

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)
AND
FINDING OF NO PRACTICABLE ALTERNATIVE (FONPA)**

NORTH GATE/STRUTHERS PERMANENT WATER QUALITY POND

United States Air Force Academy, Colorado

Pursuant to provisions of the National Environmental Policy Act (NEPA), Title 42 United States Code (USC) Sections 4321 to 4347, implemented by Council on Environmental Quality (CEQ) Regulations, Title 40, Code of Federal Regulations (CFR) §1500-1508, and 32 CFR §989, Environmental Impact Analysis Process, the U.S. Air Force (Air Force) assessed the potential environmental consequences associated with the North Gate/Struthers Permanent Water Quality Pond, United States Air Force Academy (USAFA), El Paso County, Colorado.

The purpose of the proposed action is to achieve water quality improvement by treating the stormwater from a 57-acre subregional drainage basin located north and northeast of the I-25/North Gate interchange before it is discharged into Smith Creek on USAFA property. Continuing development on land outside of USAFA in unincorporated El Paso County in the project area has locally increased impervious surface area, which has increased stormwater runoff and erosion, which degrades Smith Creek on USAFA property.

The Environmental Assessment (EA), incorporated by reference into this finding, analyzes the potential environmental consequences of activities associated with the North Gate/Struthers Permanent Water Quality (PWQ) project, and provides environmental protection measures to avoid or reduce adverse environmental impacts.

The EA considers all potential impacts of the Preferred (I-25 Median) and the No-Action Alternative. The EA also considers cumulative environmental impacts with other projects in the Region of Influence.

PREFERRED ALTERNATIVE

The Preferred Alternative would provide drainage improvements along Struthers Road south of Gleneagle Drive to North Gate Boulevard, continuing along North Gate Boulevard from Struthers Road intersection to the median between the northbound and southbound lanes of Interstate 25. These improvements would consist of storm drain system that will intercept storm water runoff from the contributing area and convey it through an underground concrete pipe network to an extended detention basin (called a permanent water quality “pond” although it would normally be dry) located in the I-25 median south of North Gate Boulevard.

NO-ACTION ALTERNATIVE

Under the No-Action Alternative, the Preferred Alternative would not occur and untreated stormwater from a 57-acre subregional drainage basin would continue to flow into Smith Creek, gradually degrading its ecological health. Smith Creek is known to be occupied by the Preble’s

meadow jumping mouse (PMJM), listed by the U.S. Fish and Wildlife Service as a threatened species.

SUMMARY OF FINDINGS

The analyses of the affected environment and environmental consequences of implementing the Preferred Alternative presented in the EA concluded that by implementing standing environmental protection measures and operational planning, the Air Force would be in compliance with all terms and conditions and reporting requirements for implementation of the reasonable and prudent measures stipulated by the United States Fish and Wildlife Service (USFWS) in the Biological Opinion issued May 5, 2023.

The Air Force has concluded that no significant adverse effects would result to the following resources as a result of the Preferred Alternative: air operations compatibility, air quality, noise, safety and occupational health, hazardous materials/waste, socioeconomic resources/environmental justice, earth resources, air quality, greenhouse gases and climate change.

No significant adverse cumulative impacts would result from activities associated with the Preferred Alternative (Proposed Action) when considered with past, present, or reasonably foreseeable future projects.

Cultural Resources

In compliance with National Historic Preservation Act (NHPA), the Air Force has completed the Section 106 review process for the North Gate/Struthers PWQ Pond project with the Colorado SHPO and all affected stakeholders. As a result of the Section 106 consultation, various agencies and tribes were engaged. To avoid affecting the historic Reynolds Ranch (now part of the Western Museum of Mining and Industry) that is located along the southern side of North Gate Boulevard, the stormwater sewer that is part of the Preferred Alternative will be located along the northern side of that roadway. On February 22, 2023, the SHPO provided a concurrence letter indicating that the project would have “no adverse effect on the Reynolds Ranch property (5EP.2223) nor on the Academy campus (5EP.595).” Consultation was also conducted with Native American tribes, and the responding representatives identified no specific concerns with the project or its impacts.

Biological (Natural) Resources

A portion of the Proposed Action will involve construction within riparian habitat that is occupied by the PMJM, a mammal listed as a Threatened species by USFWS. The affected habitat adjacent to Smith Creek in the I-25 median is within the USAFA PMJM Conservation Area pursuant to the USAFA/USFWS PMJM Conservation Agreement that began in the year 2000.

The proposed project would disturb a total of 3.54 acres of Preble’s mouse habitat, of which 1.67 acres of impact are temporary and 1.87 acres are permanent impacts. Ground disturbance in high-quality riparian habitat (0.01 acre of impact) and adjacent low-quality upland habitat (1.66 acres of impact) would adversely affect the Preble’s mouse by temporarily removing hibernation, nesting, and foraging habitat. Additionally, construction activity may result in one or more mice being crushed by equipment or buried by earthwork. Based on an assumed density of 1.5 mice per acre and construction temporary effects of 3.54 acres, USFWS indicates that the Proposed Action could result in the incidental take of five individual mice.

The agency's Biological Opinion, dated May 23, 2023, concluded that taking into account the direct, indirect and cumulative effects, together with required mitigation, the Proposed Action is not likely to jeopardize the continued existence of this species.

The Preferred Alternative will have small temporary impacts on two wetlands, the larger of which is a non-jurisdictional ditch. The area to be temporarily disturbed would be less than 0.102 acre of wetlands and a permanent loss of 0.02 acre (roughly 900 square feet), for which mitigation would be provided. The Proposed Action would not contribute to any measurable loss of flood control capacity.

An estimated one dozen trees would be removed within the I-25 median and would be replaced at other locations within the median.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based on my review of the facts and analyses contained in the attached EA, conducted under the provisions of NEPA, CEQ Regulations, and 32 CFR Part 989, I conclude that the Proposed Action with an extended detention basin in the median of Interstate 25 median would not have a significant environmental impact, either by itself or cumulatively with other known projects. Accordingly, an Environmental Impact Statement is not required. The signing of this Finding of No Significant Impact and Finding of No Practicable Alternative completes the environmental impact analysis process.

FINDING OF NO PRACTICABLE ALTERNATIVE (FONPA)

Based on my review of the facts and analyses contained in the attached EA, I find that there is no practicable alternative to construction within the 100-year floodplain and associated wetland along Smith Creek, on U.S. Air Force property in the median of Interstate Highway 25.

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17 June 2024

Carlos R. Cruz-Gonzalez, DFAC
Director of Logistics, Engineering & Force Protection
Headquarters US Air Force Academy

Date