

## **FINDING OF NO SIGNIFICANT IMPACT**

### **PROGRAMMATIC ENVIRONMENTAL ASSESSMENT FOR WILDFIRE MITIGATION PROJECTS IN THE STATE OF COLORADO**

The Federal Emergency Management Agency (FEMA) has completed a Programmatic Environmental Assessment (PEA) in accordance with the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA) and tribal considerations, Endangered Species Act (ESA); Executive Orders (EO) addressing Floodplains (EO 11988), Wetlands (EO 11990), and Environmental Justice (EO 12898); and 44 CFR Part 10.

#### **BACKGROUND**

The PEA is intended to address proposed FEMA-funded wildfire mitigation projects throughout the State of Colorado, and is incorporated by reference. Due to the increase in the quantity of vegetative ground and ladder fuels, surface fires today move easily into the tree canopy and fuel destructive crown fires. Fuel reduction in areas prone to wildfire reduces the severity of potential wildfires, increases the ability to control wildfires, and minimizes potential damage to property, public safety, and the natural environment. Much of the proposed project funding will be provided to projects under FEMA's Public Assistance and Hazard Mitigation Assistance programs, along with other FEMA programs, as appropriate. Appropriate agency consultation and necessary documentation will be completed to ensure are in compliance with applicable federal, tribal, state and local laws, regulations, EO, etc.

The PEA evaluated three alternatives: (1) No Action; (2) Vegetation Management; and (3) Structural Protection through Ignition-Resistant Construction. Specific items of work may include, but will not be limited to:

- Hazardous fuels reduction including thinning vegetation, removing ladder fuels, and reducing flammable vegetative materials within 2 miles of existing structures.
- Creation of defensible space by removing the woody vegetation around a structure.
- Use of building components that conform to ignition-resistant construction standards.

#### **PUBLIC INVOLVEMENT**

FEMA issued an initial public notice of intent in the Denver Post on February 16<sup>th</sup> and 19<sup>th</sup>. The notice of availability of the draft PEA was published on April 6, 2014. The draft PEA was available for public review and comment between April, 6, 2014 and April 21, 2014. No substantive comments were received and the draft became final.

#### **MITIGATION AND STIPULATIONS**

Project impacts that are implemented at an individual or cumulative scale such as to produce significant impacts can generally be reduced below the level of significance through avoidance, minimization, or by mitigating for individual impacts using mitigation measures as described below. If impact avoidance cannot be achieved, agency consultation and implementation of specific mitigation measures will be required.

1. The project sponsor must obtain and comply with all applicable permit and approvals required by federal, state, tribal and local regulatory agencies.
2. FEMA will consult with the State/Tribal Historic Preservation Office on project specific activities for any project that has the potential to affect previously undisturbed areas or historic properties. If

- during the course of any ground disturbance related to this project, cultural materials are inadvertently discovered, the project would be immediately stopped and the SHPO/THPO and FEMA notified.
3. FEMA will consult with the US Fish and Wildlife Service on a project-specific basis for any actions that have the potential to affect biological resources, including Threatened and Endangered Species.
  4. All project activities must be conducted in accordance with CSFS Forestry Best Management Practices to Protect Water Quality in Colorado, which include maintaining a 50' buffer around streams and wetlands.
  5. For projects in which soil erosion potential is determined to be significant, a project erosion control plan, including the use of Best Management Practices, will be implemented to isolate the construction site and minimize impacts of soil loss and sedimentation on soil and water resources.
  6. To avoid impacts to migratory birds and raptors, all tree removal would need to be completed outside nesting season and otherwise in compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.
  7. To avoid unnecessary ground disturbance, all project activities would be conducted during time periods when the ground is frozen or dry.
  8. All disturbed areas including skid trails, landings, staging areas, etc. would be restored using native, weed-free seed, mulch, etc.
  9. Standard BMP for equipment maintenance, noise and dust abatement, worker protection, fire safety, etc. must be implemented during project activities.
  10. No open burning will occur. All vegetative debris associated with the project must be disposed of properly and not placed in identified floodway or wetland areas.

## FINDINGS

Based upon the information contained in the referenced Final PEA completed in accordance with the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA) and tribal considerations, Endangered Species Act (ESA); Executive Orders (EO) addressing Floodplains (EO 11988), Wetlands (EO 11990), and Environmental Justice (EO 12898); and FEMA's implementing regulations at 44 CFR Part10, it is found that the Action Alternative(s), with the prescribed mitigation measures and stipulations, would have no significant adverse impact on the human environment. As a result of this **Finding of No Significant Impact (FONSI)**, an Environmental Impact Statement will not be prepared.

## APPROVAL:



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Regional Environmental Officer



Date