

Draft Finding of No Significant Impact

Environmental Assessment

Pinon Canyon Maneuver Site (PCMS) Transformation

Fort Carson, Colorado

Background:

On June 20, 2007, the Department of the Army issued a Notice of Availability of the Final PCMS Transformation Environmental Impact Statement (EIS). (Federal Register, Vol. 72, No. 118, June 20, 2007). The purpose of that EIS (referred to in this Environmental Assessment (EA) as the “2007 PCMS EIS”) was to study the environmental impacts of implementing three Army transformation programs at the PCMS: Base Realignment and Closure (BRAC) 2005, Integrated Global Presence and Basing Strategy (IGPBS - also known as Global Defense Posture Realignment), and the Army Modular Force (AMF) initiative.

The Proposed Action studied in 2007 PCMS EIS specifically included the implementation at the PCMS of the three transformation programs through increased training at the PCMS and construction in the PCMS cantonment (or built-up) and downrange (training) areas.

On August 10, 2007, the Department of the Army issued a Notice of Availability of the Record of Decision (ROD). The ROD announced that the Army had decided to proceed with the Proposed Action. (Federal Register, Vol. 72, No. 154, August 10, 2007)

On April 23, 2008, four plaintiffs filed a suit in the United States District Court for the District of Colorado (Civil Action No. 1:08CV828-RPM) challenging the EIS, with a Complaint that alleged that the EIS should have included study of expansion of the PCMS and that the EIS should have studied more alternatives than the Proposed Action and the No Action alternative.

On September 8, 2009, the judge in the case issued a Memorandum Opinion and Order (the Opinion). The Opinion held that the EIS correctly excluded study of expansion of the PCMS. However, the Order vacated the ROD issued in August, 2007, which had authorized proceeding with the Proposed Action.

The Proposed Action to implement the transformation activities at Fort Carson received National Environmental Policy Act (NEPA) review in the Fort Carson Transformation EIS, which was also issued in June, 2007, and for which a ROD was issued in August, 2007, authorizing the Proposed Action. With the associated increases in the numbers of Soldiers assigned to Fort Carson and the transformation of the units stationed there, the need for use of the PCMS for training became an obvious issue when the court vacated the ROD for the PCMS Transformation EIS. After the court’s order, the Army, in coordination with the Department of Justice, determined that it was permitted to continue to train Soldiers at the PCMS as authorized prior to the 2007 PCMS EIS and ROD and as evaluated in prior NEPA reviews, including the

1980 Final Environmental Impact Statement for Training Land Acquisition for Fort Carson, Colorado in Las Animas County, Colorado, and subsequent environmental assessments and findings of no significant impact.

Although this determination allowed training to continue, there remained a need to complete NEPA review of the implementation of the transformation activities at the PCMS, which is the purpose of this EA.

The 2007 PCMS EIS was an extensive and comprehensive effort. As a result, this EA does not repeat unchallenged portions of it. The analysis in this EA only addresses the deficiencies identified in the court's decision and incorporates all unchallenged sections of the 2007 PCMS EIS. The 2009 EIS for Implementation of Fort Carson Grow the Army Stationing Decisions (GTA EIS) and the 1980 Final Environmental Impact Statement for Training Land Acquisition (which analyzed the decision to acquire the PCMS) are related NEPA documentation.

Description of the Proposed Action

The Proposed Action is to implement Army transformation at the PCMS through increased training of the same general types that have occurred at PCMS in the past. The details of the Proposed Action are as described at Section 2.3 of the 2007 PCMS EIS, except as modified below. The Proposed Action does not include introduction of significantly different training methods, assignment of new units other than those included in the 2007 PCMS EIS, introduction of new weapons systems, or construction of new ranges or facilities. If and when any of these actions should occur, it would be subject to NEPA review at that time.

As with the 2007 PCMS EIS and as approved by the 2009 Opinion, expansion of the PCMS is not a part of the Proposed Action and, as a result, was not studied in this EA. It is still recognized that the combined training areas of Fort Carson and the PCMS are not sufficient to meet the Army's doctrinal training requirements; i.e., essentially the ideal requirements to train for all possible missions. However, Army training guidance allows for "work-arounds" when doctrinal requirements cannot be met, and the Proposed Action includes use of those "work-arounds" as necessary. If these measures prove to be inadequate, other alternatives may have to be examined and developed such as, for example, reduction of the number of troops assigned to Fort Carson or expansion of the size of the PCMS. Any such actions, though, would require decisions at the Department of Defense and Department of the Army levels, as well as Congressional approvals and funding. As a result, they are not reasonably foreseeable at this time and, thus, are not within the scope of this EA.

Removal of Construction from the Proposed Action

None of the facilities listed in the 2007 PCMS EIS has been constructed or funded. Many of the facilities listed in that EIS, such as the brigade support complex, were included in plans for operation of the PCMS that have since been discarded. Others were projects that were not associated with implementation of the transformation programs. Instead, they were projects

that would be necessary for the operation of the PCMS as a training site, regardless of how often or by what units the training were to be conducted. As a result, on January 15, 2010, I approved removal of the construction projects as part of the Proposed Action. Should any of the individual projects be deemed necessary in the future, they will receive the appropriate NEPA analysis at that time.

No Action Alternative

The No Action alternative is as described in Section 2.2 of the 2007 PCMS EIS:

Under the No Action alternative, the changes required by BRAC 2005, IGPBS, and AMF actions at Fort Carson (as discussed in detail in Section 2.3) would not be implemented at the PCMS. Force structure, assigned personnel, and equipment would be as they existed prior to the development of these programs. Facility construction and training activities would occur as needed to support the pre-BRAC 2005, pre-IGPBS, and pre-AMF conditions and would undergo separate NEPA review prior to implementation in accordance with regulations and current practice. Therefore, the No Action alternative does not include construction of new facilities.

This alternative is not feasible because additional troops have been stationed at Fort Carson and will need to be trained at the PCMS (as discussed in Section 1.0). Nevertheless, this alternative is included as required by CEQ and Army NEPA- implementing regulations. The No Action alternative provides a benchmark to compare the magnitude of the environmental effects of the Proposed Action.

Environmental Consequences

Implementation of the Proposed Action would not cause significant environmental impacts, as was described in Section 3.0 from the 2007 PCMS EIS. The Proposed Action does not allow unlimited training or the incurrence of unlimited damages. Instead, a central part of the Proposed Action is the process for determining when and where training will be allowed; i.e., the amount of training may not exceed the sustainability of the environmental resources of the PCMS. Given this overall restraint on the amount and location of training to be conducted, the adverse environmental impacts that may occur will be sufficiently mitigated by the measures described in this EA to avoid rising to the level of significant.

The effect of approving the Proposed Action involves no substantial change to the operation of the PCMS. This facility will continue to be used for the purpose for which it was acquired; i.e., as a training facility for troops and units assigned to and supported by Fort Carson. Both the PCMS and Fort Carson have operated for years under the same process of balancing training needs against environmental considerations, and the conditions at both facilities reflect the effectiveness of this process. Preparation of this EA has revealed no reason to doubt that this balancing process will continue to be any less effective. The mitigation described in the 2007 PCMS EIS and this EA is, first, preventive; i.e., that training would be approved and conducted only when and where environmental resources have been assessed as capable to support it in

a sustainable manner. To the extent that training causes adverse impacts, the mitigation measures include remedial actions to preclude those levels from rising to a significant level.

Conclusion

The attached EA was prepared pursuant to 32 Code of Federal Regulations (CFR) 651 and U.S. Council on Environmental Quality (CEQ) regulations (Title 40, U.S. Code, Parts 1500-1508) for implementing the procedural requirements of the NEPA. The finding of this EA is that the Proposed Action, with mitigation as described in the EA, would have no significant impact on the human or natural environment. Therefore, based on review of the EA, I conclude that the Proposed Action is not a major federal action that would significantly affect the quality of the environment within the meaning of Section 102(2)(c) of the NEPA.

Accordingly, no new or supplemental EIS is required.

_____ Date: _____
ROBERT F. MCLAUGHLIN
COL, FA
Garrison Commander
Fort Carson, Colorado