

**DRAFT FINDING OF NO SIGNIFICANT IMPACT
FOR PROPOSED MODIFICATION OF THE CHEYENNE LOW AND HIGH
MILITARY OPERATIONS AREAS
FOR THE 140TH WING
BUCKLEY AIR FORCE BASE, AURORA, COLORADO**

INTRODUCTION

This document records the Finding of No Significant Impact (FONSI) of the United States Air Force (USAF) based upon the attached Draft Environmental Assessment (EA), *Modification of the Cheyenne Low and High Military Operations Areas* (April 2012) for the 140th Wing (140WG) of the Colorado Air National Guard (COANG), based at Buckley Air Force Base, Aurora, Colorado. The information and analyses contained in the Draft EA were considered, among other relevant factors, in reaching this conclusion. This FONSI has been drafted in accordance with the regulations implementing the *National Environmental Policy Act* (NEPA), specifically Title 40, Code of Federal Regulations, Part 1500 (40 CFR Part 1500). This FONSI also complies with Air Force Instruction (AFI) 32-7061, *Environmental Impact Analysis Process* (EIAP), as promulgated at 32 CFR Part 989.

BACKGROUND

The 140WG currently uses the Cheyenne Low and High Military Operations Areas (MOAs), Instrument Routes (IR) 414 and 424, and Visual Route (VR) 1427 for F-16 training¹. The current dimensions (approximately 30 NM x 60 NM) of the Cheyenne MOAs are below the recommended dimensions (50 NM x 70 NM) for advanced medium-range air-to-air missile (AMRAAM) tactics, which limits the ability of the 140WG and other users from completing realistic AMRAAM training scenarios consistent with their Air Sovereignty and Air Expeditionary Force missions. The current dimensions of the Cheyenne MOAs are also below the optimal airspace dimensions required for long-range training missions such as Air Interdiction (AI) (60 NM x 40 NM), Opposed Surface Attack Tactics (OPSAT) (80 NM separation), and Defensive Counter Air (DCA) (70 NM x 60 NM) missions. In addition, the irregular shape of the Cheyenne MOAs along the western edge of the airspace funnels aircraft towards the center of the MOAs, limiting aircraft maneuverability.

DESCRIPTION OF PROPOSED ACTION

The 140WG proposes to expand the lateral boundaries of the Cheyenne MOAs to the west, southwest, south, southeast, and east and subdivide the airspace into the following components: Bobcat MOA, Cougar Low and High MOAs, Bobcat ATCAA, and the Cougar East/West ATCAAs. Specifically, the Cheyenne Low MOA would be extended west, southwest, south, southeast, and east and be renamed the Cougar Low MOA. The Cougar Low MOA would raise the existing floor of 300 to 500 feet above ground level

¹ A few other aircraft such as F-15, F-5, F-18, and KC-135, and C-21 also utilize the airspace, but less frequently.

(AGL) and extend up to but not including 11,000 feet above MSL. The 140WG has also agreed to maintain a 5,000 feet AGL flight exclusion cylinder within 5 NM radius, or 10 NM diameter of the Sand Creek Massacre National Historic Site marker. In addition, the ANG would maintain buffer areas from the surface to 1,000 ft AGL within a radius of 0.25 mile from Bald Eagle and Golden Eagle nests, and refrain from flying within these buffers, from 1 February through 31 August. The proposed Modification of the Cheyenne Low and High MOAs would not change the current utilization of the airspace (962 flight hours per year). The Proposed Action would provide a regularly-shaped airspace that accommodates the current and future needs of the 140WG's F-16 technological capabilities and provide adequate training airspace for the Unit to fulfill its mission.

ALTERNATIVES CONSIDERED

In addition to the Proposed Action (Preferred Alternative), three other alternatives were identified to be carried forward for further analysis: 1) Expand Cheyenne MOA to the southwest and south only; 2) Expand Cheyenne MOA to the southeast and east only; and 3) No Action Alternative.

Expand Cheyenne MOA to the southwest and south only

Under this alternative, the Cheyenne MOAs would be expanded to the south and southwest only. The southwestern portion of the MOA would extend further west under this alternative than under the Proposed Action. This alternative would provide a more symmetrical airspace to accommodate the training needs of the 140WG relative to the Proposed Action; however, this alternative would interfere with the arrival corridors into Denver International Airport and have a negative effect on airspace management within the expansion area.

Expand Cheyenne MOA to the southeast and east only

Under this alternative, the Cheyenne MOAs would be expanded to the southeast and east. The northeastern portion of the MOA would extend further northeast under this alternative than under the Proposed Action. This alternative would provide a more symmetrical training airspace to accommodate the training needs of the 140WG relative to the Proposed Action; however, this alternative would interfere with the general aviation arrival vectoring areas near Goodland Airport in the northeast corner of the proposed expansion area.

No-Action Alternative

Pursuant to NEPA and CEQ regulations, the No Action Alternative must be considered. The No Action Alternative would involve no modifications to the existing Cheyenne MOAs. Under this alternative, operations in the Cheyenne MOAs and the MTR corridors would continue to occur at their current rates. The 140WG would continue to experience sub-standard air-to-air combat training, and its readiness for domestic and overseas missions would continue to be impacted.

ENVIRONMENTAL CONSEQUENCES

Airspace Management

The Proposed Action would have no significant effect on airspace management. The number of sorties flown in the expanded airspace would not change, and existing special procedures would continue to be implemented around the civilian airport in the region to manage the interaction between civilian and military air traffic. The 140WG would realize gains in operational efficiency as a result of the Proposed Action.

Safety

The Proposed Action would have no significant effect on safety. There would be no changes in the utilization of the affected airspace; therefore, the Proposed Action would not result in any changes in Class A or B mishap potential in the affected airspace. Continued preflight review of the AHAS and the resulting modification of training activities when necessary would mitigate potential effects on BASH risk. The Proposed Action would not affect the current risks associated with potential hydrazine releases and the measure currently in place to manage these risks would be applied under the Proposed Action. The Proposed Action would effectively extend the same operational scenario that currently safely accommodates military and civilian use within the existing Cheyenne MOAs and MTRs over the extended areas within the proposed Bobcat MOA and Cougar Low and High MOAs. Therefore the Proposed Action would have no significant effect on safety.

Noise

The Proposed Action would have no significant effect on noise. The Proposed Action would cause minor increases in instantaneous noise in some areas not currently affected by low-altitude military overflights; however, such noise levels would remain well below the L_{dnmr} threshold of 65 dB recognized by the FAA, and the more conservative L_{dnmr} 55 dB threshold established by the EPA. Under the Proposed Action, L_{max} would reduce from 119 to 113.9 dBA due to an increase in the flight floor from 300 feet AGL to 500 feet AGL. The Proposed Action would not change the number of sorties flown or number of time spent in the affected airspace; therefore, noise levels experienced in areas underlying the expanded airspace outside the Cheyenne MOAs would be similar to the noise levels currently being experienced in areas underlying the Cheyenne MOAs (i.e., less than 40 dBA).

Air Quality

The Proposed Action would have no significant effect on air quality. The Proposed Action alone would cause minor ground-level air quality impacts due to low-altitude sorties that would be flown in the expanded areas that do not currently experience military overflights. Since the Proposed Action would not change the number of aircraft operations and would increase the flight floor from 300 feet AGL to 500 feet AGL, the

impact to air quality in the expanded areas would be similar or less than that currently experienced within the Cheyenne MOAs, which is minor. General Conformity requirements do not apply to the Proposed Action because the proposed Bobcat MOA and Cougar Low and High MOAs are in attainment for all major criteria pollutants or are unclassifiable.

Biological Resources

The Proposed Action would have no significant effect on biological resources. The Proposed Action would not result in any construction or ground disturbance; therefore, the potential effects of the Proposed Action on biological communities would be limited to noise, bird strikes, and the use of flares associated with military aircraft sorties. There would be no effect on significant vegetation communities and habitats. Noise levels experienced in areas underlying the expanded airspace outside the Cheyenne MOAs would remain below 40 dB, which is well below the significance threshold of 65 dB recognized by the FAA, and the more conservative 55 dB threshold established by the EPA for areas where quiet is a recognized value. Introduction of noise elements and low-level overflights to areas that do not currently experience military overflights could temporarily disturb wildlife but affected individuals would likely simply temporarily disperse from the area or habituate to these activities and would not suffer any long-term adverse effects. Due to the increased flight floor (300 feet AGL to 500 feet AGL), the instantaneous maximum sound levels (L_{max}) would reduce from 119 to 113.9 dB. The potential for bird strikes is minimal because the Proposed Action would not increase the number of sorties within the affected airspace and the sorties would be spread across a larger area. Existing mitigation techniques would continue to be applied to further reduce risks of bird strikes. Bird strikes are not known to have adversely affected bird populations in the existing MOAs and are not expected to under the Proposed Action. To minimize the risk of nest abandonment and harassment of raptors, particularly Bald Eagles and Golden Eagles, during the breeding season, the ANG proposes to maintain buffer areas from the surface to 1,000 ft AGL with a radius of 0.25 mile from Bald Eagle and Golden Eagle nests, and refrain from flying within these buffers from 1 February through 31 August, inclusive. The Proposed Action is not likely to adversely affect federally or state listed threatened or endangered species because the Proposed Action would not alter these species' habitats or disturb known individuals or populations of listed species. The USFWS in an email dated 19 November 2010, advised the ANG that they do not anticipate adverse impacts on federal-or state-listed species to occur as a result of the Proposed Action. In a letter dated 15 April 2010, the Kansas State Department of Wildlife and Parks concurred that the Proposed Action will have no adverse effect on state-listed species.

Land Use

The Proposed Action would have no significant effect on land use underlying the proposed Bobcat MOA and Cougar Low and High MOAs. The Proposed Action would cause minor increases in instantaneous noise in some areas not currently affected by low-altitude military overflights; however, such noise levels would remain well below L_{dnmr} 55 dB, the recommended DNL to protect public health and welfare, including annoyance,

in areas where quiet is a recognized use. Noise levels experienced in areas underlying the expanded airspace outside the Cheyenne MOAs would remain below 40 dB, which is well below the significance threshold of 65 dB recognized by the FAA, and the more conservative 55 dB threshold established by the EPA for areas where quiet is a recognized value. Due to the increased flight floor (300 feet AGL to 500 feet AGL), the instantaneous maximum sound levels (L_{max}) would reduce from 119 to 113.9 dB. The Proposed Action is consistent with the mission and management goals of state-owned public lands, as well as private lands. While military aircraft could theoretically operate anywhere within the MOA, pilots tend to avoid edges of the airspace, making overflights of the Sherman State Fishing Lake and Wildlife Area less likely. The Proposed Action would include a 5 NM buffer around the center of Sand Creek Massacre NHS with a flight floor of 5,000 feet AGL, eliminating the potential for concentrated military overflights of this site.

Cultural Resources

The Proposed Action would have no significant effect on cultural resources within the Area of Potential Effect (APE), as it would not involve any construction, demolition, or ground disturbance that could directly impact cultural resources. The Proposed Action would introduce visual and audible elements that could be out of character with some cultural properties, but these effects would be minor since the sorties would only be visible from any given cultural property for less than a few minutes per flying day. Average noise levels (L_{dnmr}) would remain below 40 dB (see Tables 4.2 to 4.4), which is well below the significance threshold of 65 dB recognized by the FAA, and the more conservative 55 dB threshold established by the EPA for areas where quiet is a recognized value (USEPA 1974). Noise levels below this standard protect public health and welfare, including annoyance with an adequate safety margin. Due to the increased flight floor (300 feet AGL to 500 feet AGL), the instantaneous maximum sound levels (L_{max}) would reduce from 119 to 113.9 dB and would not reach the range required to damage existing structures (130 dB+); however, some minor secondary vibrations (rattling windows or dishes) could be noticed in areas directly underneath low altitude (500 feet AGL) overflights. In a letter dated 24 March 2010, the Kansas SHPO concurred that the Proposed Action would have no adverse effect on historic properties underlying the proposed Bobcat MOA and Cougar Low and High MOAs. Consultations with the Colorado SHPO are ongoing.

The ANG is currently in consultations with the National Park Service and three Native American tribes (Northern Arapaho Tribe, Northern Cheyenne Tribe, and the Southern Cheyenne and Arapaho Tribes of Oklahoma) regarding impacts to Native American resources. As part of the ongoing consultations, the ANG has committed to incorporate the following conditions and measures to reduce potential impacts on Native American resources:

- the 140WG would suspend overflights of the Sand Creek Massacre NHS during tribal ceremonies with advance notice of the date, time and location of such ceremonies; and

- the 140WG would restrict flights at or above 5,000 feet AGL within a 5 NM radius of the center of the Sand Creek Massacre NHS, and no flights over the site would be armed.

Further, the Proposed Action does not include sonic booms commonly associated with structural damage (aircraft in the affected airspace would only fly at subsonic speeds).

The 140WG and the ANG would continue to consult with the Native American Tribes.

Socioeconomics

The Proposed Action would have no significant effect on the socioeconomics of the communities underlying the proposed MOAs. The Proposed Action would not add or remove permanent or temporary employment opportunities or require new construction. The Proposed Action would not produce any significant noise, health, or safety impacts. It would have no significant effect on the tourism industry; nor would it pose any significant adverse or disproportionate environmental health risks or safety risks to children.

Environmental Justice

The Proposed Action would have no significant effect on environmental justice populations. The proportion of ethnic and racial minorities underlying the proposed Bobcat MOA and Cougar Low and High MOAs is less than or similar to overall county and state levels; therefore, there would be no significant adverse effect on these populations from the Proposed Action.

REGULATIONS

The Proposed Action would not violate NEPA, the CEQ regulations, FAA Order 1050.1E (Change 1 of 2006), AFI 32-7061, 32 CFR 989, Executive Order 12372, or any other Federal, state or local environmental regulations.

PUBLIC REVIEW AND COMMENT

The Draft EA and Draft FONSI will be made available for public review and comment for 30 days beginning May 1, 2012, following publication of the Notice of Availability in the following newspapers: Stratton Spotlight in Kit Carson, Burlington Record in Kit Carson County, Mile Saver in Kit Carson County, Kiowa County Press in Kiowa County, Range Ledger in Cheyenne County, The Western Times in Wallace County, Greeley County Republican in Greeley County, Leoti Standard in Wichita County, Oakley Graphic in Logan County, and Scott County Record in Scott County. Copies can be accessed online at: the CONG website

<http://co.ng.mil/public/Environmental%20Assessments/Forms/AllItems.aspx> ; via a link on the COANG's 140th WG website <http://www.140wg.ang.af.mil>; via a link on the KNG website http://www.kansastag.gov/ng_default.asp or at public libraries in the affected counties (Kiowa County Library in Greensburg, East Cheyenne County Library District in Cheyenne Wells, Burlington Public Library in Burlington, Goodland Public

Library in Goodland, Sharon Springs Public Library in Sharon Springs, Greeley County Library in Tribune, Oakley Public Library in Oakley, Wichita County Library in Leoti, and Scott County Library in Scott City.

Comments on the Draft EA should be submitted to: Joint Force Headquarters-Colorado/Public Affairs Office by email to ngcopao@ng.army.mil, by mail to 6848 South Revere Parkway, Centennial, Colo., 80112 or by fax to (720) 250-1059.

DRAFT FINDING OF NO SIGNIFICANT IMPACT

After careful consideration of the information and analyses contained in the Draft EA and other relevant factors, I find that implementation of the Proposed Action will not have a significant impact on the quality of the human or natural environment, or generate significant controversy and, therefore, an Environmental Impact Statement will not be prepared.

Robert L. Dogan
Plans and Requirements Branch – Asset
Management Division

Date