

# Frequently Asked Questions



*Rocky Mountain Flats / USFWS*

## EXTERNAL:

### 1. What is an Environmental Assessment (EA)?

The National Environmental Policy Act (NEPA) of 1969 sets up procedural requirements for all federal government agencies to prepare Environmental Assessments (EAs) and Environmental Impact Statements (EISs). EAs and EISs contain statements of the environmental effects of proposed federal agency actions. NEPA's procedural requirements apply to all federal agencies in the executive branch. A federal agency, such as the USFWS, prepares a written environmental assessment (EA) to determine whether or not a federal action would significantly affect the environment. If the answer is no, the agency issues a finding of no significant impact (FONSI). The FONSI may address measures which an agency will take to reduce (mitigate) potentially significant impacts. If the EA determines that the environmental consequences of a proposed federal undertaking may be significant, an Environmental Impact Statement (EIS) is prepared. An EIS is a more detailed evaluation of the proposed action and alternatives. In this case, the Service determined that an EIS was not warranted and issued a FONSI.

### 2. Why is the USFWS required to conduct an EA?

NEPA requires all federal agencies to prepare detailed statements assessing the environmental impact of and alternatives to major federal actions significantly affecting the environment. The Service's actions that were analyzed in this environmental assessment are: (1) whether to expand the acquisition boundary of the Rocky Flats National Wildlife Refuge (NWR) and/or (2) whether the Service should exchange the 300-foot wide transportation corridor for property and mineral rights adjacent to the existing Refuge, or elsewhere in the refuge system.

### 3. Why did the USFWS not analyze the transfer/sale of the 300-foot transportation corridor?

The USFWS previously analyzed any impacts associated with making the transportation corridor available. In the 2004 refuge comprehensive conservation plan and environmental impact statement (<http://www.fws.gov/mountain-prairie/planning/ccp/co/rfl/rfl.html>), the Service analyzed the potential resource impacts associated with the transfer of various right-of-way widths (50 feet to the maximum 300 feet). Based upon this prior analysis, the USFWS determined that a land transfer up to the statutory 300-foot width would not adversely affect the management of the Refuge and does not have significant impacts to the surrounding area. The USFWS has determined this analysis satisfied its NEPA requirement related to the mandated land transfer.

### 4. What are the components of the EA?

The EA discusses the following: the need for the Proposed Action; a description of alternatives; the environmental impacts of the proposed action and alternatives (including environmental, social and cultural impacts); and a description of how the USFWS coordinated with others and conducted environmental reviews of various aspects of the project proposal and analysis. An EA can also be a tool to facilitate communication to the public, so the EA includes a variety of appendices including current applications for the 300-foot transportation corridor and a description of the process that was used to evaluate competing applications. In addition, since the USFWS proposed to expand the Refuge, the EA includes a draft land protection plan which outlines the specifics of this proposal.

## 5. What types of impacts were studied in the EA?

The EA examined a number of environmental, social and cultural impacts. Including the following:

- Physical Environment
- Biological Environment
- Listed, Proposed, and Candidate Species
- Land Use
- Local Socio-economic Conditions
- Cultural, Historical and Archaeological Resources
- Environmental Justice
- Cumulative Impacts

## 6. Who prepared the EA?

The lead agency for the EA is the USFWS with assistance from URS Corporation.

## 7. Why did the USFWS consider applications to divest the 300-foot strip of land adjacent to Indiana Street?

The Rocky Flats National Wildlife Refuge Act of 2001 (Rocky Flats Act) established a national wildlife refuge on portions of the closed Rocky Flats Environmental Technology Site and made a small portion of those lands available for transportation improvements along Indiana Street. Specifically, Section 3174 of the Act states that “The Secretary... shall make available land along the eastern boundary of Rocky Flats for the sole purpose of transportation improvements along Indiana Street.”



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## 8. What does the term “application” mean?

Section 3174 of the Rocky Flats Act states that “on submission of an application meeting each of the conditions specified [in the Act]... the [USFWS] shall make available land along the eastern boundary of Rocky Flats for the sole purpose of transportation improvements along Indiana Street.” An application may be submitted by any county, city, or other political subdivision of the State of Colorado and include documentation demonstrating that the transportation improvements are carried out so as to minimize adverse effects on the management of Rocky Flats as a wildlife refuge and are included in a regional transportation plan of the metropolitan planning organization designated for the Denver metropolitan area.

## 9. Who has submitted applications to the USFWS?

The Service received two applications for the transportation right-of-way. Applications were received from the Jefferson Parkway Public Highway Authority (JPPHA) and the City of Golden. Copies of both applications and supplements to these applications were included as appendices to the environmental assessment.

## 10. What are the differences between the JPPHA and City of Golden applications?

Both JPPHA and the City of Golden have submitted applications to purchase the 300-foot transportation corridor outright. In addition, each has included additional aspects to their proposals. JPPHA has constructed a proposal in collaboration with several local municipalities to exchange the 300-foot corridor for land and mineral rights within section 16 adjacent to the refuge, as well as to acquire the private mineral estates on DOE lands within the current approved refuge boundary (allowing them to become part of the refuge as well). Golden has proposed to exchange the transportation corridor for a portion of section 16, or for inholdings at Baca or Arapaho NWRs.

## 11. Did the EA make a decision between applications?

No. The EA is not the mechanism to make a decision between competing applications for the transportation corridor. The environmental assessment ensures compliance with necessary laws and regulations. The Service has included a description of the process that was used to evaluate competing applications (Appendix D of the draft EA). Therefore, after completing the necessary environmental analysis on proposed actions, the USFWS made a decision on which application will be accepted.

## 12. How did the USFWS compare the competing proposals and determine who to divest the 300-foot right-of-way to?

Appendix D of the draft EA describes the process that was used to evaluate competing applications. According to legal advice the Service received from the Department of the Interior Regional Office of the Solicitor, the city of Golden's application did not meet the requirements of the Rocky Flats Act because it was not part of a the approved regional transportation plan, and because their proposed bike path was not consistent with the congressional intent of "transportation improvements."

## 13. What alternatives were considered?

Section 2 of the EA describes the alternatives that were considered and also includes any alternatives that were not pursued further. Below are the four alternatives considered in the EA:

- Alternative A – No Change to the Administrative Boundary of the Refuge & Direct Sale of Transportation Corridor (no action alternative)
- Alternative B – Expand the Administrative Boundary of the Refuge & Complete a Land Exchange for Holdings at the Refuge (proposed action)
- Alternative C – No Change to the Administrative Boundary of the Refuge & Complete a Land Exchange for Holdings at Other Refuges in Colorado
- Alternative D – Expand the Administrative Boundary of the Refuge & Complete a Land Exchange for Holdings at Other Refuges in Colorado

## 14. How did the USFWS select a proposed action?

First and foremost, the USFWS has selected its proposed action because it is most in keeping with the intent of the Rocky Flats Act, and it keeps the conservation benefits at the Refuge where the disposal of the transportation corridor will take place. Further, the addition of section 16 to the Refuge would include many resource benefits. These include increased connectivity with existing open space to the west which will protect migration corridors; quality habitat for the Preble's meadow jumping mouse; and protection of important habitats such as riparian, upland shrub, and xeric tallgrass prairie.

## 15. Why is the USFWS considering expansion? How would the expanded area be used?

The USFWS has the opportunity to conserve an area of strong conservation interest. The section 16 parcel contains globally rare vegetation types, contains habitat for the threatened Preble's meadow jumping mouse, and would provide a critical link between the Refuge and existing regional open space, which would in turn provide a corridor between the Refuge and the Front Range.

## 16. What does the refuge expansion have to do with divesting the 300-foot right-of-way?

The Rocky Flats Act requires the USFWS to make the 300-foot transportation corridor available for sale. If the USFWS decides to expand the Refuge, there is the potential to utilize a land exchange (in lieu of direct sale) to acquire interests within the section 16 parcel directly benefiting the Refuge, residents and wildlife of Colorado.



*Preble's Meadow Jumping Mouse*  
USFWS