

**Final Public Notice**  
**John Law Ditch Flood Mitigation Project**  
**Windsor, Colorado**

Notification is hereby given to the public that it is the intent of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide funds to Windsor, Colorado, to improve the conveyance capacity of a 4,000-foot reach of the John Law Ditch which extends from immediately upstream of the WCR 21 crossing downstream to the Colorado & Southern Railroad embankment (Latitude – 40.479745; Longitude – -104.87499). The Town of Windsor has determined that action is required to reduce chance of flooding of John Law Ditch during future precipitation events up to and including the 10-year flood event. Funding would be provided through FEMA's Pre-Disaster Mitigation (PDM) program, which provides grants for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event.

FEMA is required under the National Environmental Policy Act (NEPA) to consider all reasonable alternatives for achieving the intended purpose of the proposed project. The purpose of the proposed project is to convey flows in John Law Ditch in a manner that would prevent flooding of State Highway 392 (SH392), Weld County Road 21 (WCR 21), and several residential structures during flood events up to and including 10-year event

In the Draft Environmental Assessment (EA), the following two alternatives were considered: (1) a No Action Alternative, which considered the consequences of taking no action, and (2) Alternative 2, which includes replacement of the twin box culverts beneath WCR 21, replacement of twin box culverts beneath SH 392, and widening and realigning a portion of John Law Ditch.

The President of the United States has issued Executive Orders that require Federal agencies, when considering an action for funding, to focus attention on the environment and human health with respect to Floodplain Management, Executive Order 11988; Protection of Wetlands, Executive Order 11990; and Environmental Justice, Executive Order 12898. In addition to NEPA and these Executive Orders, compliance with the Historic Preservation Act, the Endangered Species Act, and other applicable environmental laws has been documented in the Draft EA. FEMA or the grant Applicant has coordinated with the following agencies: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Colorado Division of Emergency Management, Colorado Parks and Wildlife, Colorado Department of Public Health and Environment and the Colorado State Historic Preservation Officer.

Based on agency comments and the EA process, there do not appear to be any significant adverse environmental impacts on the human or natural environment associated with either action alternative. Therefore, an Environmental Impact Statement will not be prepared, and if no comments are received, a Finding of No Significant Impact (FONSI) will be signed fifteen (15) days from the date of this notice, and the project will proceed.

Interested parties may submit comments, request additional information, or request a copy of the FONSI by contacting FEMA's Region VIII Office at the Denver Federal Center, P.O. Box 25267, Denver, Colorado, 80225, or by calling 303.235.4798 between 8:00 a.m. and 4:30 p.m. Mountain Time, Monday through Friday. Comments or requests should be submitted in writing to Mr. Richard Myers, FEMA

Region VIII Deputy Environmental Officer, by calling 303.235.4926, or by e-mail at [richard.myers@dhs.gov](mailto:richard.myers@dhs.gov).

The Draft Environmental Assessment is on repository for public viewing at the Windsor Engineering Department office located at 301 Walnut Street and can be reviewed between the hours of 8:00 a.m. and 5:00 p.m. (MT) Monday through Friday. The City contact person is Mr. Doug Roth at (970) 686-7476 or at [droth@windsorgov.com](mailto:droth@windsorgov.com). The Draft Environmental Assessment can also be viewed and downloaded from FEMA's website at <http://www.fema.gov/environmental-historic-preservation-documents/environmental-documents-public-notice-region-viii>