

Finding of No Significant Impact

Helmuth Marsh Property Disposal and Modification of Wetland Reserve Program Easement in Lancaster County, Nebraska

Endangered Species (Sec 6) Project: E-9-L-3 (F20AP00196)

The U.S. Fish and Wildlife Service (Service) has prepared this document in accordance with the procedures for compliance with the National Environmental Policy Act (NEPA) as it applies to the Federal Aid in Fish and Wildlife Restoration Acts (64 Stat. 430; 16 U.S.C. Sec. 777 et. seq. and 50 State 916; 16 U.S.C. Sec. 669 et. seq.).

The Service has received a grant application from the Nebraska Game and Parks Commission (NGPC) requesting approval for the conveyance of property rights on land originally purchased by NGPC with funds from the Endangered Species Section 6 Grant Program (Section 6) and State Wildlife Grant Program (SWG) which are administered by the Service. Conveyance of any property rights acquired with funding from these programs requires the prior approval of the Service. The Service's decision to approve the proposal constitutes a Federal action subject to the provisions of the National Environmental Policy Act of 1969, as amended (NEPA). An Environmental Assessment (EA) was prepared to comply with NEPA provisions to assess potential impacts of this action on the human environment.

In 2010, NGPC purchased 119 acres in Lancaster County (County) with funding from the Section 6 and SWG grant programs to conserve Salt Creek Tiger Beetle habitat while also providing a public recreation area. The acquired land is known as Helmuth Marsh. After purchase, NGPC conveyed title of Helmuth Marsh to Pheasants Forever (PF), but continues to handle the operation, maintenance, and management of the property. Prior to purchase by NGPC, the previous owner had conveyed a Wetland Reserve Program (WRP) conservation easement to the Natural Resource Conservation Service (NRCS) on 46.7 acres of the 119-ac Helmuth Marsh.

The County has requested that PF (as the party holding title to Helmuth Marsh) convey a 0.3-acre fee title parcel, a 0.58-acre permanent easement, and a 0.01-acre temporary easement to the Nebraska Department of Transportation (NDOT) to enable the replacement of a 60-year old bridge and the installment of related structures at the junction of the Little Salt Creek and North 14th Street which abuts the Helmuth Marsh. Replacing the existing bridge is required since it no longer meets design standards for current and future traffic volumes and speeds and the associated structures to be installed are necessary to prevent the upstream progression of channel incision in the Little Salt Creek, and arrest further development of an erosional feature/head-cut.

The conveyance of these property rights to NDOT will affect the property acquired with S6 and SWG grant funds and a portion of the existing WRP easement. As a result, PF has

also been requested to convey a “replacement” WRP easement to NRCS at a different location on Helmuth Marsh.

The County will reimburse PF for the conveyance of these property rights and, in turn, PF will reimburse NGPC. These funds will then be used for the continued operation, maintenance, and management of Helmuth Marsh.

The Service and NGPC prepared an EA to evaluate the effects on the human environment from the proposed action of conveying the property rights and undertaking the ancillary actions described above. The “No Action” alternative was also analyzed and considered in the EA. Under the “No Action” alternative, no property rights would be conveyed by PF to NDOT. This would prevent NDOT from undertaking replacement of the obsolete bridge and developing structures to alleviate channel incision in the Little Salt Creek.

The EA was published on the Service’s Region 6 website from January 24 through February 23, 2020 for public review and comment. No comments were received from the public, elected officials, or other local, state, or Federal officials or agencies.

As a result of the evaluation of the proposed action described above, I have determined that reasonable alternatives were considered and that there will be no interference with the purpose for which Helmuth Marsh was originally purchased with S6 and SWG grant funding. I also have determined that the proposed action "May Effect, but is Not Likely to Adversely Affect" the Salt Creek Tiger Beetle and will have “No Effect” on other federally-listed species pursuant to the Section 7 of the Endangered Species Act; will comply with the intent of Executive Order 11988 "Floodplain Management" and Executive Order 11990 "Protection of Wetlands;" and will have no effect to historic and cultural resources pursuant to Section 106 of the National Historic Preservation Act of 1966. Further, I have determined that the proposal is not a major Federal action which would significantly impact the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. Consequently, I have concluded that an Environmental Impact Statement is not required.

The Final EA is on file at the Wildlife and Sport Fish Restoration Program Office, U.S. Fish and Wildlife Service, 134 Union Boulevard, Lakewood, Colorado 80225 and is available for public viewing online at: <http://www.fws.gov/mountain-prairie/wsfr/nepa.php>.

APPROVAL:

Regional Director, U.S. Fish and Wildlife Service, Region 6

Date