



FEMA

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**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT WATERSHED
RESILIENCY PROJECTS IN THE STATE OF COLORADO**

BACKGROUND

In September 2013 flooding in northeastern Colorado set records as rain widened river banks and rerouted flow patterns causing damage to watersheds. As a result local coalitions formed with the mission of formulating comprehensive watershed master planning for recovery projects. As of March 2015 the watershed coalitions are drafting master plans outlining unmet needs for total watershed restoration. This PEA is intended to assist all future watershed resiliency projects of all types, such as comprehensive master planning efforts, until superseded.

This PEA evaluates typical actions undertaken by Federal Agencies, or any entity responsible for federal level environmental compliance to provide financial support or technical assistance to these coalitions or to any watershed resiliency project covered by the scope of this document in the state of Colorado. This includes future major disaster events such as flooding, fires, avalanche and tornados which result in similar impacts to watershed environments as well as watershed resiliency funding interests. This PEA also provides the public and decision-makers with the information required to understand and evaluate the potential environmental consequences of these actions and to consider these impacts in decision making.

The PEA assesses environmental compliance for watershed hydraulic capacity and floodplain resiliency projects through:

- Floodplain and channel naturalization through biologically inspired resiliency measures such as bank stabilization and hardening using natural materials and re-vegetation, referred to as bioengineering.¹
- Multi-objective project design of hydraulic control elements such as fish-passage friendly drop structures, energy dissipating fish ladders or the creation of recreational open space to preserve watershed functions.²

¹ See Sections 4.8 and 4.9 of this PEA and Appendix G: *Engineering With Nature*

² See Sections 4.8 and 4.9 of this PEA and Appendix F *Mitigation Best Practices* and Appendix G *Engineering With Nature*. Another useful, though dated, resource is *Using Multi-Objective Management to Reduce Flood Losses in Your Watershed* prepared by the Association of State Floodplain Managers Inc (ASFPM), in 1996. http://www.floods.org/PDF/Using_MOM_in_Watershed.pdf

- Watershed restoration and mitigation including channel shaping or re-profiling, floodplain construction, overflow channel construction, riparian re-vegetation, in-stream habitat improvement and erosion and sediment control including slope stabilization and sediment detention.
- Upland forest health including fuels mitigation, wild fire suppression and upland plantings directly tied to watershed and floodplain resiliency.

In accordance with the National Environmental Policy Act (NEPA) of 1969, FEMA's regulations for implementing NEPA at 44 Code of Federal Regulations (CFR) Part 10, the President's Council on Environmental Quality (CEQ) NEPA implementing regulations at 40 CFR Parts 1500-1508, and in the spirit of Unified Review as outlined in Section 6 of the Sandy Recovery Improvement Act (SRIA) of 2013 FEMA prepared a draft Programmatic Environmental Assessment (PEA) to evaluate the potential environmental impacts resulting from watershed resiliency projects.

The PEA evaluated four alternatives: (1) No Action; (2) Watershed Resiliency Projects. A given alternative may not be available in all locations. Therefore, specific project sites may have different preferred alternatives.

Notice of the availability of the draft PEA was published in the *Denver Post* on March 29th and April 12th, 2015, covering a four week comment period. All comments received on the draft PEA were incorporated into the document and are detailed in Appendix C.

CONDITIONS

Actions under this PEA and FONSI must meet the following conditions. Failure to comply with these conditions would make the FONSI determination inapplicable for the project and could jeopardize the receipt of funding.

1. In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.
2. The applicant will follow best management practices and requirements under applicable stormwater pollution requirements for the placement of fill and construction activities.
3. Contractor and/or Subcontractors will properly handle, package, transport, and dispose of hazardous materials and/or waste in accordance with all local, state, and federal regulations, laws, and ordinances. If hazardous substances are released to the project area during construction, these federal, state, and local requirements must be followed in response and cleanup.
4. If during the course of work, unmarked graves, burials, human remains, or archaeological artifacts (prehistoric or historic) are discovered, the applicant shall stop work in the vicinity of the discovery, secure the site, and take all reasonable measures to avoid or minimize harm to the finds. All archaeological findings will be secured and access to the sensitive area restricted. The applicant shall inform their federal grant program contacts, who will in turn consult with Historic Preservation (HP) staff. The applicant will not

proceed with work until HP staff completes consultation with the State Historic Preservation Office (SHPO), or Tribal Historic Preservation Office (THPO), to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

5. The applicant will follow applicable mitigation measures as identified in Section 5 of the PEA to the maximum extent possible.
6. The applicant must meet any project-specific conditions developed and agreed upon between the federal grant program and environmental planning or historic preservation resource or regulatory agencies during consultation or coordination.
7. Construction traffic should be closely monitored and controlled as appropriate. All construction activities would be conducted in a safe manner in accordance with OSHA requirements. To alert motorists and pedestrians of project activities, appropriate signage and barriers would be on site prior to and during construction activities. During construction activities, the construction site(s) would be fenced off to discourage trespassers.
8. The applicant will submit any changes to the scope of work that was originally submitted as part of the application for the federal grant program determination of whether the PEA is still valid or whether any supplementation or re-evaluation is needed.

FINDINGS

Based upon the information contained in the Final PEA, the potential impacts resulting from the two alternatives analyzed in the PEA, and in accordance with FEMA's regulations at 44 CFR Part 10 and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA finds that the implementation of the proposed action will not have significant impacts to the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared. This FONSI is based upon proposed actions fitting one of the four project types (alternatives) described in the Final PEA and meeting all conditions prescribed for that particular project type.

APPROVAL



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Date

