

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
FINDING OF NO SIGNIFICANT IMPACT  
Resilient St. Vrain Project  
Longmont, Colorado**

The City of Longmont, Colorado (City), has applied to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for funding to implement a series of improvement projects along St. Vrain Creek (Creek). Longmont is intending to use FEMA grant funds along with other federal and non-federal funding to design and construct improvements to the Creek. In accordance with the National Environmental Policy Act (NEPA) of 1969, an Environmental Assessment (EA) was prepared to evaluate the potential impact of the proposed project on the human and natural environment. The EA is hereby incorporated by reference.

**Background**

Longmont is located in Boulder County, Colorado, approximately 30 miles north of Denver. St. Vrain Creek is the primary stream in the region and a major drainage within the South Platte River Basin.

The purpose of the proposed federal action is to repair flood damage, protect infrastructure, improved property and public health and safety in Longmont and surrounding communities during significant flood events, and to preserve, restore, create, and enhance the natural and beneficial functions, values, and characteristics in the St. Vrain Creek corridor.

The actions are needed because the alignment of St. Vrain Creek was drastically altered throughout the City during the 100- to 500-year flood event that occurred in September 2013. Catastrophic flooding caused extensive damage in the Longmont area, damaging both public infrastructure and private property. Damage to public infrastructure included roads and bridges, utilities, parks and trails, and public buildings. Flows passed through both commercial and residential neighborhoods, damaging homes and businesses. The flood resulted in environmental damage to the Creek, its banks, and surrounding riparian corridor. In various locations, the Creek migrated laterally; experienced significant in-stream and off-channel erosion and deposition of materials such as rocks, cobble, sand, trees, and trash; cut new overbank channels; lost a significant amount of its riparian ecological function; and migrated or scoured to the point of destroying numerous utilities, roads, embankments, bridges, etc.

The Project has been divided into three phases. Final engineering and design of several portions of the Project are pending identification of potential funding sources. All three-phases are included in this Environmental Assessment (EA) to ensure a holistic approach to the identification of potential impacts to the human and natural environment. All phases of the Project have independent utility and will function as designed pending implementation of the other phases. As plans become more refined, the opportunity for public review and comment will be provided in keeping with the City's standard procedures for public participation.

Extensive opportunity for public participation and comment on the project has been provided in a variety of settings, including public meetings and individual mailings. As part of the NEPA process, final public notice was published in the *Longmont Times-Call* and opportunity to comment was provided for 30 days following publication. Substantive comments have been addressed in the final EA. This document also served as final public notice for federal actions in or affecting the floodplain and wetlands as required by Executive Orders (EOs) 11988 and 11990; and those affecting historic properties in accordance with 36CFR Part 800.2(d).

### **Mitigation, Stipulations, and Conditions**

The project sponsor is responsible for implementing the following mitigation and stipulations upon which this finding is conditioned:

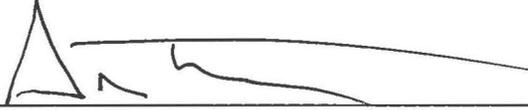
1. Appropriate federal, state, and local permits will be obtained, including those required by the U.S. Army Corps of Engineers (USACE) and the State of Colorado under Section(s) 404 and 401 of the Clean Water Act, and all permit requirements, including mitigation of wetland impacts, must be implemented.
2. A stormwater construction permit will be obtained from the Colorado Department of Public Health and Environment (CDPHE) and a Stormwater Management Plan (SWMP) will be developed and implemented.
3. Best management practices (BMPs) and engineering controls will be implemented during construction to avoid and minimize erosion, sedimentation, and pollution impacts.
4. Impacts to groundwater wells will be avoided and minimized to the extent practicable.
5. A Conditional Letter of Map Revisions (CLOMR) will be obtained from FEMA for potential changes to the Flood Insurance Rate Map (FIRM).
6. Areas disturbed by construction will be revegetated using native plant materials.
7. A Noxious Weed Management Plan will be followed.
8. City requirements for tree preservation will be followed.
9. Colorado Senate Bill (SB) 40 certification will be obtained from Colorado Parks and Wildlife (CPW) regarding management of stream resources.
10. An Avian Protection Plan (APP) will be created and followed.
11. Vegetation removal will occur outside the nesting season, preconstruction bird surveys will occur during nesting seasons, and seasonal restrictions will apply around hawk and eagle nests.
12. Construction contractors will adhere to the requirements in the City's Wildlife Management Plan.
13. Construction will occur primarily during weekdays and normal working hours.
14. All residential and business relocations will be handled in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as applicable.
15. Construction workers will use personal protection equipment.
16. The contractor will be required to create and implement a project-specific health and safety plan.
17. All construction areas will be clearly marked.
18. Detour information will be available on the City's "Cone Zone" and Resilient St. Vrain Project websites.
19. All stipulations and conditions agreed to in the Memorandum of Agreement developed to resolve adverse effects to historic properties as a result of their demolition or relocation are required to be implemented.
20. Work will be stopped in the vicinity of any inadvertent cultural resource discoveries and the Colorado State Historic Preservation Office or relevant Tribal Historic Preservation Officer will be contacted.
21. Any unused or stored hazardous material will be handled in accordance with federal, state, and local laws and regulations.
22. Hazardous wastes if encountered will be disposed of at a Hazardous Materials Management Facility (HMMF).
23. Construction sites will be sampled for the presence of hazardous materials in areas identified as a concern in the EDR reports. If identified, a treatment plan will be created and implemented.
24. If previously unidentified hazardous waste sites are found, CDPHE will be notified.
25. All solid wastes will be disposed of appropriately at a local landfill.
26. CDPHE permits for dewatering will be obtained and followed.

27. Fugitive dust will be controlled by measures prescribed in Colorado's 5 CCR 1001-3 and a dust control plan will be implemented.
28. All construction activities will comply with the City of Longmont's Noise Ordinance.
29. Planned utility outages will be avoided to the extent possible. If planned outages are necessary, utility customers will be given advanced notice.
30. The City will coordinate construction activities with utility companies to avoid locate utilities within the project area.

### Findings

Based upon the information contained in the referenced Final EA completed in accordance with NEPA, National Historic Preservation Act (NHPA) and tribal considerations, Endangered Species Act (ESA), EOs addressing Floodplains (EO 11988), Wetlands (EO 11990), and Environmental Justice (EO 12898), and federal agency implementation procedures, including Title 13 of the Code of Federal Regulations (CFR) Part 302 (13 CFR 302), 24 CFR 55 and 58, 33 CFR 230, and 44 CFR 9 and 10, it is found that the Proposed Action Alternative, with the prescribed mitigation measures and stipulations, would have no significant adverse impact on the human and natural environment. As a result of this **Finding of No Significant Impact** (FONSI), an Environmental Impact Statement will not be prepared, and the proposed FEMA-funded project, with the associated mitigation measures and stipulations identified above and described in the referenced EA and the supporting documentation, may proceed 15 days after the date of approval.

### APPROVED

  
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Steven E. Hardegen  
Regional environmental Officer

06/16/2016  
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Date