



## REGION 8

DENVER, CO 80202

March 31, 2026

### **FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

To all interested federal agencies, Tribes, other governments, public groups, and individuals:

In accordance with the Clean Water Act, the National Environmental Policy Act (NEPA) and the U.S. Environmental Protection Agency's regulations for implementing NEPA (40 C.F.R. Part 6), the EPA has completed an environmental review of the following proposed action:

#### **Issuance of the National Pollutant Discharge Elimination System Permit for Maher Cattle Company, LLC**

The EPA is proposing to issue a “new source” Clean Water Act (CWA) section 402 National Pollutant Discharge Elimination System (NPDES) permit for discharge of pollutants into waters of the U.S. from Maher Cattle Company, LLC (the Facility). The issuance of a CWA NPDES permit to a “new source” is subject to environmental review pursuant to NEPA (42 U.S.C. § 4321 et seq.; CWA section 511 (c), 33 U.S.C. § 1371). The environmental review process, which is documented by the enclosed Environmental Assessment (EA), indicates that no potential significant adverse environmental impacts are anticipated from the proposed action to issue an NPDES permit to Maher Cattle Company, LLC. The EA analyzed the potential environmental impacts to resources of concern associated with the EPA’s issuance of the NPDES permit, consistent with the requirements of NEPA and 40 C.F.R. § 6.205. The EPA issued the Draft EA for public comment and the EPA has responded to comments received in this process. See Appendix E of the EA. As documented in the EA, issuing an NPDES permit likely improves impacts on the environment from the Facility. If an NPDES permit is not issued by the EPA, the Facility could continue to operate and impacts to relevant resources likely would be more adverse than if the EPA issues an NPDES permit with the specified conditions and requirements. Based on the environmental impact analysis in the EA, and pursuant to 40 C.F.R. § 6.206, the EPA has determined that no significant environmental impacts are anticipated from the issuance of the NPDES permit and the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment, making the preparation of an Environmental Impact Statement (EIS) unnecessary. On December 1, 2025, the EPA issued a preliminary finding of no significant impact (FONSI) to document this determination and sought comments for a 30-day period pursuant to 40 CFR § 6.203(b). The preliminary FONSI stated the EPA did not find any mitigation is essential to render the impacts of the proposed action not

significant. The NPDES permit conditions are likely to reduce the environmental impact of the Facility.

The EPA evaluated all comments received on the preliminary FONSI and the responses to comments are enclosed. The EPA's review and consideration of these comments did not change the EPA's finding that no significant impacts are anticipated from the EPA's action to issue an NPDES permit to the Facility. Therefore, the EPA is finalizing this FONSI and intends to issue the NPDES permit.

Stephanie DeJong, Manager  
Clean Water Branch

Enclosures