving stormwater ponds or point-source pollution, including concentrated animal feeding operations (CAFOs) for which comprehensive nutrient management plans (CNMPs) are being developed]? Section 402 of the CWA requires a permit for these activities through the National Pollutant Discharge Elimination System (NPDES) program which the States administer.

✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale
· INO	and information sources used and proceed with planning.

Yes If "Yes," go to Step 3.

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 3

Has the client obtained a NPDES permit or a determination of an exemption from the appropriate EPA or State-regulatory office?

No
 If "No," determine if the client has applied for any necessary permits. If a permit has not been applied for, the client will need to do so. If they have applied, document this and continue the planning process in consultation with the client and the regulatory agency. Continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation.
 □ Yes
 If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. The final NRCS conservation

plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit should be

Notes:

All Mississippi Cooperative Extension Service (MCES) and Mississippi Agriculture and Forestry Extension Service (MAFES) pesticide application guides, such as proper application methods, calibration of application equipment, and storage and disposal of containers in a safe manner, will be followed. Chemicals used must be federally, state, and locally registered. Herbicides will be managed to prevent runoff and leaching. Site specific WINPEST evaluations will be conducted to identify measures to minimize/mitigate any efects of herbicides. Current recommended herbicides and methods will be applied to achieve control of undesirable species. All label directions and restrictions relating to rates, timing and setbacks will be followed to insure control while reducing the possibilities of the herbicides polluting surface and ground waters.

coordinated with the appropriate State regulatory agency.

	ZONE MANAGEMENT AREAS	Client/Plan Information: Individual private landowners within the GCCRP priority
NECH 610.23 Evaluation Procedure Guide Sheet		Gulf Coast CRP
Evaluation	✓ Alternative 1	RESTORE Act
Alternative 1 Alternative 2 Other Check all that apply to this Guide Sheet review:		Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
STEP 1.	(a) in an afficially decimated "Cocatal Zana Man	aramant Araalia
	(s) in an officially designated "Coastal Zone Mana	
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
√ Yes	If "Yes," go to Step 2.	
	(s) "consistent" with the goals and objectives of the by Section 307 of the Coastal Zone Management	
☐ No	If "No," go to Step 3.	
✓ Yes	If "Yes," document the finding, including the proceed with planning.	ne reasons, on the NRCS-CPA-52 and
STEP 3. Is NRCS providing financial assistance or otherwise controlling the action?		
□ No	If "No," NRCS should provide the landowner v	with relevant information regarding any local and (permitting, etc) in special management areas as Management Programs. Document on the
If "Yes," the NRCS District Conservationist or an NRCS State Office employee must contact the State's Coastal Zone Program Office before the action is implemented to discuss possible modifications to the proposed action. NRCS may not provide assistance if the proposed action or alternative would result in a violation of a State's Coastal Zone Management Plan. NRCS shall provide a consistency determination to the State agency no later than 90 days before final approval of the activity. When concurrence is received from the State, document the agreed to items and reference or attach them to the NRCS-CPA-52.		
Notes:		
(as required source progr (FOTG) or country the proposed) are "consistent" with the goals and objectives of by Section 307 of the Coastal Zone Management am plan for MS states that USDA NRCS practice ombination of these practices are in conformity was activities are common NRCS practices from the an approved by the State of Mississippi for complete.	es from the NRCS Field Office Technical Guide with the 6217(g) management measures. All of e FOTG that are ongoing in the area and have

funded, consistency determinations, if needed, will be requested for specific planned activities.

CORAL REEFS		Client/Plan Information:
NFCH 610.24		Individual private landowners within the GCCRP priority Gulf Coast CRP
Evaluation	Procedure Guide Sheet	
	Alternative 1 Alternative 2 Other that apply to this de Sheet review:	RESTORE Act Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175
STEP 1.		
	fs or associated water bodies (e.g. embayment a	ureas) present in or near the planning area?
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
☐ Yes	If "Yes," go to Step 2.	
STEP 2.		
Is there a pot	tential for the action(s) to degrade the conditions orce Web site for local action strategies in your ar	of the coral reef ecosystem? (Refer to U.S. coral rea.)
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
☐ Yes	If "Yes," go to Step 3.	
STEP 3.		
_	on(s) be modified to reduce or avoid degradation	to the coral reef ecosystem?
□No	If "No," identify the component(s) of the system which will cause the potential impacts. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.	
☐ Yes	If "Yes," modify the action or alternative and re	epeat Step 2.
STEP 4.		
Is NRCS prov	viding financial assistance or otherwise controlling	g the action(s)?
☐ No	If "No," and degradation of the reefs is unavoic regarding the current status of U.S. coral reefs (including sedimentation and nutrient runoff), arreefs.	and the documented causes of degradation
Yes	If "Yes," the significance of the impacts mu Assessment (EA) or Environmental Impact State State Office for assistance.	
Notes:		

CULTURAL RESOURCES / HISTORIC	Client/Plan Information:		
PROPERTIES NECH 610.25	Individual private landowners within the GCCRP priority area.		
Evaluation Procedure Guide Sheet	Gulf Coast CRP		
Alternative 1 Alternative 2 Other	RESTORE Act Individual project sites not yet identified. See map of potential		
	sites for Gulf Coast Conservation Reserve Project (GCCRP)		
Check all that apply to this Guide Sheet review:	project area. Project area encompasses George, Jackson,		
Guide Stieet review.	Hancock, Harrison, Pearl River, and Stone Counties. It is		
	estimated that between 100-175 landowners will participate.		
NOTE: This guidesheet provides general guidance to field planners and managers. States may need to tailor this Evaluation Procedure Guide Sheet to reflect State Level Agreements (SLAs) with SHPOs or Tribal consultation protocols or operating procedures pertinent to your State or other State-specific protocols that reflect the terms of the current National Programmatic Agreement among NRCS, the Advisory Council on Historic Preservation, and the National Conference of SHPOs. For additional information regarding compliance with Section 106 of the NHPA and NRCS cultural resource policy refer to Title 420, General Manual (GM), Part 401, Cultural Resources; for current operating procedures see Title 190, National Cultural Resource Procedures Handbook (NCRPH), Part 601. NOTE regarding consultations: When dealing with undertakings with the potential to affect cultural resources or historic properties, it is important to follow NRCS policy and the regulations that implement Section 106 and complete consultation with mandatory (SHPOs, THPOs, federally recognized Tribes, and native Hawaiians) and identified consulting parties during the course of planning. This consultation is not documented on this guide sheet but would occur with Steps 2, 3, 4, and 6 and these must be conducted in accordance with NRCS State Office operating procedures to ensure appropriate oversight by Cultural Resources Specialists who meet the			
Secretary of Interior's Qualification Standards. STEP 1.			
Is the action(s) funded in whole or part or under the contro	of NRCS? To make this determination, answer		
the following: Is technical assistance carried out by or on behalf of NRCS?	☐ No ☐ Yes ☐ Unknown		
Is it carried out with NRCS financial assistance?	☐ No ☐ Yes ☐ Unknown		
Does it require Federal approval with NRCS as the le federal agency (permit, license, approval, etc.)?	ad No Yes Unknown		
Is it a joint project with another Federal, State, or local			
If all of your responses are "No," document on the	·		
finding, rationale, and information sources used a	and proceed with planning.		
 If any responses are "Yes," go to Step 2. If "Unknown," consult with your State Cultural Resource. 	rces Coordinator or Specialist (CRC or CRS) to		
determine if this is an action/undertaking that requires STEP 2.			
Is the action(s) identified as an "undertaking" (as defined in	n the 190-NCRPH and 420-GM) with the potential to		
cause effects to cultural resources/historic properties?	, ,		
☐ No If "No," document on the NRCS-CPA and information sources used and p	-52, or notes section below, the finding, rationale,		
Yes If "Yes," go to Step 3.	. ooooa man pammiy		
STEP 3.			
Has the undertaking's Area of Potential Effect (APE) been affected, directly or indirectly: access and haul roads, equi locations for disposition of sediment, streambank stabilizar disposition of removed concrete, as well as the area of the during determination of the APE so that all historic propert and properties of cultural or religious importance to Americare included.	oment lots, borrow areas, surface grading areas, ion areas, building removal and relocation sites, actual conservation practice. Consultation is essential es (buildings, structures, sites, landscapes, objects,		
	our state specific protocols or the CRC or CRS to		
☐ Yes If "Yes." go to Step 4.			

CULTURAL RESOURCES (continued)

STEP 4.

Have the appropriate records (National, State and local registers and lists) been checked or interviews conducted
to determine whether any known cultural or historic resources are within or in close proximity to the proposed
APE or project area? Note: This record checking does not substitute for mandatory consultation with SHPO,
THPO, Tribes, and other identified consulting parties.

THPO, Tribes, a	and other identified consulting parties.			
National Re	egister of Historic Places?	☐ No	☐ Yes	Unknown
State Regis	ster of Historic Places?	☐ No	☐ Yes	Unknown
The SHPO	's statewide inventory or data base?	☐ No	☐ Yes	Unknown
Local/coun	ty historical society or commission lists?	☐ No	☐ Yes	Unknown
Client knov or cultural f	vledge of existing artifacts, historic structures, features?	□No	☐ Yes	Unknown
checked (s procedures procedures • If all response	conses are "No" or "Unknown," work with you cometimes the SHPO will let only the CRS or CRG as required by NRCS policy and procedures, SLS, as appropriate. Conses are "Yes," and NRCS providing technic	C review the A, and Tribacal assistance	files). Follow all consultations only, the	ow all other operating ion protocols or operating en use any known
Document sources u	 n, notify the landowner of any potential affects, and the NRCS-CPA-52, or notes section below sed and proceed with planning. If NRCS is presented in the NRCS is presented and proceed with planning. 	v, the findin	g, rational	e, and information
Step 5. STEP 5.				
resource indicat	al the existence of any known or potential cultura tors observed during the field inspection of the Al will need to be conducted by qualified personne cialist to determine qualification criteria.	PE? NOTE:	Field insp	ections or cultural
☐ No	If "No," document on the NRCS-CPA-52, o and information sources used and procee			, the finding, rationale,
Yes	If "Yes," contact the CRC or CRS. Do NOT implementation until the final CRS response	•	•	
STEP 6.				
Can the propose	ed actions or alternatives be modified to avoid ef	fects on the	known cult	ural resources?
☐ No	If "No," go to Step 7.			
Yes	If "Yes," modify the planned actions or activi document this on the NRCS-CPA-52, or no planning.			
STEP 7.				
planner complet	n with appropriate and interested parties been co ting the NRCS-CPA-52 generally does not do the te specialist for the documentation information.			
☐ No	If "No" refer to State CRC or CRS for furthe State Conservationist.	er consultatio	n and reco	mmendations to the
☐ Yes	If "Vas " and all necessary historic preservat	ion activition	of identific	ation evaluation and

Notes:

Mississippi NRCS is required to use MS-CR-1 for site specific documentation. Actions are in compliance with terms of the NRCS National Prototype Agreement and draft MS NRCS State Prototype Programmatic Agreement. Established procedures agreed to with MS SHPO for Section 106 of the NHPA will be applied.

If "Yes," and all necessary historic preservation activities of identification, evaluation, and treatment have been completed, document any consultation and proceed with planning.

ENDANGERED AND THREATENED SPECIES	Client/Plan Information:
NECH 610,26	Individual private landowners within the GCCRP priority
Evaluation Procedure Guide Sheet	Gulf Coast CRP
✓ Alternative 1	RESTORE Act
Alternative 2 Other Check all that apply to this Guide Sheet review:	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.

STEP 1.

Are protected species or their habitat present in the area of potential effect?

Note: protected species include federally listed, proposed, and candidate specie, as well as State and Tribal species protected by law or regulation. In addition, if a species' listing or status changes before implementation, you must complete this review again.

- No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- Yes If "Yes," document the species and relevant benchmark data on NRCS-CPA-52, then proceed to the applicable section(s) listed below:
 - Section 1- Federally listed endangered or threatened species/habitats
 - Section 2- Federally proposed species/habitats
 - Section 3- Federal candidate species/habitats
 - Section 4- State/Tribal species/habitats

SECTION 1: Federally listed endangered or threatened species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on endangered or threatened species or their habitat?

☐ No effect	If "No effect,"document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
✓ May affect	If "May affect," meaning that the action might affect endangered and threatened species or their habitat in some way, go to Step 2.

Federally listed endangered or threatened species/habitats (continued)

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action(s)?

□No If "No," and the effects are purely benign or beneficial, continue with planning but ensure the client is aware endangered and threatened species or their habitat exists and conservation practices must be applied in a manner that avoids adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "No," and there is a possibility of short-term or long-term adverse effects then inform the □No client of NRCS's policy concerning endangered and threatened species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects or the client obtains a "take" permit from the FWS/NMFS. Refer the client to FWS/NMFS to address the client's responsibilities under Sections 9 & 10 of the ESA, for Federally listed species. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid adverse effects and proceed with planning. If "Yes," and the action will be implemented according to an existing informal √ Yes consultation, biological opinion, or 4(d) special rule, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that in order to ☐ Yes proceed with the action NRCS must consult with FWS/NMFS. Contact your area or State biologist for consultation procedures. The action can only be implemented according to the terms of the consultation. When consultation is complete, attach the consultation

Notes for Federally listed endangered or threatened species/habitats:

with planning.

May effect - Beneficial: All requirements of the July 2012 - United States Fish and Wildlife Service's (USFWS) programmatic biological opinion and conference report/opinion (BOCO) regarding the implementation of the NRCS's Working Lands for Wildlife Initiave (WLFW) for the gopher tortoise (Gopherus polyphemus) and other covered species on eligible private lands in the states of Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina will be followed. Informal consultation with the Service lead to the extension of these findings to other NRCS programs implementing the conservation practices covered in the BOCO. A summary list of all 20 of the conservation measures found to be necessary to avoid and minimize potential adverse affects to gopher tortoise and other associated species sharing the same habitat begins on p. 11 of the BOCO. Mississippi also has a programmatic biological assessment/biological opinion (BABO) with the USFWS for the Healthy Forest Reserve Program (HFRP) dated May 2007 for the gopher tortoise, gopher frog (Rana sevosa), black pine snake (Pituophis melanoleucus ssp. lodingi) and other covered species on eligible private lands that covers most of the same practices as the WLFW BOCO. Copies of the BOCO and the BABO are available upon request. Because mitigation measures identified in the resulting Biological Opinions are incorporated into the proposed action at each site, additional consultation is not anticipated; however, the site specific EE will determine whether there is a need for additional Section 7 consultation. Consistent with 2010 informal consultation with the USFWS and the National Marine Fisheries Service (NMFS) stream setbacks and alternative herbicide application methods will be followed for Gulf Sturgeon designated critical habitat.

documents to NRCS-CPA-52 or reference them in the notes section below and proceed

SECTION 2: Federally proposed species/habitats

STEP 1.			
What is the e their habitat?	,	al/adverse, short-term/long-term, etc.) of the action(s) on proposed species or	
✓ No effect		If "No effect," additional evaluation is not needed concerning proposed species or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ May effe	It	f "May affect," meaning that the action might affect endangered and threatened species or proposed critical habitat in any way, go to Step 2.	
STEP 2. Is NRCS prov	viding financial as:	sistance or otherwise controlling the action?	
□ No	client is aware pr applied in a man	e effects are purely benign or beneficial, continue with planning but ensure the roposed species or their habitat exists and conservation practices must be nner as to avoid adverse effects. Document on the NRCS-CPA-52, or notes the finding, rationale, and information sources used and proceed with	
□No	client of NRCS's conservation treat NRCS assistance avoids adverse exhabitat. Should to conservation treat	ere is a possibility of short-term or long-term adverse effects then inform the apolicy concerning proposed species and the need to use alternative atments to avoid adverse effects on these species or their habitat. Further, we will be provided only if one of the conservation alternatives is selected that effects, and to the extent practicable, provide long-term benefits to species and the client or landowner refuse to apply the recommended alternative atment, NRCS will inform the client and landowner of the NRCS policy and shall stance for the action or portion of the action affecting the proposed species.	
✓ Yes	If "Yes," and the action will be implemented according to an existing conference report or conference opinion. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
If "Yes," and the action cannot be modified to avoid the effect, inform client that the NRC must conference with FWS/NMFS. Contact your area or State biologist for conference procedures. Further NRCS assistance can only be provided only if the client agrees to implement the conference recommendations to the extent practicable. When the conference is complete, attach the conference documents to NRCS-CPA-52, or reference them in notes section below, and proceed with planning.			
		osed species/habitats:	
No known pro	oposed species.		

SECTION 3: Federal candidate species/habitats

STEP 1. What is the effect (i.e. ber their habitat?	neficial/adverse, short-term/long-term, etc.) of the action(s) on candidate species or	
✓ No adverse effect	If "No adverse effect," additional evaluation is not needed concerning proposed species or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ May adversely effect	If "May adversely affect," recommend alternative treatments that avoid or minimize the adverse effects and, to the extent practicable, provide long-term benefit to the species. Document the effects of the selected alternative on the NRCS-CPA-52 and proceed with planning.	
Notes for Federally p	proposed species/habitats:	
	ohis melanoleucus ssp. lodingi): See Notes in Section 1 - Federally listed species for	
<u> </u>	SECTION 4: State/Tribal species/habitats	
STEP 1.	neficial/adverse, short-term/long-term, etc.) of the proposed action or alternative on eir habitat?	
✓ No adverse effect	If "No adverse effect," additional evaluation is not needed concerning State or Tribal species of concern. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ May adversely affect	If "May adversely affect," go to Step 2.	
STEP 2. Is NRCS providing financia	ial assistance or otherwise controlling the action?	
client of NR conservation Further, NR that avoids CPA-52, or assistance	In the continued, document how the alternative conservation treatments avoid or minimize adverse effects then inform the conservation below, the finding, rationale, and information sources used. If its continued, document how the alternative conservation treatments avoid or minimizes adverse effects to the extent practicable. Document on the NRCS-r notes section below, the finding, rationale, and information sources used. If its continued, document how the alternative conservation treatments avoid or mose adverse effects and proceed with planning.	
If "Yes," and the action cannot be modified to avoid the adverse effect, inform client that the NRCS must coordinate with State/Tribal government and receive concurrence on recommended alternatives. Contact your area or State biologist for coordination procedures. Further NRCS assistance will be provided only if the client agrees to implement a concurred upon alternative and obtains any required permits. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
Notes for State/Triba		
See Notes in Section 1 - F	Federally listed species for guidance.	

ENVIRON	MENTAL JUSTICE	Client/Plan Information:
NECH 610	.27	Individual private landowners within the GCCRP priority
	Procedure Guide Sheet	Gulf Coast CRP
	✓ Alternative 1	RESTORE Act
Check all that apply to this Guide Sheet review:		Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
STEP 1.		•
Tribes, or oth	fected by the NRCS action, are there low-income er specified populations that would experience d s resulting from the proposed action or alternativ If "No," document on the NRCS-CPA-52	isproportionately high and adverse human re?
	rationale, and information sources used	· · · · · · · · · · · · · · · · · · ·
√ Yes	If "Yes," go to Step 2.	and proceed with planning.
Unknown If "Unknown," consult your State Environmental Specialist, or equivalent and Tribal Liaison for additional guidance, and repeat Step 1. NOTE: The USDA Departmental Regulation on Environmental Justice (DR 5600-002) provides detailed "determination procedures" for NEPA as well as non-NEPA activities and suggests social and economic effects for considerations.		t Step 1. NOTE: The USDA Departmental 5600-002) provides detailed "determination
STEP 2.	enecia for considerations.	
•	s) the type that might have a disproportionately had income population, minority population, or India	igh and adverse environmental or human health an Tribe?
✓ No	If "No," document on the NRCS-CPA-52, or i	notes section below, the finding, rationale.
Yes	and information sources used and proceed If "Yes," initiate Tribal consultation or commun	with planning. ity outreach to affected and interested parties as Indian Tribes. The purpose is to encourage n or activity and any alternatives or mitigating require adaptive or innovative approaches to pmic, historic, or other potential barriers to with this process, contact your State Public
	he results of the outreach initiative together with	other information gathered for the decision-
making proce	ss, will the action(s) have a disproportionately hient of the minority, low-income, or Indian populat	gh and adverse effect on the human health or
☐ No	If "No," notify interested and affected parties of agency decision. Document on the NRCS-CPA-52, or notes section below, the finding and rationale.	
☐ Yes	If "Yes," consider the feasibility and appropriate effects and the possibility of developing addition repeat Step 3. Document results of these elf it is determined that there remains a disproposite health or the environment, or the project or active Environmental Assessment (EA) or Environmental	al alternatives or a mitigation alternative and arly scoping sessions on the NRCS-CPA-52. ortionately high and adverse effect on human on carries a high degree of controversy then an

Notes:

Developing the Mississippi Gulf Coast Forest Restoration & Conservation Initiative included broad participation. An example of inclusiveness is the consultation & engagement of the Mississippi Band of Choctaw Indians & the Vancleave Live Oak Choctaws within proposed project areas that have been involved in Initiative projects. Also included in the planning is the Turkey Creek community that would benefit from proposed Initiative projects. In 1866, a group of emancipated African-Americans exercised their newly acquired rights to purchase and settle 320 acres in Harrison County, MS. In 2001, the Mississippi Heritage Trust listed the entire community as one of the State's Ten Most Endangered Historical Places. Even though no adverse effect is expected, planned outreach and education efforts will encourage participation from low income and/or minority producers.

Contact your State Office for assistance.

ESSENTIA	L FISH HABITAT	Client/Plan Information:	
NECH 610		Individual private landowners within the GCCRP priority Gulf Coast CRP	
Evaluation	Procedure Guide Sheet		
✓ Alternative 1 ☐ Alternative 2 ☐ Other Check all that apply to this Guide Sheet review:		RESTORE Act Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.	
indirectly or c	s) in an area designated as Essential Fish Habita umulatively affect EFH? tional information regarding EFH Descriptions and		
□No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed		
✓ Yes	If "Yes," go to Step 2.		
	n(s) result in short-term or long-term disruptions of the contract of the cont		
✓ No	If "No," consultation with NMFS and further evaluation is not needed concerning EFH unless otherwise specified by the State Biologist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," go to Step 3.		
STEP 3.			
Can the actio	n(s) be modified to avoid the potential adverse ef	ffect?	
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. Go to Step 4.		
☐ Yes	If "Yes," modify the action or activity and re	epeat Step 2.	
STEP 4.			
Is NRCS prov [MSA Section	viding assistance that would result in the funding, a 305(b)]	authorization, or undertaking of the action(s)?	
□No	If "No," an alternative conservation system to identified as the proposed action or NRCS in terminated, indicate the circumstances in the Recontact the NRCS State Office for assistance. A, Section 410.3)	nust discontinue assistance. If assistance is emarks section of the NRCS-CPA-52 or	
☐ Yes	If "Yes," inform the client that the NRCS Dis Biologist must consult with NMFS before full Section 305(b)(2)].	rther action or activity can proceed [MSA,	
	Note: For specific information regarding consultation Guidance," April 2004, ava		

Notes:

Consistent with 2010 informal consultation with the USFWS and National Marine Fisheries Service (NMFS), stream setbacks and alternative herbicide application methods will be followed for Gulf Sturgeon designated critical habitat.

	AIN MANAGEMENT	Client/Plan Information:
NECH 610	-	Individual private landowners within the GCCRP priority
Evaluation	n Procedure Guide Sheet	Gulf Coast CRP
Alternative 1 Alternative 2 Other Check all that apply to this Guide Sheet review:		RESTORE Act Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
only (individ	Guide Sheet is intended for evaluation of "no lual projects). For "project" assistance criter ns), consult Title 190, General Manual, Part 41	, , , , , , , , , , , , , , , , , , , ,
STEP 1. Is the project	area in or near a 100-year floodplain?	
□No	If "No," document on the NRCS-CPA-52, or and information sources used and go to Ste	
✓ Yes	If "Yes," go to Step 2.	
Unknow	In .	od insurance maps and other available data such ency. If still "Unknown", contact the appropriate 1.
•	ng area in the floodplain an agricultural area that seed for at least 3 of the last 5 years before the re	·
□No	If "No," go to Step 4.	
√ Yes	If "Yes," document the agricultural use hist	ory and go to Step 3.
STEP 3. Is the floodpl plans?	ain's agricultural production in accordance with c	official state or designated area water quality
□No	If "No," advise the client of conservation practi into accordance with water quality plans and in to Step 4.	ces or other measures that will bring the land corporate these into the conservation plan. Go
√ Yes	☑ Yes If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 4.	
STEP 4.	J	•
incompatible	rt or long term, will the proposed action or alternative development, or other adverse effect to the exist lands adjacent or downstream?	•
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	
Yes	· · · · · · · · · · · · · · · · · · ·	A-52 and repeat 4. If the action cannot be

FLOODPLAIN MANAGEMENT (continued)

STEP 5. Is one or more of the alternative methods or locations practical? \square No If "No," the District Conservationist will carefully evaluate and document the potential extent of the adverse effects and any increased flood risk before making a determination of whether to continue providing assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. ☐ Yes If "Yes," and the client agrees to implement the alternative methods or locations outside the floodplain, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. ☐ Yes If "Yes," and the client DOES NOT AGREE to implement the alternative methods or locations, advise the client that NRCS may not continue to provide technical and/or financial assistance where there are practicable alternatives. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. STEP 6. Will assistance continue to be provided? If "No," provide written notification of the decision to terminate assistance to the client and the ☐ No local conservation district, if one exists. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," the district conservationist should design or modify the proposed action or ☐ Yes alternative to minimize the adverse effects to the extent possible. Circulate a written public notice locally explaining why the action is proposed to be located in the 100-year floodplain. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Notes: No actions affect floodplain functions.

INVASIVE	SPECIES	Client/Plan Information:
NECH 610		Individual private landowners within the GCCRP priority
Evaluation	n Procedure Guide Sheet	Gulf Coast CRP
	✓ Alternative 1	RESTORE Act
Alternative 2 Other Check all that apply to this Guide Sheet review:		Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
NOTE: Executive Order 13112 states that "a Federal agency shall not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction and spread of invasive species in the U.S. or elsewhere." Remember that invasive species can include plants, fish, animals, insects, etc.		
STEP 1.		
Is the action(s) in an area where invasive species are known to occur or where risk of an invasion exists? NOTE: Executive Order 13112 (1999) directs Federal agencies to "prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause."		
☐ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed	
✓ Yes	If "Yes," go to Step 2.	
STEP 2. Conduct an inventory of the invasive species and identify areas at risk for future invasions (Title 190, General Manual, Part 414, Subpart D, Section 414.30). Delineate these areas on the conservation plan map and document management considerations in the plan or assistance notes. Have all appropriate tools, techniques, management strategies, and risks for invasive species prevention, control, and management been considered in the planning process?		
□No	If "No," you must consider and include all appropotential invasive species for the planning area	
✓ Yes	If "Yes," describe strategies, techniques, and r	easons on NRCS-CPA-52 and go to Step 3.
STEP 3. Is the action(s) consistent with the Executive Order 13112, the national invasive species management plan, and any applicable State or local invasive species management plan?		
□No	If "No," modify the action and repeat Step 3. action, NRCS must discontinue assistance. Do CPA-52, or notes section below, and in the continue action.	
Yes If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
Notes:		
May Effect - Beneficial. Competition from many undesirable plant pest species, including noxious and invasive species, such as Coggangrass and Chinese Tallow Tree will be reduced or controlled. Survival and growth and diversity of vegetation within the local ecosystem will be maximized.		

MIGRATORY BIRDS,	BALD AND GOLDEN	Client/Plan Information:
EAGLE PROTECTION	ACT, NECH 610.31	Individual private landowners within the GCCRP priority
Evaluation Procedure	Guide Sheet	Gulf Coast CRP
	✓ Alternative 1	RESTORE Act
Check all that apply to this Guide Sheet review:	Alternative 2 Other	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.

NOTE: This guide sheet includes evaluation guidance for compliance with both the Migratory Birds Treaty Act, Executive Order 13186 (2001), and the Bald and Golden Eagle Protection Act. Both sections must be completed if eagles are identified within the area of potential effect.

SECTION I: MIGRATORY BIRDS TREATY ACT

In the lower 48 states, all species except the house sparrow, rock pigeon, common starling, and non-migratory game birds like pheasants, quail, grouse, and turkeys, are protected.

STEP 1.

Could the action(s) result in a take (intentionally or unintentionally) to any migratory bird, nest or egg? The term "take" means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR Section 10.12).

NOTE: The MBTA does not prohibit the destruction of a migratory bird nest alone (without birds or eggs) provided that no possession occurs during the destruction (USFWS, Migratory Bird Memorandum, MBPM-2, April, 2003).

☐ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
✓ Yes	If "Yes," go to Step 2.

STEP 2.

Is it the purpose of the action(s) to intentionally "take" a migratory bird or any part, nest or egg (such as, but not limited to: controlling depredation by a migratory bird, or removal of occupied nests of nuisance migratory birds)?

NOTE: Migratory game birds taken under state and Federal hunting regulations are exempt.

ito i z. iviig	rationy garne bilde taken and obtained reading regulations are exempt.
✓ No	If "No," go to Step 3.
☐ Yes	If "Yes," document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Inform the client that they must obtain a permit from USFWS and any required state permit before the action is implemented.
STEP 3. Have advers practicable e	e effects on migratory birds been mitigated (avoided, reduced, or minimized) to the maximum xtent?
□No	If "No," modify the action and repeat Step 1. If client is unwilling to modify the action then NRCS must discontinue assistance until issue has been resolved with USFWS.
✓ Yes	If "Yes," document mitigation measures on the NRCS-CPA-52, or notes section below, and in the plan. Go to Step 4.

MIGRATORY BIRDS TREATY ACT / BALD AND GOLDEN EAGLE PROTECTION ACT (continued) STEP 4. Will unintentional take of migratory birds, either individually or cumulatively, result in a measurable negative effect on a migratory birds population? ✓ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," additional principles, standards and practices shall be developed in coordination with ☐ Yes USFWS to further lessen the amount of unintentional take (E.O. 13186(3)(e)(9)). Repeat Step 1 or indicate which of the following options is pursued by the client (pick one). Document the effects, including the reasons, on the NRCS-CPA-52, or notes section The client will obtain a permit from USFWS before the action is implemented; OR NRCS may need to terminate assistance. Contact the NRCS State Environmental Specialist or Wildlife Biologist. Notes: Practices to be conducted outside the primary nesting season - April 1 to August 15. Mitigation avoids all adverse effects. SECTION II: BALD & GOLDEN EAGLE PROTECTION ACT STEP 1. Will the action(s) result in the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import "of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit"? (The term "take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under this act means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, injury to an eagle; a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.) If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, ✓ No and information sources used and proceed with planning. ☐ Yes If "Yes," go to Step 2. STEP 2. Can the action(s) be modified to avoid the adverse effect? Refer to the National Bald Eagle Management Guidelines for measures that can be taken to avoid disturbing nesting bald eagles and their young. ☐ No If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to

If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to avoid adverse effects prior to providing final designs or implementing the proposed action or alternative. No permit authorizes the sale, puchase, barter, trade, importation, or exportation of eagles, or their parts or feathers. The regulations governing eagle permits can be found in 50 CFR Part 22.

☐ Yes

If "Yes," modify the alternative and repeat Step 1. If the client is unwilling to modify the action then NRCS may need to discontinue assistance. Contact the NRCS State environmental specialist or wildlife biologist for assistance. Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below.

Notes:

Activities will be avoided within 660 feet of an active bald eagle nest between Dec. 1 - June 30. Mitigation avoids all adverse effects.

	15-10	
NATURAL		Client/Plan Information: Individual private landowners within the GCCRP priority
GM 190, P	art 410.23 n Procedure Guide Sheet	Gulf Coast CRP
Evaluation	Alternative 1	RESTORE Act
Alternative 1 Alternative 2 Other Check all that apply to this Guide Sheet review:		Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
Natural Areas are defined as land and water units where natural conditions are maintained. They may be areas designated on Federal government, non-federal government, or on private land. Designation may be provided under Federal regulations, by foundations or conservation organizations, or by private landowners that specify it as such (GM 190. Part 410.23).		
STEP 1. Are there any	designated natural areas present in or near the	planning area?
□No	If "No,"document on the NRCS-CPA-52, or n and information sources used and proceed	
✓ Yes	If "Yes," go to Step 2.	
STEP 2. Will the actio	n(s) affect the natural area?	
✓ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed	
Yes	If "Yes," go to Step 3.	
STEP 3. Are the effects consistent with maintaining, protecting, and preserving the integrity of the natural characteristics?		
□No	If "No," Inform the client about the effects of the identified natural areas. You must also encoura to arrive at a mutually satisfactory alternative [Geffects of the action and any communication notes section below, and proceed with plant	age the client to consult with concerned parties M 190, Part 410.23(c)4]. Document the as with the client on the NRCS-CPA-52, or
☐ Yes	If "Yes," document on the NRCS-CPA-52, or and information sources used and proceed	
Notes:		
No activities will be conducted in these areas. No adverse effects from off-site activites will occur.		

PRIME AND UNIQUE FARMLANDS		Client/Plan Information:
NECH 610		Individual private landowners within the GCCRP priority Gulf Coast CRP
Evaluation	Procedure Guide Sheet Alternative 1	RESTORE Act
	Alternative 1 Alternative 2 Other that apply to this de Sheet review:	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.
STEP 1. Using the criteria found in the FPPA Rule (7 CFR Part 658.5), does the action(s) convert farmland to a nonagricultural use? NOTE: Conversion does not include construction of on-farm structures necessary for farm operations. Also, form AD-1006 entitled "Farmland Conversion Impact Rating" and form NRCS-CPA-106 entitled "Farmland Conversion Impact Rating for Corridor Type Projects" are used to document effects of proposed projects that may convert farmland. If you are uncertain about the effects on prime and unique farmlands in your planning area, consult the State Soil Scientist.		
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ Yes	If "Yes," go to Step 2.	
STEP 2. Are prime or unique farmlands or farmlands of statewide or local importance present in or near the area that will be affected by the action(s)?		
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.	
☐ Yes	If "Yes," go to Step 3.	
STEP 3. Can the action	on(s) be modified to avoid adverse effects or conv	version?
□No	If "No," document the adverse effects on the proceed with planning.	e NRCS-CPA-52, or notes section below, and
☐ Yes	If "Yes," modify and repeat Step 1 or contact Document on the NRCS-CPA-52, or notes se information sources used and proceed with	

Notes:

Actions, including construction of on-farm structures necessary for farm operations such as an animal mortality facility, will not convert any agricultural lands to non-agricultural use. Installation of conservation practices are anticipated to indirectly improve unique and prime agricultural land and forestland. Technical and financial assistance will be provided on cropland, grazing land, nonindustrial private forestland, and other agricultural lands, which should indirectly contribute to retaining current agricultural land uses and forestland uses.

RIPARIAN	N AREA	Client/Plan Information:	
NECH 610	0.33		
	n Procedure Guide Sheet	Gulf Coast CRP	
	✓ Alternative 1	RESTORE Act	
Check all that apply to this Guide Sheet review:		Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasse George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.	
STEP 1. Is a riparian Part 411.)	area present in or near the planning area? (De	finition can be found in Title 190, General Manual,	
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
✓ Yes	If "Yes," go to Step 2.		
STEP 2.			
	n(s) address maintanence or improvement of working in the riparian area?	ater quality, water quantity, and fish and wildlife	
□No	If "No," revise the plan to maintain or improve wildlife benefits. Document the benchmark co notes section below, go to Step 3.	e water quality, water quantity, and fish and onditions and effects on the NRCS-CPA-52, or	
✓ Yes	If "Yes,", go to Step 3.		
STEP 3.			
Do the action	n(s) conflict with the conservation values/function	ns of the riparian area?	
✓ No	If "No," document on the NRCS-CPA-52, o and information sources used and procee	r notes section below, the finding, rationale, d with planning.	
☐ Yes	·	k stability and integrity, nutrient cycling, pollutant versity, and present alternatives that will resolve	

Notes:

All Mississippi Cooperative Extension Service (MCES) and Mississippi Agriculture and Forestry Extension Service (MAFES) pesticide application guides, such as proper application methods, calibration of application equipment, and storage and disposal of containers in a safe manner, will be followed. Chemicals used must be federally, state, and locally registered. Herbicides will be managed to prevent runoff and leaching. Site specific WINPEST evaluations will be conducted to identify measures to minimize/mitigate any efects of herbicides. Current recommended herbicides and methods will be applied to achieve control of undesirable species. All label directions and restrictions relating to rates, timing and setbacks will be followed to insure control while reducing the possibilities of the herbicides polluting surface and ground waters.

rationale, and information sources used and proceed with planning.

SCENIC BE	AUTY	Client/Plan Information:		
GM Title 19	0, Part 410.24	Individual private landowners within the GCCRP priority		
Evaluation Procedure Guide Sheet		Gulf Coast CRP		
	Alternative 1	RESTORE Act		
	Alternative 2 Other nat apply to this e Sheet review:	Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.		
	(s) adversely affect the scenic quality of the geneable scenic landscape? (Consult Section II of the			
	☑ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.			
☐ Yes	☐ Yes If "Yes," go to Step 2.			
STEP 2.				
Can the action NRCS must pr	n(s) be modified to avoid the adverse effects on to rovide technical assistance with full consideration preserve scenic beauty or improve the landscape	n of alternative management and development		
	If "No," consider any state or local requirementes section below, the finding, rationale, a with planning.			
Yes	If "Yes," modify the planned action or activity a	and repeat Step 1.		
Notes:				
No activities w	ill be conducted in these areas. No adverse effe	cts from off-site activites will occur.		

WETLAND	os en	Client/Plan Information:		
NECH 610		Individual private landowners within the GCCRP priority Gulf Coast CRP		
Evaluation	n Procedure Guide Sheet			
	Alternative 1 Alternative 2 Other that apply to this de Sheet review:	RESTORE Act Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.		
_	neet addresses policy found in Title 190, General n Water Act Guide Sheet for addressing wetland	· · · · · · · · · · · · · · · · · · ·		
NOTE: This determined a	present in or near the planning area? includes all wetlands except those artificial wetlas prior converted (PC) in accordance with the 19 ands (AW), which retain wetland characteristics, a licy.	85 Food Security Act and nonirrigation induced		
□No	If "No," document on the NRCS-CPA-52, or and information sources used. (If the area of States" such as lakes, streams, channels, or of Water Act Section 404 permit may be required Clean Water Act Guide sheet.)	ould qualify as an "other water of the United ther impoundment or conveyances, a Clean		
✓ Yes	If "Yes," document the extent and location of wetlands and go to Step 2.			
STEP 2. Will the actio restoration pr	n(s) impact any wetland areas (this includes char rojects)?	nging wetland types when considering wetland		
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	, , , , , , , , , , , , , , , , , , , ,		
☐ Yes	If "Yes," assess the wetland functions and of the proposed activity on the wetland area. If eff planning. If adverse effects exist, go to Step 3 .	•		
STEP 3. Do practicable	le alternatives exist that avoid adverse impact to	wetlands?		
☐ No	If "No," go to step 4.			
Yes	If "Yes," advise the client of the available alternative that avoids adverse impact (includin on the NRCS-CPA-52, or notes section below sources used and proceed with planning. Of the project.	g obtaining all necessary permits), document w, the finding, rationale, and information		

WETLANDS (continued)

STEP 4. Do other mea	asures exist that will minimize adverse effects to wetlands?
☐ No	If "No," go to step 5.
☐ Yes	If "Yes," advise the client of the minimization measures. If the client chooses to implement the minimization measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
	nt wish to pursue an action that will result in adverse impacts to wetlands (where no practicable r minimization measures exist)?
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," advise that client of the need to compensate for the lost wetland acres and functions. NRCS may assist the client in the development of a mitigation plan. If the client chooses to implement the compensation measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.
Notes:	
off-site activite and Forestry I calibration of a Chemicals us and leaching. any efects of undesirable s	will be conducted in wetland areas. No actions affect wetland functions. No adverse effects from es will occur. All Mississippi Cooperative Extension Service (MCES) and Mississippi Agriculture Extension Service (MAFES) pesticide application guides, such as proper application methods, application equipment, and storage and disposal of containers in a safe manner, will be followed. Sed must be federally, state, and locally registered. Herbicides will be managed to prevent runoff Site specific WINPEST evaluations will be conducted to identify measures to minimize/mitigate herbicides. Current recommended herbicides and methods will be applied to achieve control of pecies. All label directions and restrictions relating to rates, timing and setbacks will be followed trol while reducing the possibilities of the herbicides polluting surface and ground waters.

WILD AND	SCENIC RIVERS	Client/Plan Information:		
NFCH 610		Individual private landowners within the GCCRP priority Gulf Coast CRP		
Evaluation	Procedure Guide Sheet			
	✓ Alternative 1 ☐ Alternative 2 ☐ Other hat apply to this le Sheet review:	RESTORE Act Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.		
STEP 1.				
Could the acti	on(s) have an effect on the natural, cultural or re	creational values of any nearby rivers?		
☐ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed			
✓ Yes	If "Yes," analyze the potential effects and dever mitigate potential adverse effects, then go to St	•		
STEP 2.				
Is there a Federal or State designated Wild, Scenic, or Recreational River segment or a river listed in the Nationwide Rivers Inventory (NRI) in or near the planning area? No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.				
✓ Yes	If "Yes," and there is still potential for effect consult your State environmental liaison to assist with determining the nature and significance of the effect. Go to Step 3. NOTE: The State Office may request the administering federal or state agency (National Park Service in the case of NRI) to assist you in developing appropriate avoidance and mitigation measures.			
STEP 3.				
Could the proposed action or alternative have an adverse effect on the natural, cultural or recreational values of the wild, scenic, or recreational river segment that cannot be avoided or minimized? No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale,				
☐ Yes	and information sources used and proceed of "Yes," go to Step 4.	with planning.		
STEP 4.	ii res, go to step 4.			
_	iding financial assistace or otherwise controlling	the action(s)?		
□ No	If "No," inform the client that a permit may be consult with the administering federal or state as reflected in the final plan and documentation. Consult with the implementation.	e required for their activities and they should gency. The permit authorization should be		
Yes	If "Yes," consult with the administering feder proposed action could foreclose options to class scenic or recreational and to develop avoidance NRCS-CPA-52, or notes section below, the fit used and proceed with planning	sify any portion of the river segment as wild, e or mitigation measures. Document on the		

No activities will be conducted within the streams. No adverse effects from off-site activites will occur. All Mississippi Cooperative Extension Service (MCES) and Mississippi Agriculture and Forestry Extension Service (MAFES) pesticide application guides, such as proper application methods, calibration of application equipment, and storage and disposal of containers in a safe manner, will be followed. Chemicals used must be federally, state, and locally registered. Herbicides will be managed to prevent runoff and leaching. Site specific WINPEST evaluations will be conducted to identify measures to minimize/mitigate any efects of herbicides. Current recommended herbicides and methods will be applied to achieve control of undesirable species. All label directions and restrictions relating to rates, timing and setbacks will be followed to insure control while reducing the possibilities of the herbicides polluting surface and ground waters.

RESOURCE CONSIDERATIONS (Optional) Field Inventory Guide Sheet

Identify the resource concern(s) that need to be addressed and the assessment tool(s) used for the evaluation.

Client/Plan Information:

Individual private landowners within the GCCRP Gulf Coast CRP RESTORE Act

Individual project sites not yet identified. See map of potential sites for Gulf Coast Conservation Reserve Project (GCCRP) project area. Project area encompasses George, Jackson, Hancock, Harrison, Pearl River, and Stone Counties. It is estimated that between 100-175 landowners will participate.

		' '
	Erosion	
	✓ Sheet, Rill & Wind Erosion	Other:
	✓ Concentrated flow	Other:
	Excessive bank erosion from streams, shorelines or water col	nveyance channels
I≓	Quality Degredation	
SOII	Subsidence Organic matter depletion	Other:
	, , , , , , , , , , , , , , , , , , , ,	oil Loss Computation Worksheet and RUSLE2 results.
	Problems & Notes:	
	Excess / Insufficient Water Quality De	gradation
	Excess (Ponding, flooding, seasonal high water Ex	cess nutrients in surface and ground waters
		sticides transported to surface and ground waters
		cess pathogens and chemicals from manure, bio-
<u>~</u>		lids or compost applications
WATER		cessive salts in surface and ground waters
		troleum, heavy metals, and other pollutants
≥		nsported to receiving water sources
		cessive sediment in surface waters
		evated water temperature her:
	Assessment tools, Client input / planner observation.	ner.
	Problems & Notes:	
	Quality Impacts	
	Emissions of Particulate Matter (PM) and PM Precursors	Ou Dadward visibility due to Smales
AIR		Other: Reduced visibility due to Smoke.
⋖	☐ Emissions of Ozone Precursors	Other:
	Objectionable odors	
	Assessment tools, Practice will create smoke. Burn plan to be of	developed & conducted by certified prescribed burner. Burn
	Problems & Notes: plan will avoid smoke/fire sensitive areas & o	consider wind height & direction.
40	Degraded Plant Condition	
I S		ildfire hazard, excessive biomass accumulation
Z	Inadequate structure and composition O	ther:
PLANTS	Execessive plant pest pressure	ther:
급	Assessment tools, Client's and Planner's Obeservation.	·
	Problems & Notes:	
	Inadequate Habitat for Fish and Wildlife Livestock	Production Limitatation
	I — '	adequate feed and forage
₽	I _ : _ : _ : _ : _ : _ : _ : _ : _ : _	adequate livestock shelter
≥		adequate livestock water
ANIMALS		her:
⋖		
	, , , , , , , , , , , , , , , , , , , ,	pecific Wildlife Habitat Evaluation Guide (WHEG)
	Problems & Notes:	
>	Inefficient Energy Use	
2	Equipment and facilities	Other:
L L	Farming/ranching practices and field operations	Other:
ENERGY	Assessment tools, No resource concern identified that needs a	ddressed
اللاد	Problems & Notes:	



United States Department of the Interior

PISH A WILLIAMPR REBVICE

FISH AND WILDLIFE SERVICE

Mississippi Field Office 6578 Dogwood View Parkway, Suite A Jackson, Mississippi 39213

October 13, 2015

IN REPLY REFER TO: 2016-1-009

Mr. John Ettinger Gulf Coast Ecosystem Restoration Council 500 Poydras Street, Suite 1117 New Orleans, Louisiana 70130

Dear Mr. Ettinger:

The Fish and Wildlife Service (Service) has reviewed the Restore Act funding proposal titled "Gulf Coast Conservation Reserve Program" submitted by the Natural Resources Conservation Service (NRCS). Our comments are in reference to compliance with the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The proposed project includes the establishment of a new NRCS conservation program that would help private landowners within six Mississippi counties (George, Hancock, Harrison, Jackson, Pearl River and Stone) invest in conservation practices that would improve water quality and/or restore and protect wildlife habitat. Numerous conservation practices would be covered by the NRCS program such as prescribed burning, forest stand improvements, stream bank protection, and development of forest management plans. The NRCS determined that this action is categorically excluded from documentation in an environmental impact statement or an environmental assessment.

Numerous federally listed species can be found within the six Mississippi counties covered by the proposed program and potentially within areas where conservation practices will be implemented. Listed species include: Alabama red-bellied turtle, black pinesnake, dusky gopher frog, gopher tortoise, gulf sturgeon, inflated heelsplitter, Louisiana black bear, Louisiana quillwort, Mississippi sandhill crane, pearl darter, red-cockaded woodpecker, ringed map turtle, yellow-blotched map turtle, and wood stork.

However, many of the conservation practices proposed will result in new or improved habitat for many species including the red-cockaded woodpecker, gopher tortoise, and black pinesnake. In addition, the Gulf Coast Conservation Reserve Program will implement and adopt all requirements included in the Service's 2007 biological opinion for the NRCS's Healthy Forest

Reserve Program, the 2010 informal consultation on stream setbacks and herbicide application methods near Gulf sturgeon critical habitat, and the 2012 biological opinion for the Working Lands for Wildlife Program. These programs specifically outline a proposed ESA compliance process that the NRCS would utilize to determine effects to federally listed species that may occur as the result of implementation of these conservation practices in the state of Mississippi.

On October 9, 2015, NRCS provided supplemental information regarding additional conservation practices being proposed under the Gulf Coast Conservation Reserve Program that were not covered under the 2007 and 2012 biological opinions along with a determination that these conservation practices would not adversely affect listed species.

Based on this information, the Service does not anticipate adverse effects to listed species as a result of implementing conservation practices proposed under the Gulf Coast Conservation Reserve Program. This program is expected to have a net benefit to fish and wildlife resources, including listed species, in Mississippi.

If you have any questions, please contact David Felder in this office, telephone (601) 321-1131.

Sincerely,

Stephen M. Ricks Field Supervisor MS Field Office

United States Department of Agriculture

Natural Resources Conservation Service

Temple State Office 101 South Main St. Temple TX, 76501

Voice 254-742-9800 Fax 844-496-8119 September 30, 2015

Justin Ehrenwerth
Executive Director
Gulf Coast Ecosystem Restoration Council

Dear Mr. Ehrenwerth:

This letter is to advise you of the results of the environmental compliance review completed by the USDA Natural Resources Conservation Service (NRCS) for one project by USDA/NRCS in the State of Texas for RESTORE Act funding. The water quality project submitted will treat areas affecting impaired listed streams in the San Antonio River Watershed that empties into San Antonio Bay/Guadalupe Estuary on the Texas Coast. This Bay and Estuary region is a specific winter home for the Endangered Whooping Crane. The project occurs exclusively on private lands.

NRCS has determined that the project meets USDA criteria for categorical exclusion from NEPA. Specifically, all activities to be undertaken in the project are authorized under one or more of three USDA categorical exclusions (CE's) that have been determined applicable to the work to be conducted. No extraordinary circumstances were found in our analyses. See the enclosed NRCS Environmental Evaluation Worksheets for details of the analyses and applicable USDA CE's.

We therefore recommend this project for RESTORE Act funding in accordance with the Council CE entitled "Council Funded Activities that Fall Under a CE of a Federal Council Member (Documentation Required)."

Sincerely,

SALVADOR SALINAS

State Conservationist

cc: John Ettinger, Director, Environmental Compliance, Gulf Coast Ecosystem Restoration Council

dor Salinas.

Homer L. Wilkes, Director, Gulf Coast Ecosystem Restoration Team, NRCS, Madison, MS

Michele Laur, Senior Advisor, Gulf Coast Ecosystem Restoration Team, NRCS, Madison, MS

Enclosures: NRCS Environmental Evaluation Worksheet – Water Quality project with Private Landowners within San Antonio Watershed Map of the Project Area

U.S. Department of Agriculture			A. Client Name:			
Natural Resources Conservation Service 4/2013		Private Landowners within the San Antonio State of Texas				
			Watershed			
			B. Conservation Plan ID # (as	s applic	able): Gulf Coast Conserv	ation
ENVIRONMENTAL E	VALUATION WORKSHI	EET	,	• • •	Reserve Program (G	CCRP)
			Program Authority (on	tional)•	RESTORE Act - GCCRP	/
D. Clientle Objective(s) (nu						
D. Client's Objective(s) (pu			C. Identification # (farm, trac			
	ners and operators over a four year	perioa	Approximately 100 to 175 contracts			
	rvation practices that will aid in the	_	Watershed. See map for project an		•	riison,
,	f sediment and other pollutants from		Karnes, Goliad, Victoria, Refugio, A	Aransas	and Camoun.	
to San Antonio Bay/Guadalupe E	San Antonio River watershed which	urains				
E. Need for Action:	H. Alternatives					
		<u> </u>	Alternative 4 Jif DM	<u> </u>	Alternative 2 √ if RM	
Improve water quality in the tributary streams that drain into	No Action √ if RMS	_	Alternative 1 √ if RMS	Į	Alternative 2 √ if RM	<u>ы</u>
	N/A Analysis conducted to determ		Water quality mgmt plans develope			
watershed.	whether criteria for categorical excl	usion	with Conservation practices implem			
watersned.	by the agency is met.		to reduce off-site pollution, reduce of			
			and increase infiltration. Practices v			
			Riparian herbaceous cover (390), F			
			Forest buffer (391), Contour Buffer (332), Cover Crop (340), Filter String			
			(332), Cover Crop (340), Filter Strip Access Control (472), Fence (382),			
			Mgmt (314), Grassed Waterway (4			
			Water Facility (614), Upland Wildlife			
			(645), Nutrient Mgmt (590), Range	o ivigini		
			Planting (550), and Prescribed Gra	zina		
			(528).	9		
Special Env	ronmental Concerns: E	nvir	onmental Laws, Execut	ive O	rders, policies, etc.	
•			Guide Sheets for documenta			' may
· ·			the lead agency and another g		**	
		moune	r agency. Planning and practi	ice iiiip	nementation may proceed to	•
practices not involved in co						
G. Special Environmental	J. Impacts to Special Enviro	onmen				
Concerns	No Action		Alternative 1		Alternative 2	
(Document existing/	Document all impacts	√ if	Document all impacts	√ if	Document all impacts	√ if
benchmark conditions)	(Attach Guide Sheets as	needs further	(Attach Guide Sheets as	needs further	(Attach Guide Sheets as	needs further
	applicable)	action	applicable)	action	applicable)	action
Clean Air Act			No Effect			
Guide Sheet FS1 FS-2			Minor, temporary effects to air			
Unclassifiable/attainment status			quality may occur during			
for project area (TCEQ)			implementation phase for some			
, , , ,			practices			
 Clean Water Act / Waters of the 			May Effect - Beneficial			
U.S.			Practices will aid in decreasing			
Guide Sheet Fact Sheet			pollutants into San Antonio River			
Section 303d listed, impaired			and Bay.			
waters, are present in project						
area.						
Coastal Zone Management			No Effect			
Guide Sheet Fact Sheet			All proposed practices are			
Coastal zone mgmt area present			common and ongoing in the area			
in lower San Antonio River			and have been determined to be			
segment.			consistent with the Texas Coastal			
			Mgmt Plan. After proposal is			
			funded, consistency			
			determinations, if needed, will be			
			requested for specific planned			
Coral Reefs			activities. No Effect			
Guide Sheet Fact Sheet			NO Ellect			
None present (eFOTGII)						
, , ,						
 Cultural Resources / Historic 			No Effect			
Properties			Some conservation practices			
Guide Sheet Fact Sheet			involve ground disturbance. For			
May or may not be present			these, the APE will be determined			
within project area			and a cultural resources inventory			
			and evaluation conducted to			
			ensure practices avoid affecting			
			historic properties. Consultation			
			with the State Historic			
			Preservation Officer has been			
			initiated and consultation with			
			interested Tribes will be			
			conducted.			

●Endangered and Threatened Species Guide Sheet Fact Sheet Several T&E and candidate species and their habitat may be present - whooping crane, attwater's greater prairie chicken, northern aplomado falcon, and others		May Effect ESA consultation will be undertaken when there may be effects to ESA-listed species and all adverse effects to protected species will be avoided or mitigated based on site-specific consultations. Past consultations for many of the same species and practices have resulted in FWS concurrence the actions were NLAA listed species.		
Environmental Justice Guide Sheet Fact Sheet Communities present within project area		May Effect - Beneficial Outreach efforts will encourage participation from all producers.		
Essential Fish Habitat Guide Sheet Fact Sheet may be present		No Effect - Beneficial By improving water quality, these activities will benefit EFH.		
Floodplain Management Guide Sheet Fact Sheet Floodplain present within project area		May Effect - beneficial Actions will maintain or add beneficial function to floodplain.		
Invasive Species Guide Sheet Fact Sheet May be present (TX Dept of Ag)		May Effect - Beneficial Invasive species will be controlled and no practice will encourage the introduction or spread of invasives.		
Migratory Birds/Bald and Golden Eagle Protection Act Guide Sheet Fact Sheet Migratory birds and bald eagles may be present within or near project areas		May Effect - beneficial Construction will not occur during nesting season when migratory birds are present. See Section L below for mitigation measures for Bald eagles. Enhanced riparian buffers will improve migratory bird habitat.		
Natural Areas Guide Sheet Fact Sheet May be nearby, such as Goliad State Park		No Effect Proposed actions are consistent with existing local land use.		
Prime and Unique Farmlands Guide Sheet Fact Sheet May or may not be present within project area		No Effect Actions will not convert ag lands to non-ag use		
Riparian Area <i>Guide Sheet Fact Sheet</i> May be adjacent or down stream		May Effect - beneficial Practices will greatly enhance riparian function		
Scenic Beauty Guide Sheet Fact Sheet Dominantly rural		No Effect Proposed actions are consistent with the rural nature of the landscape.		
Wetlands Guide Sheet Fact Sheet May be present		No Effect - Beneficial Proposed action will benefit wetlands by reducing excessive sediments and improving wetland wildlife habitat. No Effect		
Wild and Scenic Rivers		NO Ellect		
Guide Sheet Fact Sheet None present (eFOTGII)				
	No Action	Alternative 1 COE consulted, if needed for CWA	Alternative 2	

Cumulative Effects Narrative (Describe the cumulative impacts considered, including past, present and known future actions regardless of who performed the actions)		iding future		Conservation practices will aid in the reduction of pollutants such as bacteria and sediment loading in the San Antonio River watershed which empties into the Gulf. Actions will lead to overall improvement of water quality.	
L. Mitigation (Record action (Record action) (Record action)	ons to avoid,	te)		Adverse effects to cultural resources and protected species will be avoided and mitigation measures identified by FWS or State/Tribe will be incorporated as appropriate. Construction activities will not occur within 660ft of active bald eagle nests during nesting season or while migratory birds are nesting.	
M. Preferre	alterna				
Aiternauve	Suppo	CONTRACTOR OF THE PERSON OF TH		No potential for significant adverse effects found	
			matives analysis)	local watershed	state
		action must be the locality.	e analyzed in several	I contexts such as society as a whole (human, nat	ional), the affected region, the
THE REAL PROPERTY AND ADDRESS OF THE PARTY AND			or Extraordinary Cir	rcumstances	Comparison with the particular state of the
agency beli down into s If you answ circumstar Yes	eves that of mall composer ANY of nces and s	on balance the conent parts. If the below quignificance is the preferred to the preferred	effect will be benefic uestions "yes" then ssues to consider and d alternative expected d alternative expected	be both beneficial and adverse. A significant effectial. Significance cannot be avoided by terming an contact the State Environmental Liaison as the nd a site specific NEPA analysis may be required to cause significant effects on public health or set of the significantly affect unique characteristics of the klands, prime farmlands, wetlands, wild and scenario	ere may be extraordinary ed. afety? e geographic area such as proximity
		areas?		and the small state of the burner environment li	valu ta ha highly contraversial?
	•	Does the preference of the pre	erred alternative have	rnative on the quality of the human environment lil e highly uncertain effects or involve unique or unkr	nown risks on the human
			erred alternative estal it a future consideration	blish a precedent for future actions with significant on?	impacts or represent a decision in
	•	ls the preferre of the human	ed alternative known o environment either in	or reasonably expected to have potentially significated in the significated in the signification of the significant in the sign	
		the Evaluation as cultural or	n Procedure Guide Sh historical resources, e , coral reefs, essentia	have a significant adverse effect on ANY of the sp neets to assist in this determination. This includes endangered and threatened species, environmental al fish habitat, wild and scenic rivers, clean air, ripa	, but is not limited to, concerns such al justice, wetlands, floodplains,
		environment?		en a violation of Federal, State, or local law or req	uirements for the protection of the
In the case	where a ne	on-NRCS per		this form is accurate and complete: sts with planning they are to sign the first signature	e block and then NRCS is to sign the
	Sigr	nature (TSP i	f applicable)	Title	Date
ТО	MAS DO	MINGUEZ	Depting registed by 100000 1000000. BJ. Districtly, service the 1000000000000000000000000000000000000	Assistant State Conservationist- Field Operations	
		Signature (NRCS)	Title	Date
				IRCS has control or responsibility and this NR this is being provided.	US-GPA-52 is snared with

Th	e followi	ng sections are to be co	mpleted by the Responsible Fed	eral Official (RFO)		
NRCS is the RF approved by NR control what the	O if the action (CS). These client ultimate	n is subject to NRCS control and actions do not include situations	responsibility (e.g., actions financed, funded in which NRCS is only providing technical a d situations where NRCS is making a technic	l, assisted, conducted, regulated, or ssistance because NRCS cannot		
Q. NEPA Com The preferred a		ing (check one)		Action required		
		ederal action where the agency	has control or responsibility.	Document in "R.1" below. No additional analysis is required		
 is a federal action ALL of which is categorically excluded from further envi analysis AND there are no extraordinary circumstances as identified in Sec "O". 				Document in "R.2" below. No additional analysis is required		
3) is a federal action that has been sufficiently analyzed in an existing Agency state, regional, or national NEPA document and there are no predicted significant adverse environmental effects or extraordinary circumstances.			ere are no predicted significant adverse	Document in "R.1" below. No additional analysis is required.		
4) is a federal action that has been sufficiently analyzed in another Federa NEPA document (EA or EIS) that addresses the proposed NRCS action a and has been formally adopted by NRCS. NRCS is required to prepare own Finding of No Significant Impact for an EA or Record of Decision for adopting another agency's EA or EIS document. (Note: This box is not in FSA)				Contact the State Environmental Liaison for list of NEPA documents formally adopted and available for tiering. Document in "R.1" below. No additional analysis is required		
		verse environmental effects or e	iciently analyzed or may involve predicted extraordinary circumstances and may	Contact the State Environmental Liaison. Further NEPA analysis required.		
R. Rationale S	pporting th	e Finding				
R.1 Findings Docum	entation					
R.2 Applicable Cated Exclusion(s) (more than one m		disturbed sites to restore and mainta	and woody vegetation, which does not include now ain the sites ecological functions and services; Req pical functions and services, which could not be acc	quires that the established vegetative		
7 CFR Part 650 Compliance With NEPA, subpart 650.6 Categorical Exclusions states prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must meet six sideboard criteria. See NECH 610.116.		watering facilities, and invasive species control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes;				
				(3) Inventories, research activities,	and studies, such as resource inventories and rou clearly limited in context and intensity	tine data collection when such actions are
I have consider Environmental finding indicate	Concerns, a	ts of the alternatives on the Ro and Extraordinary Circumstand	esource Concerns, Economic and Social (ces as defined by Agency regulation and p	Considerations, Special colicy and based on that made the		
		e Federal Official:				
	OR SALIN	Digitally signed by SALVADOR SALINAS DN: callS gaid's Government our Department of	State Conservationist	9/30/2015		
	S	ignature	Title	Date		

CLEAN AIR ACT			Client/Plan Information:
NECH 610.21			State of Texas
Evaluation Procedure	Guide Sheet		
Check all that apply to this	✓ Alternative 1		RESTORE Act - GCCRP
Guide Sheet review:	Alternative 2	Other	Approximately 100 to 175 contracts with private farmers

NOTE: STEPS 1 and 2 help determine whether construction permitting is needed for the planned action or activity. STEP 3 helps determine whether the opportunity for emissions reduction credits exist. STEP 4 helps determine whether any other permitting, record keeping, reporting, monitoring, or testing requirements are applicable. Each of these steps should be updated with more specific language as needed, since air quality permitting and regulatory requirements are different for each state. In each step, if more information is needed or there is a question as to whether there are air quality requirements that need to be met, the planner or client should contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine what air quality regulatory requirement must be met prior to implementing the planned action or activity.

STEP 1.

Is the action(s) expected to increase the emission rate of any regulated air pollutant?

NOTE: The definition of a "regulated air pollutant" differs depending on the air quality regulations in effect for a given site. For a federal definition of "regulated air pollutant," please refer to the 40 CFR 70.2. Other definitions for "regulated air pollutant" found in state or local air quality regulations may be different. States should tailor this question to the State air quality regulations and definitions since those will include any Federal requirements.

If "No," it is likely that no permitting or authorization is necessary to implement the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the planned action or activity. Go to step 3.
□ Yes
If "Yes," go to Step 2.

STEP 2.

Can the action(s) be modified to eliminate or reduce the increase in emission rate of the regulated air pollutants?

NOTE: This Step is to prompt the planner to review the planned action or activity to see if there is an opportunity to either eliminate the emission rate increase (possibly remove a permitting requirement) or reduce the emission rate increase (possibly move to less stringent permitting).

No If "No," it is likely that permitting or authorization from the appropriate air quality regulatory agency will be required prior to implementing the planned action or activity. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to either verify that no permitting or authorization is necessary or to determine what requirements must be met prior to implementing the proposed action or alternative. Go to Step 3.
□ Yes
If "Yes," modify the proposed action or alternative and repeat Step 1.

CLEAN AIR ACT (continued)

STEP 3.

√ No If "No," go to Step 4. If "Yes," the opportunity for obtaining nonattainment pollutant emission credits may exist. ☐ Yes Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client of that potential opportunity. If the client is interested in registering nonattainment pollutant emission credits, advise him/her to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine if and how credits can be documented and/or registered for potential sale. Go to Step 4. STEP 4. Is the action(s) subject to any other federal (e.g.., New Source Performance Standards, National Emissions Standards for Hazardous Air Pollutants, etc.), State, or local air quality regulation (including odor, fugitive dust, or outdoor burning)? NOTE: Refer to Section 610.21 of the NECH for a further discussion of air quality regulations. If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, ✓ No and information sources used and proceed with planning. If "Yes," additional permits, authorizations, or controls may be needed before implementing ☐ Yes the proposed action or alternative. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and advise the client to contact the appropriate air quality regulatory agency with permitting jurisdiction for the site to determine

Notes:

notes.
No non-attainment status areas located within project area.

what requirements must be met prior to implementing the proposed action or alternative.

CLEAN WATER ACT/WATERS of the U.S.	Client/Plan Information:
NECH 610.22	State of Texas
Evaluation Procedure Guide Sheet	
Check all that apply to this <a>Image	RESTORE Act - GCCRP
Guide Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers

NOTE: This guide sheet should be tailored to meet the specific needs of individual State and local regulatory and permitting requirements. It is important for each State to coordinate with their individual State and Federal regulatory agencies to tailor State-specific protocols in order to prevent significant delays in processing permit applications.

Complete both sections of this guide sheet to address Federal as well as State-administered regulatory requirements of the Clean Water Act (CWA).

SECTION I

Federally Administered Regulatory Program - Section 404 of the CWA

STEP 1.

Will the action(s) involve or likely result in the discharge or placement of dredged or fill material or other pollutants into areas that could be considered to be waters of the United States (Including, but not limited to wetlands, lakes, streams, channels, and other water conveyances, including some small ditches)? *More detailed information regarding waters of the United States and Federal permitting programs under CWA is found in the NECH 610.22.*

	·· ·
☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.
☐ Yes	If "Yes," go to Step 2.
	(s) an activity exempt from section 404 regulations (40 CFR Part 232)? emption should be verified with the local U.S. Army Corps of Engineers (Corps) district.
□No	If "No," go to Step 3.
☐ Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used to verify the exemption applies and proceed with Section II below.
OTED A	

STEP 3.

Can the action(s) be modified to avoid the discharge of dredged or fill material or other pollutants into waters of the United States?

☐ No	If "No," go to Step 4.
☐ Yes	If "Yes," modify the action to avoid discharge. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with Section II below.

CLEAN WATER ACT/WATERS of the U.S. (continued) STEP 4. Has the client obtained a section 404 permit (individual, regional, or nationwide) or a determination of an exemption from the appropriate Corps office? If "No," determine if the client has applied for a permit. If a permit has not been applied for, the ☐ No client will need to do so. If a permit has been applied for, document this, and continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation. Complete Section II below. If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, ☐ Yes and information sources used and complete Section II below. The final plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit, such as amount or location of fills or discharges of pollutants should be coordinated with the Corps. Complete Section II below. Notes: **SECTION II** State Administered Regulatory Programs, Sections 303(d) and 402 of CWA STEP 1 Is the proposed action or alternative located in proximity to waters listed by the State as "impaired" under Section 303(d) of the CWA? □No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2. If "Yes," insure consistency with any existing water quality or associated watershed action √ Yes plans that have been established by the State for that stream segment. Even if TMDLs have not been established by the State for that stream segment, ensure that the action will not contribute to further degradation of that stream segment. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed to Step 2. STEP 2 Will the proposed action or alternative likely result in point-source discharges from developments, construction sites, or other areas of soil disturbance, or sewer discharges [e.g. projects involving stormwater ponds or pointsource pollution, including concentrated animal feeding operations (CAFOs) for which comprehensive nutrient management plans (CNMPs) are being developed]? Section 402 of the CWA requires a permit for these activities through the National Pollutant Discharge Elimination System (NPDES) program which the States administer. If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, ✓ No and information sources used and proceed with planning.

Yes

If "Yes," go to Step 3.

CLEAN WATER ACT/WATERS of the U.S. (continued)

STEP 3

Has the clier State-regulat	nt obtained a NPDES permit or a determination of an exemption from the appropriate EPA or tory office?
□No	If "No," determine if the client has applied for any necessary permits. If a permit has not been applied for, the client will need to do so. If they have applied, document this and continue the planning process in consultation with the client and the regulatory agency. Continue the planning process in consultation with the client and the regulatory agencies. The permit authorization should be reflected in the final plan and documentation. Continue planning, but a permit is required prior to implementation.
Yes	If "Yes," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. The final NRCS conservation plan should not be contrary to the provisions of the permit authorization or exemption. Changes made during the planning process that may impact the applicability of the permit should be coordinated with the appropriate State regulatory agency.
Notes:	
	area includes the San Antonio River. It is listed as 303d impaired. Practices will aid in reduction of nich is in line with state water quality plan.

NECH 610.23 Evaluation Procedure Guide Sheet Check all that apply to this Alternative 1 State of Texas RESTORE Act - GCCRP	COASTAL	ZONE MANAGEMENT AREAS	Client/Plan Information:		
Evaluation Procedure Guide Sheet Check all that apply to this					
Check all that apply to this Guide Sheet review: Alternative 2 Other Approximately 100 to 175 contracts with private fam STEP 1. Is the action(s) in an officially designated "Coastal Zone Management Area"? Is the action(s) in an officially designated "Coastal Zone Management Area"? If "No," document on the NRCS-CPA-52, or notes section below, the finding, rational and information sources used and proceed with planning. Yes If "Yes," go to Step 2. STEP 2. Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Progress required by Section 307 of the Coastal Zone Management Act)? No If "No," go to Step 3. Yes If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning. STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must con the State's Coastal Zone Program Office before the action is implemented to discuss poss modifications to the proposed action. NRCS may not provide assistance if the proposed or alternative would result in a violation of a State's Coastal Zone Management Plan. NRC		-			
STEP 1. Is the action(s) in an officially designated "Coastal Zone Management Area"? If "No," document on the NRCS-CPA-52, or notes section below, the finding, rational and information sources used and proceed with planning. Yes If "Yes," go to Step 2. STEP 2. Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Programs (as required by Section 307 of the Coastal Zone Management Act)? No If "No," go to Step 3. Yes If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning. STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must con the State's Coastal Zone Program Office before the action is implemented to discuss poss modifications to the proposed action. NRCS may not provide assistance if the proposed or alternative would result in a violation of a State's Coastal Zone Management Plan. NRC			RESTORE Act - GCCRP		
Is the action(s) in an officially designated "Coastal Zone Management Area"? No	Guid	de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers		
No	STEP 1.				
and information sources used and proceed with planning. ☑ Yes If "Yes," go to Step 2. STEP 2. Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Programs (as required by Section 307 of the Coastal Zone Management Act)? ☐ No	Is the action(s	s) in an officially designated "Coastal Zone Mana	gement Area"?		
STEP 2. Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Progress required by Section 307 of the Coastal Zone Management Act)? No If "No," go to Step 3. Yes If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning. STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possimodifications to the proposed action. NRCS may not provide assistance if the proposed action at Internative would result in a violation of a State's Coastal Zone Management Plan. NRCS	☐ No				
Is the action(s) "consistent" with the goals and objectives of the State's Coastal Zone Management Progress required by Section 307 of the Coastal Zone Management Act)? No If "No," go to Step 3. Yes If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning. STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possimodifications to the proposed action. NRCS may not provide assistance if the proposed action. NRCS may not provide assistance if the proposed or alternative would result in a violation of a State's Coastal Zone Management Plan. NRC	✓ Yes	If "Yes," go to Step 2.			
(as required by Section 307 of the Coastal Zone Management Act)? □ No	STEP 2.				
Yes If "Yes," document the finding, including the reasons, on the NRCS-CPA-52 and proceed with planning. STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possimodifications to the proposed action. NRCS may not provide assistance if the proposed acroal action of a State's Coastal Zone Management Plan. NRCS	•	•			
STEP 3. Is NRCS providing financial assistance or otherwise controlling the action? If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possimodifications to the proposed action. NRCS may not provide assistance if the proposed a or alternative would result in a violation of a State's Coastal Zone Management Plan. NRCS	☐ No	If "No," go to Step 3.			
If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possess modifications to the proposed action. NRCS may not provide assistance if the proposed action atternative would result in a violation of a State's Coastal Zone Management Plan. NRCS	✓ Yes		e reasons, on the NRCS-CPA-52 and		
If "No," NRCS should provide the landowner with relevant information regarding any local State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possess modifications to the proposed action. NRCS may not provide assistance if the proposed action atternative would result in a violation of a State's Coastal Zone Management Plan. NRCS	STEP 3.				
State compliance requirements and protocols (permitting, etc.) in special management are as appropriate to comply with local Coastal Zone Management Programs. Document on NRCS-CPA-52, or notes section below, the finding, rationale, and information source used and proceed with planning. Yes If "Yes," the NRCS District Conservationist or an NRCS State Office employee must conthe State's Coastal Zone Program Office before the action is implemented to discuss possemodifications to the proposed action. NRCS may not provide assistance if the proposed action alternative would result in a violation of a State's Coastal Zone Management Plan. NRCS		viding financial assistance or otherwise controlling	g the action?		
the State's Coastal Zone Program Office before the action is implemented to discuss poss modifications to the proposed action. NRCS may not provide assistance if the proposed a or alternative would result in a violation of a State's Coastal Zone Management Plan. NRC	□No	State compliance requirements and protocols (pas appropriate to comply with local Coastal Zon NRCS-CPA-52, or notes section below, the fi	permitting, etc.) in special management areas the Management Programs. Document on the		
approval of the activity. When concurrence is received from the State, document the agreed to items and reference or attach them to the NRCS-CPA-52.	☐ Yes	the State's Coastal Zone Program Office before modifications to the proposed action. NRCS may or alternative would result in a violation of a State shall provide a consistency determination to the approval of the activity. When concurrence is	e the action is implemented to discuss possible ay not provide assistance if the proposed action te's Coastal Zone Management Plan. NRCS e State agency no later than 90 days before final received from the State, document the		
Notes:	Notes:				
Refugio, Calhoun and Aransas counties are located within CMP area. Practices are consistent with reduce pollution into waters entering the Gulf which is one of the goals of the Texas Coastal Management plan.	Refugio, Calh				

CORAL RE	EFS		Client/Plan Information:		
NECH 610.24			State of Texas		
Evaluation Procedure Guide Sheet					
	that apply to this Alternative 1 de Sheet review: Alternative 2	Other	RESTORE Act - GCCRP Approximately 100 to 175 contracts with private farmers		
	de Sheet review: Alternative 2	Other	Approximately 100 to 173 contracts with private farmers		
STEP 1.					
Are coral reel	, -	-	reas) present in or near the planning area?		
☑ No	If "No," document on the NRCS and information sources used	•	notes section below, the finding, rationale, with planning.		
☐ Yes	If "Yes," go to Step 2.				
STEP 2.					
•	ential for the action(s) to degrade arce Web site for local action strate		of the coral reef ecosystem? (Refer to U.S. coral ea.)		
☐ No	If "No," document on the NRCS and information sources used		otes section below, the finding, rationale, with planning.		
☐ Yes	If "Yes," go to Step 3.				
STEP 3.					
	n(s) be modified to reduce or avoi	d degradation t	o the coral reef ecosystem?		
□No			which will cause the potential impacts. on below, the finding, rationale, and information		
☐ Yes	If "Yes," modify the action or all	ternative and re	epeat Step 2.		
STEP 4.					
Is NRCS prov	viding financial assistance or other	_	, ,		
□No	regarding the current status of U	.S. coral reefs a	able, provide the client with information and the documented causes of degradation and the beneficial aspects of maintaining coral		
☐ Yes			st be determined. An Environmental ement (EIS) may be required. Contact your		
Notes:					

CULTURAL RI	ESOURC	ES / HISTORIC		Client/Plan	Informati	on:
PROPERTIES		NECH 610.25		State of Texas		
Evaluation Pro	ocedure (Guide Sheet				
Check all that a Guide Sh	apply to this neet review:	✓ Alternative 1 Alternative 2 Other		RESTORE Act - (Approximately 10		racts with private farmers within
this Evaluation Proconsultation proto the terms of the consultation, and Section 106 of the Cultural Resource Handbook (NCRP NOTE regarding or historic propertic complete consultation identified consultations and the consultation of the consultat	cocedure Gui cols or oper urrent National NHPA and s; for currer 'H), Part 60' consultation es, it is impution with man ing parties di ccur with Storocedures to	ons: When dealing with ur ortant to follow NRCS polic andatory (SHPOs, THPOs, uring the course of planning eps 2, 3, 4, and 6 and thes o ensure appropriate overs	evel Aque to you ent am For addolicy re e Title endertakey and for federag. This is e must	greements (SL r State or other ong NRCS, the litional information of the Title 420 190, National ings with the pather regulations ally recognized to consultation be conducted	As) with Ser State-spee Advisory ation regard, General Cultural Repotential to a that impled Tribes, and is not docud in accordance.	HPOs or Tribal ecific protocols that reflect Council on Historic ding compliance with Manual (GM), Part 401, esource Procedures affect cultural resources ement Section 106 and ad native Hawaiians) and mented on this guide ance with NRCS State
STEP 1.						
Is the action(s) fur	nded in who	le or part or under the cont	trol of N	IRCS? To ma	ake this de	etermination, answer
the following: Is technical a NRCS?	ssistance ca	arried out by or on behalf o	of	□No	✓ Yes	Unknown
	ut with NRC	S financial assistance?		✓ No	☐ Yes	Unknown
•		pproval with NRCS as the cense, approval, etc.)?	lead	□No	✓ Yes	Unknown
	•	nother Federal, State, or lo ning as lead federal agenc		□No	√ Yes	Unknown
finding, ration If any respons	onale, and inses are "Y nses are "Y	are "No," document on to information sources used 'es," go to Step 2.	d and p	Coordinator	planning. or Specialis	et (CRC or CRS) to
	his is an act	tion/undertaking that requir	es revi	ew and then c	omplete S	Step 1.
` '		n "undertaking" (as definedurces/historic properties?	d in the	190-NCRPH	and 420-G	M) with the potential to
□No		ocument on the NRCS-CI				, the finding, rationale,
√ Yes	If "Yes,"	go to Step 3.				
STEP 3.						
affected, directly of locations for dispo- disposition of remo- during determination	or indirectly: esition of second oved concre on of the Al	f Potential Effect (APE) been access and haul roads, equipment, streambank stabilizate, as well as the area of the PE so that all historic properties in the area of the solution of the properties of the stability of the stability of the properties of the stability of the sta	quipmei zation a he actu erties (t	nt lots, borrow areas, building ual conservatio buildings, strud	areas, sur removal a on practice ctures, sites	face grading areas, nd relocation sites, . Consultation is essential s, landscapes, objects,
✓ No ☐ Unknown	determine	r "Unknown," consult with the APE.	your s	tate specific p	rotocols or	the CRC or CRS to
☐ Yes	If "Yes,"	go to Step 4.				

CULTURAL RESOURCES (continued)

STEP 4.				
to determine who APE or project a	riate records (National, State and local registers ether any known cultural or historic resources are rea? Note: This record checking does not subsand other identified consulting portion.	within or in	close prox	imity to the proposed
	nd other identified consulting parties. gister of Historic Places?	□No	☐ Yes	Unknown
	ter of Historic Places?	□ No	☐ Yes	Unknown
•		□No	☐ Yes	Unknown
	s statewide inventory or data base? y historical society or commission lists?	□ No	☐ Yes	Unknown
Client know or cultural fe	ledge of existing artifacts, historic structures, eatures?	□No	☐ Yes	Unknown
checked (so procedures	onses are "No" or "Unknown," work with you ometimes the SHPO will let only the CRS or CRC as required by NRCS policy and procedures, SL, as appropriate.	review the	files). Follo	ow all other operating
information, Document	nses are "Yes," and NRCS providing technical notify the landowner of any potential affects, and on the NRCS-CPA-52, or notes section below sed and proceed with planning. If NRCS is pro-	d provide re , the findin	commenda g, rational	tions for consideration. e, and information
STEP 5.				
resource indicatoresource survey	If the existence of any known or potential cultural ors observed during the field inspection of the AP will need to be conducted by qualified personnel ialist to determine qualification criteria.	E? NOTE:	Field insp	ections or cultural
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed			, the finding, rationale,
Yes	If "Yes," contact the CRC or CRS. Do NOT primplementation until the final CRS response is			
STEP 6.				
Can the propose	d actions or alternatives be modified to avoid effe	ects on the	known culti	ural resources?
☐ No	If "No," go to Step 7.			
Yes	If "Yes," modify the planned actions or activiti document this on the NRCS-CPA-52, or no planning.			_
STEP 7.				
planner completi	with appropriate and interested parties been corng the NRCS-CPA-52 generally does not do the especialist for the documentation information.	•		
☐ No	If "No" refer to State CRC or CRS for further State Conservationist.	r consultatio	n and reco	mmendations to the
Yes	If "Yes," and all necessary historic preservation treatment have been completed, document a			

Notes:

Some conservation practices involve ground disturbance. For these, the APE will be determined and a cultural resources inventory and evaluation conducted to ensure practices avoid affecting historic properties. Consultation with the State Historic Preservation Officer and interested Tribes needs to be conducted after the determination of "no effect on historic properties" has been made

ENDANGERED AND THREATENED SPECIES	Client/Plan Information:
NECH 610.26	State of Texas
Evaluation Procedure Guide Sheet	
Check all that apply to this	RESTORE Act - GCCRP
Guide Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers

STEP 1.

Are protected species or their habitat present in the area of potential effect?

Note: protected species include federally listed, proposed, and candidate specie, as well as State and Tribal species protected by law or regulation. In addition, if a species' listing or status changes before implementation, you must complete this review again.

- No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
- Yes **If "Yes,"** document the species and relevant benchmark data on NRCS-CPA-52, then proceed to the applicable section(s) listed below:
 - Section 1- Federally listed endangered or threatened species/habitats
 - Section 2- Federally proposed species/habitats
 - Section 3- Federal candidate species/habitats
 - Section 4- State/Tribal species/habitats

SECTION 1: Federally listed endangered or threatened species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on endangered or threatened species or their habitat?

✓ No effect	If "No effect, "document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
May affect	If "May affect," meaning that the action might affect endangered and threatened species or their habitat in some way, go to Step 2.

Federally listed endangered or threatened species/habitats (continued)

STEP 2. Is NRCS providing financial assistance or otherwise controlling the action(s)? ☐ No If "No," and the effects are purely benign or beneficial, continue with planning but ensure the client is aware endangered and threatened species or their habitat exists and conservation practices must be applied in a manner that avoids adverse effects. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "No," and there is a possibility of short-term or long-term adverse effects then inform the ☐ No client of NRCS's policy concerning endangered and threatened species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects or the client obtains a "take" permit from the FWS/NMFS. Refer the client to FWS/NMFS to address the client's responsibilities under Sections 9 & 10 of the ESA, for Federally listed species. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid adverse effects and proceed with planning. If "Yes," and the action will be implemented according to an existing informal ☐ Yes consultation, biological opinion, or 4(d) special rule, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," and the action cannot be modified to avoid the effect, inform client that in order to Yes proceed with the action NRCS must consult with FWS/NMFS. Contact your area or State biologist for consultation procedures. The action can only be implemented according to the terms of the consultation. When consultation is complete, attach the consultation documents to NRCS-CPA-52 or reference them in the notes section below and proceed with planning. **Notes** for Federally listed endangered or threatened species/habitats:

SECTION 2: Federally proposed species/habitats

SIEP 1.	ffect (i.e. benefic	cial/adverse, short-term/long-term, etc.) of the action(s) on proposed species or		
their habitat?	nect (i.e. benefic	narrauverse, short-terminong-term, etc.) of the action(s) on proposed species of		
✓ No effect		If "No effect," additional evaluation is not needed concerning proposed species or proposed critical habitat. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ May effec		If "May affect," meaning that the action might affect endangered and threatened species or proposed critical habitat in any way, go to Step 2.		
STEP 2. Is NRCS prov	viding financial as	ssistance or otherwise controlling the action?		
□ No	client is aware papplied in a ma	e effects are purely benign or beneficial, continue with planning but ensure the proposed species or their habitat exists and conservation practices must be inner as to avoid adverse effects. Document on the NRCS-CPA-52, or notes, the finding, rationale, and information sources used and proceed with		
□No	If "No," and there is a possibility of short-term or long-term adverse effects then inform the client of NRCS's policy concerning proposed species and the need to use alternative conservation treatments to avoid adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids adverse effects, and to the extent practicable, provide long-term benefits to species and habitat. Should the client or landowner refuse to apply the recommended alternative conservation treatment, NRCS will inform the client and landowner of the NRCS policy and shall not provide assistance for the action or portion of the action affecting the proposed species.			
Yes	or conference	he action will be implemented according to an existing conference report opinion. Document on the NRCS-CPA-52, or notes section below, the ale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," and the action cannot be modified to avoid the effect, inform client that the NRCS must conference with FWS/NMFS. Contact your area or State biologist for conference procedures. Further NRCS assistance can only be provided only if the client agrees to implement the conference recommendations to the extent practicable. When the conference is complete, attach the conference documents to NRCS-CPA-52, or reference them in the notes section below, and proceed with planning.			
Notes for F	ederally prop	osed species/habitats:		

SECTION 3: Federal candidate species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the action(s) on candidate species or their habitat?

✓ No adverse effect
If "No adverse effect," additional evaluation is not needed concerning proposed

species or proposed critical habitat. **Document on the NRCS-CPA-52, or notes** section below, the finding, rationale, and information sources used and

proceed with planning.

☐ May adversely effect If "May adversely affect," recommend alternative treatments that avoid or

minimize the adverse effects and, to the extent practicable, provide long-term benefit to the species. **Document the effects of the selected alternative on**

the NRCS-CPA-52 and proceed with planning.

Notes for Federally proposed species/habitats:

NRCS policy will be followed if consultation is needed.

SECTION 4: State/Tribal species/habitats

STEP 1.

What is the effect (i.e. beneficial/adverse, short-term/long-term, etc.) of the proposed action or alternative on State/Tribal species or their habitat?

✓ No adverse effect
If "No adverse effect," additional evaluation is not needed concerning

State or Tribal species of concern. **Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources**

used and proceed with planning.

May adversely affect If "May adversely affect," go to Step 2.

STEP 2.

Is NRCS providing financial assistance or otherwise controlling the action?

□No

If "No," and there is a possibility of short-term or long-term adverse effects then inform the client of NRCS's policy concerning State and Tribal species and the need to use alternative conservation treatments to avoid or minimize adverse effects on these species or their habitat. Further, NRCS assistance will be provided only if one of the conservation alternatives is selected that avoids or minimizes adverse effects to the extent practicable. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. If assistance is continued, document how the alternative conservation treatments avoid or minimize those adverse effects and proceed with planning.

☐ Yes

If "Yes," and the action cannot be modified to avoid the adverse effect, inform client that the NRCS must coordinate with State/Tribal government and receive concurrence on recommended alternatives. Contact your area or State biologist for coordination procedures. Further NRCS assistance will be provided only if the client agrees to implement a concurred upon alternative and obtains any required permits. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.

Notes for State/Tribal species/habitats:

ESA consultation will be undertaken when there may be effects to ESA-listed species and all adverse effects to protected species will be avoided

ENVIRON	MENTAL JUSTICE	Client/Plan Information:		
NECH 610.27 State of Texas				
	Procedure Guide Sheet	DECTORE A		
	that apply to this Alternative 1 de Sheet review: Alternative 2 Other	RESTORE Act - GCCRP Approximately 100 to 175 contracts with private farmers		
L	Alternative 2	Approximately 100 to 170 contracte with private farmers		
STEP 1.				
	fected by the NRCS action, are there low-income			
	er specified populations that would experience di s resulting from the proposed action or alternativ			
☑ No	If "No," document on the NRCS-CPA-52 rationale, and information sources used			
☐ Yes	If "Yes," go to Step 2.	р р		
	If "Unknown." consult your State Environr	mental Specialist, or equivalent and Tribal		
Unknow	in .	t Step 1. NOTE: The USDA Departmental		
	•	5600-002) provides detailed "determination		
	·	A activities and suggests social and economic		
STEP 2.	effects for considerations.			
_	s) the type that might have a disproportionately hi	igh and adverse environmental or human health		
•	w-income population, minority population, or India	-		
☐ No	If "No," document on the NRCS-CPA-52, or r	notes section below, the finding, rationale,		
	and information sources used and proceed	with planning.		
☐ Yes	If "Yes," initiate Tribal consultation or communi	ity outreach to affected and interested parties		
	that are categorized as low-income, minority, or as Indian Tribes. The purpose is to encourage			
	participation and input on the proposed program	, ,		
	options. Participation of these populations may overcome linguistic, institutional, cultural, econo			
	effective participation. If assistance is needed v	·		
	Affairs Specialist or Tribal Liaison. Go to Step	· · · · · · · · · · · · · · · · · · ·		
STEP 3.				
	he results of the outreach initiative together with	other information gathered for the decision-		
-	ess, will the action(s) have a disproportionately high			
the environme	ent of the minority, low-income, or Indian populat	ions?		
☐ No	If "No," notify interested and affected parties	s of agency decision. Document on the		
	NRCS-CPA-52, or notes section below, the fi	inding and rationale.		
☐ Yes	If "Yes," consider the feasibility and appropriat	teness of the proposed alternatives and their		
effects and the possibility of developing a		nal alternatives or a mitigation alternative and		
	repeat Step 3. Document results of these ea	,		
	If it is determined that there remains a dispropo health or the environment, or the project or action	• •		
	Environmental Assessment (EA) or Environment	• •		
	Contact your State Office for assistance.	nai impact Glatomont (E10) may be required.		
Notes:	,			

		,	
ESSENTIA	L FISH HABITAT	Client/Plan Information:	
NECH 610	.28	State of Texas	
Evaluation	Procedure Guide Sheet		
	that apply to this Alternative 1	RESTORE Act - GCCRP	
Gui	de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers	
STEP 1.			
Is the action(s) in an area designated as Essential Fish Habita	at (EFH) or in an area where effects could	
•	umulatively affect EFH?		
website.	tional information regarding EFH Descriptions an	d Identification can be found on NMFS's	
□No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed		
✓ Yes	If "Yes," go to Step 2.		
STEP 2.			
	n(s) result in short-term or long-term disruptions d? [16 U.S.C. 1855(b)(2); Magnuson Stevens Ac	· · · · · · · · · · · · · · · · · · ·	
✓ No	If "No," consultation with NMFS and further evaluation is not needed concerning EFH unless otherwise specified by the State Biologist. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," go to Step 3.		
STEP 3.			
Can the action	n(s) be modified to avoid the potential adverse e	ffect?	
☐ No	If "No," document on the NRCS-CPA-52, or and information sources used. Go to Step 4		
☐ Yes	If "Yes," modify the action or activity and re	epeat Step 2.	
STEP 4. Is NRCS prov [MSA Section	viding assistance that would result in the funding, n 305(b)]	authorization, or undertaking of the action(s)?	
□No	If "No," an alternative conservation system of identified as the proposed action or NRCS in terminated, indicate the circumstances in the R contact the NRCS State Office for assistance.	nust discontinue assistance. If assistance is emarks section of the NRCS-CPA-52 or	
☐ Yes	A, Section 410.3) If "Yes," inform the client that the NRCS Dis Biologist must consult with NMFS before fu Section 305(b)(2)].		
	Note: For specific information regarding consultation Guidance," April 2004, ava		
Notes:			

FLOODPL	AIN MANAGEMENT	Client/Plan Information:
NECH 610		State of Texas
	n Procedure Guide Sheet	DESTORE ALL COORD
	that apply to this Alternative 1 ide Sheet review: Alternative 2 Other	RESTORE Act - GCCRP Approximately 100 to 175 contracts with private farmers
NOTE: This		non-project" technical and financial assistanceria (those assisting local sponsoring
STEP 1. Is the project	t area in or near a 100-year floodplain?	
□No	If "No," document on the NRCS-CPA-52, o and information sources used and go to St	r notes section below, the finding, rationale, ep 4.
✓ Yes	If "Yes," go to Step 2.	
Unknov	WA .	od insurance maps and other available data suclency. If still "Unknown", contact the appropriate 1.
	ng area in the floodplain an agricultural area that seed for at least 3 of the last 5 years before the r	
☐ No	If "No," go to Step 4.	
✓ Yes	If "Yes," document the agricultural use his	tory and go to Step 3.
STEP 3. Is the floodpl plans?	ain's agricultural production in accordance with	official state or designated area water quality
□No	· · · · · · · · · · · · · · · · · · ·	tices or other measures that will bring the land incorporate these into the conservation plan. Go
✓ Yes	If "Yes," document on the NRCS-CPA-52, of and information sources used and go to St	or notes section below, the finding, rationale, ep 4.
incompatible	ort or long term, will the proposed action or altern development, or other adverse effect to the existands adjacent or downstream?	•
✓ No	If "No," document on the NRCS-CPA-52, or and information sources used and proceed	notes section below, the finding, rationale, I with planning.
Yes	· · · · · · · · · · · · · · · · · · ·	·

modified to eliminate adverse effects, go to Step 5.

FLOODPLAIN MANAGEMENT (continued)

STEP 5. Is one or more of the alternative methods or locations practical? ☐ No If "No," the District Conservationist will carefully evaluate and document the potential extent of the adverse effects and any increased flood risk before making a determination of whether to continue providing assistance. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. ☐ Yes If "Yes," and the client agrees to implement the alternative methods or locations outside the floodplain, document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Yes If "Yes," and the client DOES NOT AGREE to implement the alternative methods or locations, advise the client that NRCS may not continue to provide technical and/or financial assistance where there are practicable alternatives. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and go to Step 6. STEP 6. Will assistance continue to be provided? If "No," provide written notification of the decision to terminate assistance to the client and the □No local conservation district, if one exists. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," the district conservationist should design or modify the proposed action or ☐ Yes alternative to minimize the adverse effects to the extent possible. Circulate a written public notice locally explaining why the action is proposed to be located in the 100-year floodplain. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Notes: The conservation practices will aid in the implementation effort of the state water plan. Practices will not likely result in increased flood hazard, but will likely add beneficial value to the flood plain by improving its natural function.

		,
INVASIVE	SPECIES	Client/Plan Information:
NECH 610		State of Texas
	Procedure Guide Sheet	J
	that apply to this Alternative 1	RESTORE Act - GCCRP
Guid	de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers
that it believe	cutive Order 13112 states that "a Federal agency is are likely to cause or promote the introduction a Remember that invasive species can include plar	and spread of invasive species in the U.S. or
STEP 1.		
NOTE: Execu	s) in an area where invasive species are known to utive Order 13112 (1999) directs Federal agencie vide for their control, and to minimize the economicies cause."	es to "prevent the introduction of invasive
□No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed v	
✓ Yes	If "Yes," go to Step 2.	
Manual, Part document ma techniques, m	nventory of the invasive species and identify area 414, Subpart D, Section 414.30). Delineate the anagement considerations in the plan or assistant anagement strategies, and risks for invasive specied in the planning process? If "No," you must consider and include all appropotential invasive species for the planning area	ese areas on the conservation plan map and ace notes. Have all appropriate tools, ecies prevention, control, and management opriate factors relating to the existing and
√ Yes	If "Yes," describe strategies, techniques, and re	easons on NRCS-CPA-52 and go to Step 3.
STEP 3. Is the action(s) consistent with the Executive Order 13112, the national invasive species management plan, and any applicable State or local invasive species management plan?		
☐ No	If "No," modify the action and repeat Step 3. action, NRCS must discontinue assistance. Do CPA-52, or notes section below, and in the c	
✓ Yes	If "Yes," document on the NRCS-CPA-52, or and information sources used and proceed v	
Notes:		
	not be present. Coservation practices will be imple	<u> </u>
specifications	s so as not to promote the spread or introduction	of species.

MIGRATORY BIRDS, BA	ALD AND GO	LDEN	Client/Plan Information:
EAGLE PROTECTION A	CT, NECH 6	State of Texas	
Evaluation Procedure G	uide Sheet		
Check all that apply to this	✓ Alternative 1		RESTORE Act - GCCRP
Guide Sheet review:	Alternative 2	Other	Approximately 100 to 175 contracts with private farmers

NOTE: This guide sheet includes evaluation guidance for compliance with both the Migratory Birds Treaty Act, Executive Order 13186 (2001), and the Bald and Golden Eagle Protection Act. Both sections must be completed if eagles are identified within the area of potential effect.

SECTION I: MIGRATORY BIRDS TREATY ACT

In the lower 48 states, all species except the house sparrow, rock pigeon, common starling, and nonmigratory game birds like pheasants, quail, grouse, and turkeys, are protected.

STEP 1.

Could the action(s) result in a take (intentionally or unintentionally) to any migratory bird, nest or egg? The term "take" means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR Section 10.12).

NOTE: The MBTA does not prohibit the destruction of a migratory bird nest alone (without birds or eggs) provided that no possession occurs during the destruction (USFWS, Migratory Bird Memorandum, MBPM-2, April, 2003).

✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.
☐ Yes	If "Yes," go to Step 2.

STEP 2.

Is it the purpose of the action(s) to intentionally "take" a migratory bird or any part, nest or egg (such as, but not limited to: controlling depredation by a migratory bird, or removal of occupied nests of nuisance migratory birds)?

NOTE: Migr	atory game birds taken under state and Federal hunting regulations are exempt.
☐ No	If "No," go to Step 3.
☐ Yes	If "Yes," document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Inform the client that they must obtain a permit from USFWS and any required state permit before the action is implemented.
STEP 3. Have adverse practicable ex	e effects on migratory birds been mitigated (avoided, reduced, or minimized) to the maximum xtent?
□No	If "No," modify the action and repeat Step 1. If client is unwilling to modify the action then NRCS must discontinue assistance until issue has been resolved with USFWS.
☐ Yes	If "Yes," document mitigation measures on the NRCS-CPA-52, or notes section below, and in the plan. Go to Step 4.

STEP 4. Will unintentional take of migratory birds, either individually or cumulatively, result in a measurable negative effect on a migratory birds population? ☐ No If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. If "Yes," additional principles, standards and practices shall be developed in coordination with ☐ Yes USFWS to further lessen the amount of unintentional take (E.O. 13186(3)(e)(9)). Repeat Step 1 or indicate which of the following options is pursued by the client (pick one). Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. The client will obtain a permit from USFWS before the action is implemented; OR • NRCS may need to terminate assistance. Contact the NRCS State Environmental Specialist or Wildlife Biologist. Notes: The timing of practice implementation will be considered. SECTION II: BALD & GOLDEN EAGLE PROTECTION ACT STEP 1. Will the action(s) result in the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import "of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit"? (The term "take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under this act means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, injury to an eagle; a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior.) If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, ✓ No and information sources used and proceed with planning. ☐ Yes If "Yes," go to Step 2. STEP 2. Can the action(s) be modified to avoid the adverse effect? Refer to the National Bald Eagle Management Guidelines for measures that can be taken to avoid disturbing nesting bald eagles and their young. ☐ No If "No," document the finding, including the reasons, on the NRCS-CPA-52, or notes section below. Contact the NRCS State Biologist or appropriate NRCS official about working with the client and USFWS to permit the action or finding another alternative action to avoid adverse effects prior to providing final designs or implementing the proposed action or alternative. No permit authorizes the sale, purchase, barter, trade, importation, or exportation of eagles, or their parts or feathers. The regulations governing eagle permits can be found in 50 CFR Part 22. ☐ Yes If "Yes," modify the alternative and repeat Step 1. If the client is unwilling to modify the action then NRCS may need to discontinue assistance. Contact the NRCS State environmental specialist or wildlife biologist for assistance. Document the effects, including the reasons, on the NRCS-CPA-52, or notes section below. Notes:

MIGRATORY BIRDS TREATY ACT / BALD AND GOLDEN EAGLE PROTECTION ACT (continued)

NATUDAL	ADEAC	Client/Dian Information	
NATURAL		Client/Plan Information: State of Texas	
GM 190, P		State of Toxas	
	n Procedure Guide Sheet that apply to this Alternative 1 ✓	RESTORE Act - GCCRP	
	that apply to this Alternative 1 description de Sheet review: Alternative 2 description Other	Approximately 100 to 175 contracts with private farmers	
areas designates provided und	s are defined as land and water units where natur ated on Federal government, non-federal governi er Federal regulations, by foundations or conserv as such (GM 190. Part 410.23).	ment, or on private land. Designation may be	
STEP 1.			
Are there any	designated natural areas present in or near the	planning area?	
□No	If "No, "document on the NRCS-CPA-52, or rand information sources used and proceed v		
✓ Yes	If "Yes," go to Step 2.		
STEP 2. Will the action	n(s) affect the natural area?		
✓ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," go to Step 3.		
STEP 3. Are the effect characteristic	ts consistent with maintaining, protecting, and press?	eserving the integrity of the natural	
□No	If "No," Inform the client about the effects of the proposed action or alternatives on the identified natural areas. You must also encourage the client to consult with concerned parties to arrive at a mutually satisfactory alternative [GM 190, Part 410.23(c)4]. Document the effects of the action and any communications with the client on the NRCS-CPA-52, or notes section below, and proceed with planning.		
☐ Yes	If "Yes," document on the NRCS-CPA-52, or and information sources used and proceed to		
Notes:			

PRIME AN	D UNIQUE FARMLANDS	Client/Plan Information:	
NECH 610	.32	State of Texas	
Evaluation	Procedure Guide Sheet		
	that apply to this 🗸 Alternative 1	RESTORE Act - GCCRP	
Guid	de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers	
STEP 1.			
nonagricultura farm operatio	eria found in the FPPA Rule (7 CFR Part 658.5), al use? NOTE: Conversion does not include control of the cont	nstruction of on-farm structures necessary for version Impact Rating" and form NRCS-CPA-	
proposed pro	Farmland Conversion Impact Rating for Corridor jects that may convert farmland. If you are uncer your planning area, consult the State Soil Scientis	rtain about the effects on prime and unique	
☑ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed		
☐ Yes	If "Yes," go to Step 2.		
STEP 2.			
Are prime or	unique farmlands or farmlands of statewide or looed by the action(s)?	cal importance present in or near the area that	
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," go to Step 3.		
STEP 3.			
_	n(s) be modified to avoid adverse effects or conv	version?	
□No	If "No," document the adverse effects on the proceed with planning.	e NRCS-CPA-52, or notes section below, and	
☐ Yes	If "Yes," modify and repeat Step 1 or contact Document on the NRCS-CPA-52, or notes se information sources used and proceed with		
Notes:			

DIDADIAN	ADEA	Client/Dlen Information	
RIPARIAN		Client/Plan Information: State of Texas	
NECH 610		State of Texas	
	Procedure Guide Sheet	RESTORE Act - GCCRP	
	that apply to this	Approximately 100 to 175 contracts with private farmers	
Guit	Alternative 2	Approximately 100 to 110 contracts with private farmers	
STEP 1.			
_	area present in or near the planning area? (Defin	sition can be found in Title 100. General Manual	
Part 411.)	nea present in or near the planning area: (Deilin	mon can be found in Time 130, General Manual,	
☐ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed		
✓ Yes	If "Yes," go to Step 2.		
	(s) address maintenance or improvement of wate	er quality, water quantity, and fish and wildlife	
□No	If "No," revise the plan to maintain or improve water quality, water quantity, and fish and wildlife benefits. Document the benchmark conditions and effects on the NRCS-CPA-52, or notes section below, go to Step 3.		
✓ Yes	If "Yes,", go to Step 3.		
STEP 3. Do the action(s) conflict with the conservation values/functions of the riparian area?			
✓ No	If "No," document on the NRCS-CPA-52, or rand information sources used and proceed		
☐ Yes	If "Yes," inform the client of the values and functions of riparian areas, including their contribution to floodplain function, stream bank stability and integrity, nutrient cycling, pollutant filtering, sediment retention, and biological diversity, and present alternatives that will resolve the conflict. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
Notes:			

SCENIC B	EAUTY	Client/Plan Information:	
	90, Part 410.24	State of Texas	
	Procedure Guide Sheet		
	that apply to this Alternative 1	RESTORE Act - GCCRP	
Guid	de Sheet review: Alternative 2 🔲 Othe	Approximately 100 to 175 contracts with private farmers	
STEP 1.			
Will the action(s) adversely affect the scenic quality of the general landscape or any specifically designated unique or valuable scenic landscape? (Consult Section II of the FOTG for a listing of any identified areas of scenic beauty.)			
☑ No	If "No," document on the NRCS-CPA-5 and information sources used and pro-	2, or notes section below, the finding, rationale, ceed with planning.	
Yes	If "Yes," go to Step 2.		
STEP 2.			
Can the action(s) be modified to avoid the adverse effects on the scenic quality of the landscape? NOTE: NRCS must provide technical assistance with full consideration of alternative management and development systems that preserve scenic beauty or improve the landscape (GM 190, Part 410.24).			
No If "No," consider any state or local requirements. Document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.			
Yes	If "Yes," modify the planned action or ac	ctivity and repeat Step 1.	
Notes:			

WETLAND	S	Client/Plan Information:	
NECH 610	.34	State of Texas	
Evaluation	Procedure Guide Sheet		
	that apply to this Alternative 1	RESTORE Act - GCCRP	
Guid	de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers	
-	eet addresses policy found in Title 190, General n Water Act Guide Sheet for addressing wetland	•	
NOTE: This determined a	present in or near the planning area? includes all wetlands except those artificial wetlas prior converted (PC) in accordance with the 19 ands (AW), which retain wetland characteristics, a licy.	85 Food Security Act and nonirrigation induced	
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used. (If the area could qualify as an "other water of the United States" such as lakes, streams, channels, or other impoundment or conveyances, a Clean Water Act Section 404 permit may be required from the Corps of Engineers. Refer to the Clean Water Act Guide sheet.)		
✓ Yes	If "Yes," document the extent and location of	of wetlands and go to Step 2.	
STEP 2. Will the action restoration pr	n(s) impact any wetland areas (this includes char ojects)?	nging wetland types when considering wetland	
☑ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," assess the wetland functions and describe (on the NRCS-CPA-52) the effects of the proposed activity on the wetland area. If effects are solely beneficial, continue with planning. If adverse effects exist, go to Step 3.		
STEP 3.			
	e alternatives exist that avoid adverse impact to	wetlands?	
□No	If "No," go to step 4.		
☐ Yes	If "Yes," advise the client of the available alternatives. If the client chooses to implement the		

alternative that avoids adverse impact (including obtaining all necessary permits), **document** on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance

for the project.

WETLANDS (continued)

STEP 4. Do other mea	asures exist that will minimize adverse effects to wetlands?		
☐ No	If "No," go to step 5.		
Yes	If "Yes," advise the client of the minimization measures. If the client chooses to implement the minimization measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.		
	nt wish to pursue an action that will result in adverse impacts to wetlands (where no practicable r minimization measures exist)?		
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.		
☐ Yes	If "Yes," advise that client of the need to compensate for the lost wetland acres and functions. NRCS may assist the client in the development of a mitigation plan. If the client chooses to implement the compensation measures (including obtaining all necessary permits), document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning. Otherwise, NRCS shall terminate all assistance for the project.		
	ical, if not, then minimize or mitigate (NRCS policy).		

WILD AND SCENIC RIVERS		Client/Plan Information: State of Texas		
NECH 610.35		State of Texas		
	n Procedure Guide Sheet that apply to this Alternative 1	RESTORE Act - GCCRP		
	that apply to this Alternative 1 de Sheet review: Alternative 2 Other	Approximately 100 to 175 contracts with private farmers		
STEP 1. Could the act	ion(s) have an effect on the natural, cultural or re	ecreational values of any nearby rivers?		
☐ No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.			
Yes	If "Yes," analyze the potential effects and develop alternatives, as necessary, that would mitigate potential adverse effects, then go to Step 2.			
STEP 2.				
Is there a Federal or State designated Wild, Scenic, or Recreational River segment or a river listed in the Nationwide Rivers Inventory (NRI) in or near the planning area?				
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.			
☐ Yes	If "Yes," and there is still potential for effect consult your State environmental liaison to assist with determining the nature and significance of the effect. Go to Step 3. NOTE: The State Office may request the administering federal or state agency (National Park Service in the case of NRI) to assist you in developing appropriate avoidance and mitigation measures.			
STEP 3.				
Could the pro	posed action or alternative have an adverse effecenic, or recreational river segment that cannot be			
□No	If "No," document on the NRCS-CPA-52, or notes section below, the finding, rationale, and information sources used and proceed with planning.			
☐ Yes	If "Yes," go to Step 4.			
STEP 4.				
Is NRCS prov	viding financial assistance or otherwise controlling	g the action(s)?		
□No	If "No," inform the client that a permit may be consult with the administering federal or state a reflected in the final plan and documentation. Coto implementation.	gency. The permit authorization should be		
Yes	If "Yes," consult with the administering feder proposed action could foreclose options to class scenic or recreational and to develop avoidance NRCS-CPA-52, or notes section below, the fit used and proceed with planning.	sify any portion of the river segment as wild, e or mitigation measures. Document on the		
Notes:				

Justification for Approval of NRCS Categorical Exclusions

Texas Gulf Coast Conservation Reserve Program Description (GCCRP):

The Texas Gulf Coast Conservation Reserve Program focuses on improving water quality on private lands throughout the San Antonio Bay and Guadalupe Estuary on the Texas Coast. The conservation efforts will provide positive benefits to impaired streams by reducing nutrient sediment loads from upland agricultural activities. The San Antonio River Bay and Guadalupe Estuary are wintering homes for the Endangered Whooping Crane. The water quality benefits realized through the Texas GCCRP will have a long-term positive impact on critical habitat for the Whooping Crane and companion wildlife species.

The primary objective for this project is water quality improvement, with a secondary objective of wildlife habitat restoration and protection. This landscape scale project meets RESTORE Act and Comprehensive Plan priority criteria by substantially contributing to the improvement in water quality and wildlife and the restoration and protection of Gulf Coast ecosystems.

These ecosystems provide habitat for numerous threatened and endangered plants and animals. This program would also reduce the discharge of sediments and pollutants from agricultural operations within the tributary streams, rivers, and groundwater that drain to the Gulf of Mexico. To complement the effort of agencies and organization's activities, an outreach and education program targeting private land owners will be developed and implemented along with technical assistance and increases in financial assistance to these landowners to help them accomplish restoration goals. This outreach program, a long history of cooperation among partners with proven restoration experience and shared restoration goals, provides a high probability of success and sustainability.

The USDA, Natural Resources Conservation Service (NRCS) would oversee a technical and financial assistance program for private landowners in Wilson, Karnes, Goliad, Victoria, Refugio, Aransas, and Calhoun Counties in Texas to implement conservation and restoration practices. It is estimated that between 100-175 landowners will participate in the program.

The planned NRCS activities fall within several NRCS categorical exclusions (CE). However to ensure applicable permits are obtained and consultations are conducted, including a review for extraordinary circumstances, each site will undergo an Environmental Evaluation (EE), the results of which will be documented on the NRCS-CPA-52, Environmental Evaluation Worksheet. A copy of the EE Worksheet is available at http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1097240.pdf.

Categorical Exclusions Proposed for Project Activities (NRCS Conservation Practices)

The USDA NRCS categorical exclusions described in Table 1 have been determined to be applicable to the activities described in this proposal.

All the actions identified as an NRCS categorical exclusion in Table 1 require documentation in accordance with 7 CFR §650.6 that address whether extraordinary circumstances are determined to exist (see section III of this document). This documentation is to be done through use of the environmental evaluation process and documented on an NRCS-CPA-52, Environmental Evaluation Worksheet.

In addition, overarching criteria/sideboards must be met for the NRCS categorical exclusions to apply to proposed actions (as applicable):

- (1) Are designed to mitigate soil erosion, sedimentation and downstream flooding;
- (2) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;
- (3) Are based on current Federal principles of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, "Stream Corridor Restoration, Principles, Processes, and Practices;"
- (4) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide (FOTG);
- (5) Do not require substantial dredging, excavation, or placement of fill; and
- (6) Do not involve a significant risk of exposure to toxic or hazardous substances.

Table 1. Agency Justification for Categorical Exclusions for Applicable NRCS Conservation Practices

Applicable NIBCS CF Categorical Evaluation Description / Against			
Applicable NRCS	CE	Categorical Exclusion Description / Agency	
Conservation Practice	Reference	Justification	
Code(s)			
332, 390, 391, 393, 412,	NRCS - 7	Planting appropriate herbaceous and woody	
and 645	CFR 650.6	vegetation, which does not include noxious weeds	
	(d)(1)	or invasive plants, on disturbed sites to restore and	
		maintain the sites ecological functions and services.	
382 and 472	NRCS - 7 CFR 650.6 (d)(10)	Constructing small structures or improvements for the restoration of wetland, riparian, in stream, or native habitats. Examples of activities include installation of fences, and construction of small borms, dikes, and associated water control	
		berms, dikes, and associated water control structures.	
390, 391, 412, and 645	NRCS - 7 CFR 650.6(d)11	Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition.	
382, 472, 314, and 614	NRCS - 7 CFR 650.6(d)19	Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, off-stream watering facilities, and invasive species	

		control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes.
332, 340, 390, 391, 393, 412, 528, and 550	NRCS - 7 CFR 650.6(d)20	Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting.

OVERVIEW OF EXTRAORDINARY CIRCUMSTANCES

Use of the CEs identified in Table 1 does not constitute inappropriate segmentation because the activities do not represent connected actions, they occur on distinct ownerships and are based on activities that are part of the approved program and site specific conservation plans. The activities have independent utility because while many activities are related to achieving similar overall objectives of the proposal, none are dependent on the completion of any of the other activities. It is acknowledged that collectively their beneficial effects are enhanced when all activities are implemented, but it is not a prerequisite of implementation.

In addition, there is a low likelihood these activities would result in a significant adverse cumulative effect either individually or collectively. Any adverse effects caused during implementation would be short-term in nature and limited to the immediate project area and are of the nature expected to occur when implementing categorically excluded activities. Long-term effects would be positive by reducing existing adverse effects caused by improperly functioning water control structures, reducing non-native species, and restoring and maintaining native forest ecosystems.

The following section outlines the reasons there are not likely to be extraordinary circumstances requiring preparation of an environmental assessment or impact statement associated with the projects to be implemented under the TX GCCRP. For confirmation, a site-specific review will be conducted for extraordinary circumstances before activities within this proposal are implemented.

Natural Resources Conservation Service Extraordinary Circumstances

- 1. The proposed action cannot cause significant effects on public health or safety. This program is expected to have an indirect positive effect to public health and safety related to fishing, swimming, and health of shellfish for consumption through a reduction of pollutant loading and sediment generated from agricultural operations.
- 2. The proposed action cannot significantly affect unique characteristics of the geographic area such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas. This program will have either no effect or a positive effect on unique characteristics of the geographic areas as the practices will reduce nutrient loads, conserve water, and improve

water quantity. There will either be no effect or a benefit to cultural resources or historic property. If any cultural or archaeological item is discovered work stoppage will immediately occur, and NRCS will be notified to determine further action needed. Established procedures agreed to with TX SHPO for Section 106 of the NHPA will be applied. On-site surveys will be conducted as necessary. There will be no effect on any nearby park lands as the activities are consistent with current agricultural activities in the area and are intended to improve natural resources. There will be no conversion of prime farmlands. The program will not result in an increased flood hazard, incompatible development, or other adverse effect to the existing natural and beneficial values of the 100-year floodplain or lands adjacent or downstream. In fields where manure or organic by products will be applied, appropriate setbacks will be used to protect ground and surface waters. Reduced sediment and plantings will improve wetland wildlife habitat. There are no wild and scenic rivers in the area or other ecologically critical areas that will be adversely affected by the proposed actions.

- 3. The effects of the proposed action on the quality of the human environment cannot be highly controversial. This program is not expected to have any highly controversial effects on the quality of the human environment since only tried and proven technologies will be employed that have no known adverse effects on natural resources or adjacent landowners. It is anticipated to have a positive effect as the program will implement agricultural best management practices to improve water quality by decreasing nutrient and sediment loading.
- 4. The proposed action cannot have highly uncertain effects, including potential unique or unknown risks on the human environment. The program is expected to have a positive human environment impact as it will reduce the current discharge of nutrient loading and increase conservation by implementing best management practices thereby improving the water quality. The conservation practices to be employed are tried and true technologies and meet NRCS standards, therefore there are no uncertain effects or unique or unknown risks on the human environment.
- 5. The proposed action cannot include activities or conservation practices that establish a potential precedent for future actions with significant impacts. This program does not establish a precedent for future actions with significant impacts as similar programs with the same conservation practices have been and are currently in place in the State of Texas and no such effects have occurred.
- 6. The proposed action is known to have or reasonably cannot be expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time. This program will have a positive effect to the quality of the human environment as it will result in reduced nutrient loading and increased water conservation, thereby improving the efficiency and environmental compatibility of agriculture within the focus area.

- 7. The proposed action cannot cause or promote the introduction of invasive species or have a significant adverse effect on any of the following special environmental concerns not previously identified in paragraph (c)(2)(B) of this section, such as: endangered and threatened species, environmental justice communities as defined in Executive Order 12898, wetlands, other waters of the United States, wild and scenic rivers, air quality, migratory birds, and bald and golden eagles. There will be either no effect or a benefit to environmental justice, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, and invasive species. NRCS/USFWS-approved minimization measures for listed T&E and candidate species identified within respective counties Consistent with 2015 inform consultation with the USFWS. Identify Texas nesting periods (March 1 - July 1) in accordance with the National Bald Eagle Management Plan (2007), and Migratory Bird Act. Activities will be avoided within any designated bald eagle buffers during nesting season. Construction will not occur during nesting season when migratory birds are present. All requirements of the USFWS-NRCS WLFW for the federally listed species, Whooping Crane, and other protected and declining species within the project area will be followed and informal consultation with USFWS will be initiated. No action will be taken that requires an incidental take permit. No critical habitat for endangered species exists on the farmlands where work will occur nor will these practices adversely affect critical habitat that may be near the fields. Environmental justice will be positively affected as NRCS and program partnerships will make every effort to reach out to these farmers to participate in the program.
- 8. The proposed action will not violate Federal or other applicable law and requirements for the protection of the environment. Any required permits will be obtained prior to implementation of practices; however no Federal, State, or local permits are anticipated, with the exception of prescribed burning (338). Consultations will be conducted as the need arises and conservation measures incorporated where needed to mitigate adverse effects.

Per NRCS regulations that implement NEPA at 7 CFR Part 650, site-specific EEs are developed as part of the conservation planning process. The EE evaluates conservation planning options developed to address and mitigate potential environmental resource concerns that may exist on the property or conservation management unit. The EE also determines if protected resources exist on the property and if those resources have the potential to be affected by conservation practices outlined in the conservation plan. NRCS guidance on the site-specific environmental evaluation process and definitions of protected resources can be found in the NRCS "National Environmental Compliance Handbook"

(2011; http://directives.sc.egov.usda.gov/RollupViewer.aspx?hid=29769,).

Appendix A – List of Planned NRCS Conservation Practices and Associated Practice Code (#)

Brush Management (314)

Contour Buffer Strip (332)

Cover Crop (340)

Fence (382)

Riparian Herbaceous Cover (390)

Riparian Forest Buffer (391)

Filter Strip (393)

Grassed Waterway (412)

Access Control (472)

Prescribed Grazing (528)

Range Planting (550)

Nutrient Management (590)

Watering Facility (614)

Upland Wildlife Habitat Management (645)

San Antonio River Watershed Water Quality Improvement Project 12 Hays Bastrop Kendall Caldwell Fayette Comal 183 Colorado SAN ANTONIOBEXA Gonzales 410 Lavaca Wilson 77 119 DeWitt 80 Jackson Atascosa Karnes VICTORIA Victoria Goliad 87 Calhoun McMullen Live Oak Refugio

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Gulf Restoration Program Office 17629 El Camino Real, Suite 211 Houston, Texas 77058 281/286-8282 / (FAX) 281/488-5882



October 14, 2015

Mr. John Ettinger Gulf Coast Ecosystem Restoration Council 500 Poydras Street, Suite 1117 New Orleans, Louisiana 70130

Dear Mr. Ettinger,

Thank you for your email dated October 1, 2015, requesting informal consultation for the proposed Gulf Coast Conservation Reserve Program. The USDA Natural Resources Conservation Service (NRCS) is proposing to work with private landowners to improve water quality and wildlife habitat on agricultural lands along the San Antonio River. The methods to be used include brush management, contour buffer strips, cover crop, fencing, riparian herbaceous cover, riparian forest buffer, filter strips, grassed waterway, access control, range planting, nutrient management, watering facility, and upland wildlife habitat management. Particular methods used at locations along the river will be based on the existing conditions of the habitat. The documentation provided requests concurrence that the project will have either "no effect" or "may affect but not likely to adversely affect" threatened, endangered, and candidate species. Our comments are provided in accordance with the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.); the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.). Section 7 of the Act requires that all Federal agencies consult with the U. S. Fish and Wildlife Service (Service) to ensure that the actions authorized, funded, or carried out by such agencies do not jeopardize the continued existence of any threatened or endangered species or adversely modify or destroy designated critical habitat of such species.

Our data indicates the following listed or candidate species are present, or may be present, in Counties in which the project is proposed to occur: Attwater's greater prairie chicken (Tympanuchus cupido attwateri), northern aplomado falcon (Falco femoralis septentrionalis), piping plover (Charadrius melodus), red knot (Calidris canutus rufa), Sprague's pipit (Anthus spragueii), whooping crane (Grus americana), golden orb (Quadrula aurea), Texas fatmucket (Lampsilis bracteata), Texas pimpleback (Quadrula petrina), black lace cactus (Echinocerus reichenbachii albertii), Gulf Coast jaguarundi (Herpailarus yagouaroundi cacomitli), ocelot (Leopardus pardalis), West Indian manatee (Trichechus manatus), green sea turtle (Chelonia midas), Kemp's ridley sea turtle (Lepidochelys kempii), hawksbill sea turtle (Eretmochelys imbricata), leatherback sea turtle (Dermochelys coriacea), and loggerhead sea turtle (Caretta caretta).

Mr. Ettinger

Several freshwater mollusks, including the golden orb, Texas fatmucket, and Texas pimpleback, that are species of concern (state listed) have been documented in the San Antonio River basin and have the potential to occur within your project area. Species of concern are those that have been identified as potentially imperiled or vulnerable throughout their range or a portion of their range. While these species are not legally protected under the Act, the Service provides this information for consideration in your environmental review process and to encourage efforts to avoid adverse impacts to these species. Protection of these species now may preclude them from becoming candidates for Federal listing in the future. It is known that sedimentation smothers and suffocates mussels and is one of the main contributors to mussel die offs. Therefore, the Service recommends that precautions, such as the use of silt fences and filter fabric, be taken to reduce sedimentation within the San Antonio River and the tributaries located within the project area.

The Sprague's pipit is a candidate species and is evaluated in this consultation. The prohibitions against taking such species found in Section 9 of the Act do not apply until the species is listed. Therefore, we are not providing a concurrence for this species under Section 7 at this time. If this species is proposed for and listed under the Act during or prior to project construction, we can evaluate the effects of the project on this species as well as the implementation of applicable conservation measures and provide either a concurrence or incidental take statement, if appropriate.

The green sea turtle, hawksbill sea turtle, Kemp's ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle are not expected to undergo nesting activities in the area as there are no suitable beach habitats available. The Service has sole jurisdiction over sea turtles when on land and all consultations under Section 7 of the Act involving sea turtle nesting beaches shall be the responsibility of the Service (see http://www.nmfs.noaa.gov/pr/pdfs/species/turtle_mou.pdf). However, there is no suitable nesting habitat present at the project location. Based on this evaluation, a "No Effect" determination was made for green sea turtle, hawksbill sea turtle, Kemp's ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle as a result of the Gulf Coast Conservation Reserve Program. Therefore, the Service does not anticipate impacts to sea turtles and we believe the NRCS has complied with section 7 of the Act.

The black lace cactus has no habitat in the project area. Based on this evaluation, a "No Effect" determination was made for black lace cactus as a result of the Gulf Coast Conservation Reserve Program. Therefore, the Service does not anticipate impacts to black lace cactus and we believe the NRCS has complied with section 7 of the Act.

The Attwater's greater prairie chicken habitat is limited in range. Only one population is known within the Texas counties affected by this project and it is limited to one private ranch in Goliad County. This private ranch is outside the project area. Based on this evaluation, a "No Effect" determination was made for Attwater's greater prairie chicken as a result of the Gulf Coast Conservation Reserve Program. Therefore, the Service does not anticipate impacts to Attwater's prairie chicken and we believe the NRCS has complied with section 7 of the Act.

Mr. Ettinger

The West Indian manatee is uncommon in Texas waters and not likely to occur in the project site. The following conservation measures should be implemented. All construction personnel will be notified of the potential presence of the West Indian manatee in the water and reminded of the criminal and civil penalties associated with harassing, injuring, or killing manatees. All workers will be educated that there could be West Indian manatees in the water and will be advised to look for manatees and, if observed, wait until manatees leave the area to put equipment in the water to ensure that no harm is caused to any manatee that may be nearby. Should a West Indian manatee come within 50 feet of the project area during construction activities, work will immediately cease until the manatee has moved away from the project area on its own. Based on the implementation of these measures, the Service agrees that the project may affect, but not likely to adversely affect this species.

Suitable habitat for the Northern aplomado falcon is limited in the project area. Their range within the project area is limited to Aransas, Calhoun, and Refugio counties. Activities conducted as part of the project will occur during daylight and not near dawn or dusk when the falcons may be active. NRCS will consult with Service staff on a project by project basis for established riparian vegetation or dense brush clearing to determine if additional avoidance measures are needed in potential falcon habitat. Because of the timing and NRCS's coordination with state and federal agencies, projects are not likely to adversely affect this species.

Much of the project is located outside the core wintering range for whooping crane and, as such, they are not as likely to be present. For projects that occur within the whooping crane core wintering range (Refugio Co. (S. of TX HWY 35) and Aransas Co., TX), activities are to be conducted outside of whooping crane season (Oct. 15-April 15) to the greatest extent practicable. NRCS will consult with Service staff on a project by project basis to determine if additional avoidance measures are needed in the whooping crane wintering range.

There is no known habitat for piping plover or red knot along the San Antonio River. Any activities conducted as part of the project are not likely to adversely affect these species as they will avoid areas where work is ongoing.

The project area is within the known range of Gulf Coast jaguarundi and ocelot. Both species prefer dense thickets of forested or scrub habitat and will readily use riparian habitat as travel corridors. Activities conducted as part of the project will occur during daylight and not near dawn or dusk when the cats may be active. NRCS will consult with Service staff on a project by project basis for established riparian vegetation or dense brush clearing to determine if additional avoidance measures are needed in potential ocelot and jaguarundi habitat. Because of the timing and NRCS's coordination with state and federal agencies, projects are not likely to adversely affect these species.

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The Service believes that potential effects to the piping plover, red knot, Northern aplomado falcon, whooping crane, Gulf Coast jaguarundi, ocelot, or West Indian manatee would be insignificant or discountable.

Based on the information provided, the Service concurs with the conclusion that the proposed project should not result in any adverse impact to a listed species or their critical habitat. Therefore, no further endangered species consultation will be required for the Gulf Coast Conservation Reserve Program unless: 1) the identified action is subsequently modified in a manner that causes an effect on listed species or designated Critical Habitat; 2) new information reveals the identified action may affect federally protected species of designated Critical Habitat in a manner or to an extent not previously considered; or 3) a new species is listed or Critical Habitat is designated under the Act that may be affected by the identified action.

If you have any questions or comments regarding this letter, please contact Harmon Brown of this office at (281) 286-8282 extension 245.

Sincerely.

John Huffman

Program Supervisor