

Compatibility Determination

Rocky Mountain Arsenal National Wildlife Refuge
Commerce City, Colorado

For

Construction of Stormwater Management Facilities in Section 4

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Rocky Mountain Arsenal National Wildlife Refuge
February, 2006

Compatibility Determination

Use: Construction of a storm water overflow channel that will handle the one hundred year storm runoff event from the Prairie Gateway storm water basins immediately south of the RMANWR boundary.

Refuge Name: Rocky Mountain Arsenal National Wildlife Refuge (RMA NWR)

Establishing and Acquisition Authority:

Rocky Mountain Arsenal National Wildlife Refuge Act of 1992, Public Law 103-402, October 9, 1992

Refuge Purposes:

1. To conserve and enhance populations of fish, wildlife, and plants within the Refuge, including populations of waterfowl, raptors, passerines, and marsh and water birds.
2. To conserve species listed as threatened or endangered under the Endangered Species Act and species that are candidates for such listing.
3. To provide maximum fish and wildlife oriented public uses at levels compatible with the conservation and enhancement of wildlife and wildlife habitat.
4. To provide opportunities for compatible scientific research.
5. To provide opportunities for compatible environmental and land use education.
6. To conserve and enhance the land and water of the Refuge in a manner that will conserve and enhance the natural diversity of fish, wildlife, plants, and their habitats.
7. To protect and enhance the quality of aquatic habitat within the Refuge.
8. To fulfill international treaty obligations of the United States with respect to fish and wildlife and their habitats.

National Wildlife Refuge System Mission:

The mission of the National Wildlife Refuge System (NWRS) is "...to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans." (National Wildlife Refuge System Administration Act of 1966, as amended [16 U.S.C. 668dd-668ee]).

Description of Use:

Background: The Prairie Gateway project, constructed on lands formerly held by the U.S. Government and transferred to Commerce City in accordance with the 1992 Rocky Mountain Arsenal National Wildlife Refuge Act, has a large amount of development in the southern and central portions of Section 9. The increased storm water flow generated by the increased amount of impervious surfaces necessitated a large storm water collection are in the northeastern portion of

Section 9. While the drainage detention basins are sized to safely handle a one hundred year storm event, as a public safety measure, allowance must be designed as to where additional storm run off from another large event would flow.

Section 4 of Rocky Mountain Arsenal NWR, located immediately north of the Prairie Gateway project in Section 9, is the natural flow path of run-off from the area. Without any construction, large storm flows would eventually develop a path onto RMANWR. However, in the process, people or facilities might be endangered.

The RMANWR is partnering with Commerce City and others in the Prairie Gateway to develop a new Visitor Center as well as an environmental learning center. To reduce the potential danger to visitors, staff, and these planned facilities, a plan was developed to safely collect and organize any run off that might overflow the Prairie Gateway detention basins.

In evaluating this need, the RMANWR considered the need for environmental consideration and it was determined that a categorical exclusion, as recorded in DM2, Appendix 1 and DM 6, Appendix 6 of the Departmental Manual, was appropriate for consideration of this action.

Specific Use Proposed: The use is construction of a storm water overflow channel and storm water piping from the Prairie Gateway storm water detention ponds, located centrally just north of the boundary between Section 4 of the RMANWR and Section 9 of the Prairie Gateway.

The channel would be approximately 150 feet wide at its maximum width and approximately 600 feet in length. The underlying pipe line, a 36” concrete pipe buried 4 feet deep, to be used for draining down the Prairie Gateway storm water ponds in less than one hundred year run off events, will run an additional 700 feet before daylighting in the natural down gradient drainage on RMANWR. This pipe will have a disturbance footprint of 30 feet along its length beyond end of the storm water channel. The total area to be disturbed by construction would be approximately 3 acres.

Collection and organization of the storm water flows are a public safety issue and this allows storm water flow to be safely channeled into areas of RMANWR that can safely handle the flow volume without impact to facilities or major habitat disturbance. The channel will be wide and shallow, reducing the visual impact and function naturally as part of the surrounding prairie. Once the construction work is complete, the area will be replanted with an appropriate native seed mix.

Availability of Resources:

The construction of the proposed storm water channel and piping is the responsibility of the Prairie Gateway, Kroenke Sports Enterprises, and the City of Commerce City, and will require no personnel or financial resources of RMA NWR or NWRS.

Refuge costs associated with this project include only the planning and oversight (including preparation of this compatibility determination) of compliance documents, including issuance and administration of a Special Use Permit. Those costs are included in the Service’s on-going planning and coordination efforts to implement the “Partnership Zone” concept found in the Refuge’s

approved RMA NWR Comprehensive Management Plan (1996), and Record of Decision for the Rocky Mountain Arsenal National Wildlife Refuge, Adams County, Colorado, Final Environmental Impact Statement (December, 1995). Based on a review of the Refuge operating budget of approximately \$1.1M for FY 06, there is adequate funding to ensure compatibility and to administer the proposed use.

Anticipated Impacts of the Use:

The use is proposed to take place in Section 4 of the Refuge, will occur on a footprint of roughly 3 acres, and will be constructed on a site immediately north of the refuge boundary. Permanent anticipated impacts to the resources of RMA NWR will be minor and biologically insignificant. Those permanent impacts would include minor modifications to topography on approximately 3 acres, and covering a 10' X 10' area of uplands with rip-rap. It is anticipated that stormwater flow events will be so infrequent that they will not influence the plant community or habitat type in the prairie depressions that will receive stormwater.

Temporary impacts would include disturbance to wildlife caused by the presence of workers and construction equipment and machinery noise in and adjacent to the project area, and temporary loss of grassland habitat on three acres (less than 0.1% of refuge grasslands). Wildlife disturbance from this project will be minimal, because of site's immediate proximity to the large on-going construction project on the Prairie Gateway. It is possible that construction activities might result in mortality of a small number of small mammals and reptiles and will result in mortality of some soil invertebrates.

The proposed project footprint includes some weedy exotic vegetation, but also some areas that of restored prairie that support a desirable short grass prairie native plant community. The project would result in some short-term (up to five years) loss of habitat values while those disturbed soil areas are again revegetated with native species.

All access to the construction site will be from the Prairie Gateway and refuge roads will not be used for as a part of the construction process. The project footprint does not impact any known sensitive habitats or wildlife populations. There are no prairie dog towns, fawning areas, or raptor nesting territories in or immediately adjacent to the project footprint.

Public Review and Comment:

RMA NWR is maximizing the use of the refuge website to solicit public comment on documents, including Compatibility Determinations. The website has a special section for public comment solicitations and this method has been widely publicized in refuge newsletters, local newspapers and announcements to the various citizen advisory committees that operate in support of the remediation of Rocky Mountain Arsenal. The refuge web site routinely receives over 10,000 "hits" per month and is widely used by the public to obtain information about the refuge. In draft form, this Compatibility Determination is provided for public review and comment at the offices of Rocky Mountain Arsenal NWR, 7200 Quebec Street, Building 121, Commerce City, CO 80022, and on the RMA NWR website at <http://rockymountainarsenal.fws.gov>. on February 6, 2006. Public comments will be accepted until 5:00 p.m. on February 27, 2006.

