

DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)

**LEGISLATIVE ENVIRONMENTAL ASSESSMENT
FOR THE EXTENSION OF THE WITHDRAWAL OF PUBLIC LANDS FOR
FORT BLISS ARMY RESERVATION EL PASO, TEXAS**

Introduction

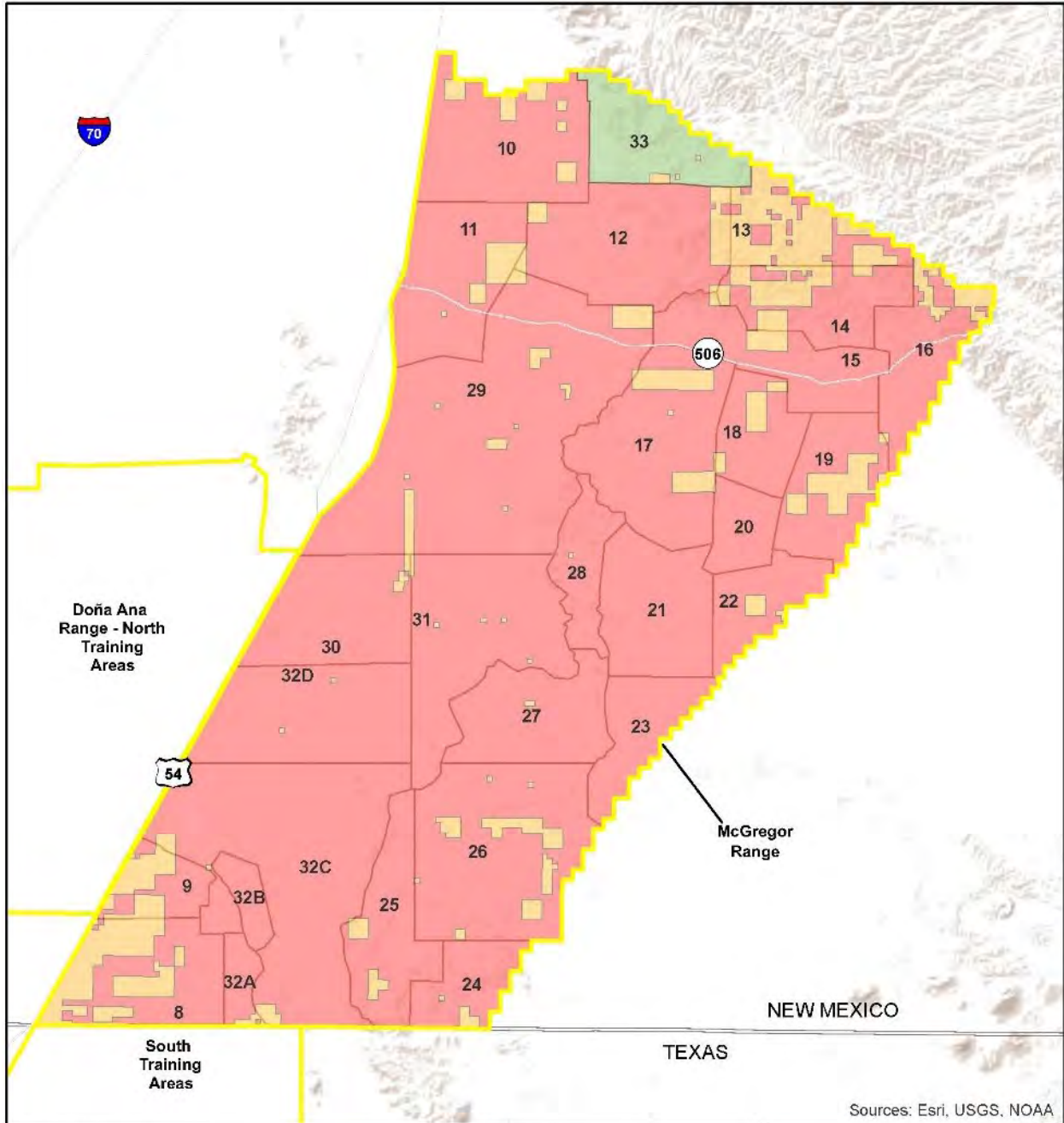
Pursuant to provisions of the *National Environmental Policy Act of 1969* (NEPA) (42 *United States Code* [USC] § 4321 et seq.); regulations of the President's Council on Environmental Quality (CEQ) that implement NEPA procedures (40 *Code of Federal Regulations* [CFR] Parts 1500–1508); and 32 CFR Part 651, *Environmental Analysis of Army Actions*; the United States (US) Army prepared the attached Draft Legislative Environmental Assessment (LEA) to address the potential environmental consequences associated with the extension of the withdrawal of public lands within the McGregor Range at Fort Bliss Army Reservation, El Paso, Texas. McGregor Range is entirely in New Mexico, comprises 608,385 acres of Bureau of Land Management (BLM) land withdrawn for military use, 18,004 acres of US Forest Service (USFS) land used by the Army under a Memorandum of Agreement, and 71,083 acres of land owned by the Army (**Figure 1**). The Draft LEA is incorporated herein by reference.

Purpose and Need

The purpose of the proposed action is to continue to provide a safe and secure location to train soldiers and military personnel and test equipment to meet nationally directed missions and requirements. Access to lands the size of McGregor Range facilitates the Army modernization strategy and enables multi-domain operations. This training is central to the way the Army fights. Effective training consists of a careful progression of individual, crew, and unit training culminating in live-fire exercises and field training exercises.

The proposed action is needed to provide the Army with training areas of the size and configuration of McGregor Range to prepare soldiers and units for known and emerging threats. US military strategy requires strong armed forces that are trained, equipped, and ready to defend the nation's interests. Realistic training that fully engages military capabilities is the primary means to ensure readiness and prepare the US military to fight and win in combat. McGregor Range provides sufficient land and airspace to conduct training at realistic distances and access to a variety of environmental conditions (e.g., simulated threats, operational air and ground space, topographic relief). Extension of the public land withdrawal of McGregor Range is necessary to:

- provide sufficient air/ground space to conduct real-world military training;
- provide training opportunities to include varied terrain; a full suite of training ranges and maneuver areas that support all heavy, light, and aviation combat units; and their combined various support units;
- provide training for soldiers to use the Patriot missile, Avenger, Stinger, Bradley Linebacker, and other advanced weapons systems;
- maintain the highest-quality military and operational readiness standards;
- support allied military education and training programs; and
- integrate Army, Navy, Air Force, and Marine Corps elements during joint field training exercises, such as Roving Sands, and Fort Bliss-designated home station training.



Sources: Esri, USGS, NOAA

FIGURE 1
 McGregor Range Land Ownership

- Installation Boundaries
- Army Fee-Owned Land
- BLM Withdrawn Public Land
- USDA Forest Service Land



0 5 Miles

Coordinate System: WGS 1984 UTM Zone 13N



Description of Proposed Action and Alternatives

Under the proposed action, Congress would extend the withdrawal supporting the McGregor Range with the same conditions as provided in the *National Defense Authorization Act for Fiscal Year 2000* (Public Law [PL] 106-65). McGregor Range consists primarily of withdrawn public lands, which are lands owned by the Federal Government, reserved by Congress for the use of the Department of the Army, and administered by the Department of the Army and US Department of the Interior (DOI), BLM, pursuant to the *Military Lands Withdrawal Act of 1999* (Senate Bill 1338), *Federal Land Policy and Management Act of 1976*, as amended (43 USC § 1701 et seq.), and McGregor Range Resource Management Plan. The Withdrawal Act (PL 106-65) established the current withdrawal of McGregor Range, which terminates 6 November 2026. The Army is requesting withdrawal of the public lands constituting McGregor Range for an additional 25 years (until 6 November 2051) starting after the current withdrawal expires. No changes to the current McGregor Range boundary would be requested. Under the proposed action, Congress would extend the withdrawal of 608,835 acres of public land previously withdrawn for military use under PL 106-65. The 71,083 acres of Army fee-owned lands and 18,004 acres of USFS lands used by the Army under the Memorandum of Agreement would not be affected by the proposed action.

Under the proposed action, the existing military uses at McGregor Range would continue and no change in mission activities would be anticipated. Utilization of McGregor Range would continue in conformance with Army training doctrines. McGregor Range is used for a variety of military training activities, including heavy, light, and dismounted maneuvers; individual and collective firing ranges; and missile training and testing programs.

No Action Alternative

Under the no action alternative, Congress would not extend the withdrawal of the 608,385 acres currently withdrawn in support of the McGregor Range. Oversight of the land would return to the BLM. There would be no further military use of the land returned to the public domain. Restricted airspace above the land area would continue to be used for aircraft training by Army aviation and US Air Force units within the region. If Congress does not extend the withdrawal, the existing space for mission training activities and associated infrastructure would not exist within McGregor Range. Mission operations currently being conducted on McGregor Range would have to be transferred to another Army Installation. Any future missions planning to use McGregor Range would need to be relocated elsewhere. In addition, the training conducted and facilities located on the following ranges would have to be relocated to other Army installations:

- Orogrande Range 83 Digital Air Ground Integration Range and Range 88 Digital Multi-purpose Range Complex;
- Short-Range Air Defense Range; and
- McGregor Range Firing Complex, consisting of 30 small arms ranges M4 Zero through M240B qualification as well as sniper and MK-19 ranges and collective ranges to include Range 37 Convoy Live Fire and Range 40 Infantry Platoon Battle Course.

Summary of Environmental Consequences

Potentially affected environmental resources were identified through communications with state and Federal agencies and review of past environmental documentation. Specific environmental resources with the potential for environmental consequences include land use; air quality, including greenhouse gas (GHG) and climate change; airspace; earth, water, biological, and cultural resources; noise; hazardous materials and waste, toxic substances, and contaminated sites; infrastructure including transportation and utilities; safety; socioeconomics; and environmental justice and protection of children. The potential impacts associated with the proposed action and no action alternative are based on information discussed in detail in **Chapter 3** (Affected Environment and Environmental Consequences) of the incorporated Draft LEA and include a concise definition of the issues addressed and the potential environmental impacts associated with each alternative.

Land Use

Proposed Action

The proposed action would not result in any significant impacts or changes to land use or noise zones within or in the vicinity of McGregor Range. Under the proposed action, the withdrawal of public lands would be renewed, which would allow the Army to continue its current mission, continue military training for the Army and other services and allied forces, and provide flexibility to support future programs based on McGregor Range's mission capabilities.

No Action Alternative

The no action alternative would be anticipated to have a permanent, but less than significant, adverse impact on current land use within the McGregor Range. Facilities, operations, and functions within the McGregor Range would have to be closed in the portions of the Range that were returned to the BLM and would need to be moved elsewhere within the Department of Defense (DoD). Potential future missions planning on using McGregor Range would need to be relocated elsewhere.

Air Quality, Including Greenhouse Gas and Climate Change

Proposed Action

Air Quality

The proposed action would not result in any Prevention of Significant Deterioration (PSD) threshold exceedances. The proposed action would not result in any changes to air quality in or the attainment status of the ROI. Therefore, there would be no significant impacts. Under the proposed action, the Army would continue the current mission and training activities conducted at McGregor Range. Under the proposed action, the Army would continue the current mission and training activities, construction and demolition activities, and maintain existing infrastructure on McGregor Range. Future mission changes and construction and demolition activities would be evaluated under separate NEPA analysis.

Greenhouse Gas and Climate Change

The proposed action would result in minor adverse effects to GHG emissions but would not result in any significant impacts or changes to GHG emissions or climate change on a global scale. The proposed action would be estimated to release approximately 2,389 metric tons of GHG from 2024 through 2035, or 199 metric tons of GHG annually. This figure would account for approximately 0.00038 percent of the state total and 0.000004 percent of the US total of GHG projected to be released during the period 2024–2035. The SC GHG related to the GHG release would be estimated to be \$212.64; approximately 0.00025 percent of the state total and 0.0000031 percent of the US total SC GHG over the same period. Under the proposed action, the Army would continue the current mission and training activities conducted at McGregor Range, GHG emissions would continue from previously approved construction and demolition activities and from ongoing operations of existing infrastructure.

No Action Alternative

Air Quality

The no action alternative would have short-term, minor, adverse impacts on regional air quality from criteria pollutants and could exceed PSD thresholds for particulate matter less than or equal to 10 microns in diameter (PM₁₀) emissions. Under the no action alternative, potential future missions planning on using McGregor Range would need to be relocated or reconstructed elsewhere. Reconstructing a similar footprint of the Digital Multi-Purpose Range Complex, Digital Air/Ground Integration Range, and SHORAD Ranges elsewhere may result in over 600 acres of grading, and emissions of PM₁₀ that exceed PSD thresholds. If all these facilities are reconstructed elsewhere, a General Conformity determination could be required to determine if these emissions would be consistent with the state implementation plan for the AQCR that is selected for these mission operations and facilities.

Greenhouse Gas and Climate Change

The no action alternative would release approximately 2,170 metric tons of GHG from 2024 through 2026. This figure would account for approximately 0.0041 percent of the state total and 0.000042 percent of the US total of GHG projected to be released from 2024 to 2037. The SC GHG related to the GHG release would be estimated to cost \$539.65, and would be approximately 0.0028 percent of the state total and 0.000034 percent of the US total SC GHG from 2024 to 2037. This amount would not result in a significant increase in GHG emissions.

Airspace

Proposed Action

The proposed action would not result in any significant impacts or changes to airspace within or in the vicinity of McGregor Range. Under the proposed action, the flight activity within the McGregor Range would be expected to remain at levels consistently observed throughout the past several years and would not modify or change existing military training airspace or the Special Use Airspace within the McGregor Range.

No Action Alternative

The no action alternative would not result in any significant impacts or changes to airport activities. And would not result in changes to airspace within or in the vicinity of the McGregor Range. Under the no action alternative no modifications to airspace would be expected.

Earth Resources

Proposed Action

The proposed action would result in no direct or indirect impacts to geology, topography, and soils; and negligible adverse impacts to paleontology. The underlying geology on the Range would not change and no direct or indirect impacts to this resource would occur under the implementation of the proposed action. No construction activities are involved in the proposed action and there would be no alteration to topography on the Range. The proposed action would have negligible adverse impacts on paleontological resources. Based on the lack of high density of scientifically important fossil resources, the Draft LEA concludes that Range activities associated with the proposed action, which would continue under its implementation, would generally have a low potential of destroying critical paleontological localities. The proposed action does not involve any ground-disturbing activity and would not result in soil disturbance, except from activities already occurring under normal operations on McGregor Range.

No Action Alternative

The no action alternative would result in beneficial impacts to earth resources. Beneficial impacts to soils would be expected from reduced compaction and discontinuation of live-fire involving surface-to-surface and air-to-surface missiles.

Water Resources

Proposed Action

The proposed action would have no adverse impacts to water resources within or in the vicinity of McGregor Range. Fort Bliss would continue to follow standard operating procedures (SOPs), best management practices (BMPs), and standard mitigation measures for the management and protection of water resources on the withdrawn lands on the McGregor Range. The water rights the Army currently holds are exclusive to the Army and would not automatically transfer to the BLM. Procedures and management outlined in the Fort Bliss Integrated Natural Resources Management Plan (INRMP) would ensure the conservation and sustainability of water resources on Fort Bliss, as well as compliance with environmental laws and regulations.

No Action Alternative

The no action alternative would have no adverse impacts to water resources. Army management plans protecting McGregor Range would no longer have jurisdiction on the waters of the Range. No adverse impacts to water resources would be anticipated by relinquishing management of the waters to the BLM as all water resources would remain under protection of the Federal Government and the BLM would continue managing this resource in accordance with applicable laws and regulations.

Biological Resources

Proposed Action

The proposed action would have no adverse effects on biological resources, including listed or eligible species, within or in the vicinity of McGregor Range. Fort Bliss would continue to follow SOPs, BMPs, and standard mitigation measures for the management and protection of biological resources on the withdrawn lands on the McGregor Range. Procedures and management outlined in the Fort Bliss INRMP would ensure the conservation and sustainability of natural resources on Fort Bliss, as well as compliance with environmental laws and regulations.

No Action Alternative

The no action alternative would have no adverse effects on biological resources, including listed or eligible species, within or in the vicinity of McGregor Range. The Army would relinquish management of the lands to the BLM and all biological resources would remain under protection and management by the Federal Government and be subject to the review requirements of the *Endangered Species Act*. In addition, the removal of military activity would have beneficial impacts to biological resources in those areas that are now subject to land and human disturbance. Vegetation would recover, and wildlife species that currently avoid those areas may reoccupy those areas in the absence of human activity or after recovery of vegetation.

Cultural Resources

Proposed Action

The proposed action would have no adverse effect on cultural resources within or in the vicinity of McGregor Range. Fort Bliss would continue to follow SOPs, BMPs, and standard mitigation measures for the management and protection of cultural resources on the withdrawn lands on the McGregor Range. Procedures and management outlined in the Fort Bliss Integrated Cultural Resources Management Plan would ensure the conservation and sustainability of cultural resources on Fort Bliss, as well as compliance with environmental laws and regulations.

No Action Alternative

The no action alternative would be anticipated to have no adverse effect on cultural resources that are listed or eligible for listing on the National Register of Historic Places. The Army would relinquish management of the lands to the BLM and all cultural resources would remain under protection and management by the Federal Government and be subject to the review requirements of the National Historic Preservation Act.

Noise

Proposed Action

The proposed action would have no significant, adverse impacts to the noise environment within or in the vicinity of McGregor Range. Under the proposed action, the status quo would continue and no additional impacts to the noise environment would occur. The nature and levels of noise from aircraft and land missions and operations within McGregor Range would be identical to existing conditions.

No Action Alternative

The no action alternative would have a minor, beneficial impact on noise levels within and in the vicinity of McGregor Range. Under the no action alternative, military aviation activities would continue within existing restricted airspace and would continue to be the dominant source of noise at Fort Bliss. Military operations involving small arms ranges, artillery, large caliber weapons training, combat demolition activities, and vehicular traffic within the BLM-owned lands of McGregor Range would be expected to cease and would be moved to other locations within Fort Bliss or to another DoD location, potentially reducing the noise experienced by persons utilizing McGregor Range under BLM management. Noise impacts from military operations would be slightly lower than current levels, but because aviation activities would continue, the change would be minimal.

Hazardous Materials and Waste, Toxic Substances, and Contaminated Sites

Proposed Action

The proposed action would result in minor, adverse impacts to hazardous materials and waste, toxic substances, and contaminated sites within or in the vicinity of McGregor Range. The McGregor Range would continue to host training events, weapons, vehicles, and machinery. Minor risks associated with leaks from vehicles and machinery would continue to be present. Small amounts of hazardous materials would continue to be used on site and generation of hazardous waste would be anticipated to continue at similar levels. The continued use of live-fire weapons would result in additional adverse impacts from munitions. However, Fort Bliss and other military users of McGregor Range would continue efforts to minimize, avoid, or contain impacts associated with the generation of hazardous wastes. According to the 1997 Military Munitions Rule, the munitions used for their intended purpose would continue to be exempt from Resource Conservation and Recovery Act (RCRA) regulations. Although the Environmental Restoration Program (ERP) sites within McGregor Range have been closed, these sites could still require some level of post-closure monitoring in cooperation with the Army to remain in compliance with RCRA permit requirements. Overall, the continued use of the Range would result in the accumulation of additional munitions and associated residual components.

No Action Alternative

The no action alternative would be anticipated to result in minor, adverse impacts to hazardous materials, wastes, and toxic substances from demolition activities. In addition, relocating the Range activities to a new location would create a new tract of land that would be impacted by residues associated with live-fire and munitions if the land had not already been previously impacted by live-fire munitions. This would result in moderate long-term adverse impacts to the location selected to host training activities displaced by the closure of McGregor Range. Relocating Range activities to another location would need to be evaluated under separate environmental analysis.

In addition, the no action alternative would result in long-term, beneficial impacts due to ERP site and live-fire and munitions cleanup at McGregor Range. There would no longer be a need for bulk storage of materials in above- and underground storage tanks on the Range and the use of hazardous materials by Fort Bliss personnel on the Range would end. This would eliminate the current risks associated with hazardous chemical usage such as a release or other accidents resulting in long-term beneficial impacts from the no action alternative.

Infrastructure, Including Transportation and Utilities

Proposed Action

The proposed action would result in no adverse impacts to potable water supply, communications, solid waste, transportation, electricity, or natural gas within and in the vicinity of McGregor Range. The proposed action would result in no change to water supply and usage, no changes to communication equipment to procedures, no change in solid waste management, transportation and access to the Range would not change, and electricity and natural gas usage would remain unchanged.

No Action Alternative

The no action alternative would not be anticipated to have any adverse impacts and there would also be some long-term beneficial impacts to infrastructure. As is, the land is retained for Army missions and limited recreation. Long-term, beneficial impacts to the Rio Grande and Mesilla and Hueco Bolson basins would be anticipated to occur under the no action alternative. There would be the potential to alleviate some of the strain on the Rio Grande and Mesilla and Hueco Bolson basins that supply potable water for the Range. These water resources are currently under conservation measures and have been for decades. The reduction of facility use and the number of personnel on the Range would also result in less solid waste generation and reduced use of electricity, natural gas, and communications systems.

Safety

Proposed Action

The proposed action would have no impacts to ground or explosives safety on McGregor Range. The proposed action's ground safety and explosive safety standards at McGregor Range would remain unchanged. McGregor Range would remain operating at the status quo and would maintain Army training exercises and limited public recreation access. The Range would remain closed to the public when Army training exercises are in progress. At other times, the range would be open to the public via permit, with transportation allowed only on permitted roads. No changes to explosives safety would be expected to occur under the proposed action.

No Action Alternative

The No Action would have a long-term, adverse impact on safety within the McGregor Range. Areas within McGregor Range have had extensive mission operations and exercises, which would require considerable effort to cleanup for safe public use. Studies and surveys would be required to determine the extent of potential hazards to the public and the hazards would need to be remediated to safe levels, which could cause extended delays to these areas being available for other uses. Use of some lands returned to the public domain would be restricted until after cleanup of ordnance and explosive hazards and contaminated areas have been remediated to safe levels. Some areas could be deemed too costly to clean up and would remain permanently inaccessible to public use.

In addition, long-term, beneficial impacts to ground and explosives safety would occur as a result of the no action alternative. By returning McGregor Range to the BLM, military training exercises and missions would not occur. Deposition of additional unexploded ordnance as a result of training missions would not occur in surface impacts areas. Live-fire and missile training would not continue, and the overall safety of McGregor Range would improve.

Socioeconomics

Proposed Action

The proposed action would have no impacts to socioeconomics in the region. The proposed action would result in the continuation of the current training operations within and in the vicinity of McGregor Range without modification. Military personnel would not be relocated or reassigned under the proposed action, and there would be no shift in the population as a result. The Range would continue to employ current personnel, adjusting the number of employees as necessary to meet mission requirements and support mission activities. The proposed action would not result in a need for additional housing stock, or an increase in empty units and would not affect enrollment at schools within the vicinity of the Range.

No Action Alternative

The no action alternative could have a long-term, adverse impact to socioeconomics in the region. If current mission operations, potential future mission plans, and the ranges and associated training areas and facilities were relocated away from Fort Bliss to other DoD Installations, the region around McGregor Range would be anticipated to experience a decrease of population, employment opportunities associated with Federal civilian and military positions, and supporting local businesses. It should be noted that the number

of military personnel that could be relocated under implementation of the no action alternative is not known at this time. Any off-Installation housing used by military personnel who were relocated could be left vacant, which could have the potential to impact the local economy negatively due to a decrease in local income from rental properties and result in lowered property values if those units remained vacant for an extended period.

Environmental Justice and Protection of Children

Proposed Action

The proposed action would have no adverse impacts to communities with environmental justice concerns or youth populations in McGregor Range, Fort Bliss, and the surrounding environs. The proposed action would take place only within the McGregor Range. The proposed action would not involve relocation of any additional military personnel or their dependents to the Installation or surrounding areas, and no increased demand for potentially limited community resources would occur. Additionally, the proposed action would not involve the addition of or changes to current operations and would not result in impacts to environmental quality within the vicinity of the Range. Disproportionate and adverse impacts to communities with environmental justice concerns or youth populations would not occur with implementation of the proposed action.

No Action Alternative

The no action alternative would result in no adverse impacts to communities with environmental justice concerns or youth populations in McGregor Range, Fort Bliss, and the surrounding environs. The discontinuation of military operations within McGregor Range would have the potential to result in a reduction of noise levels experienced by persons utilizing the McGregor Range under BLM management, including populations of concern. Disproportionate and adverse impacts to communities with environmental justice concerns or youth populations would not occur under the no action alternative.

Cumulative Impacts

The Draft LEA considered cumulative impacts that could result from the incremental impact of the proposed action when added to other past, present, or reasonably foreseeable actions within or in the vicinity of McGregor Range. These cumulative effects would be less than significant. Cumulative impacts identified in the impact analysis process are summarized as follows:

- No cumulative impacts to land use;
- Minor, adverse cumulative impacts to regional air quality;
- Minor, adverse cumulative impacts to greenhouse gas and climate change;
- Minor, adverse cumulative impacts to airspace;
- Minor, adverse cumulative impacts to earth resources;
- Minor, adverse cumulative impacts to water resources;
- Minor to moderate, adverse cumulative impacts to biological resources if future actions expand into currently undisturbed areas;
- Minor to moderate, adverse cumulative impacts to cultural resources, archaeological resources, historic resources, or Native American Traditional Cultural Properties if the actions occurred within known sensitive cultural resources areas;
- Minor, adverse cumulative impacts to the regional noise environment that would be similar to noise levels already occurring within and near the Range;
- Minor, adverse cumulative impacts to hazardous materials, wastes, toxic substances, and contaminated sites;
- Minor, adverse cumulative impacts to infrastructure, including transportation and utilities;

- No adverse cumulative impacts to safety because there would be no safety impacts from the proposed action that could produce cumulative impacts; for the no action alternative, minor, adverse cumulative impacts to safety;
- Minor, adverse cumulative impacts to socioeconomics in the region; and
- Minor, adverse cumulative impacts to communities with environmental justice concerns and youth populations.

Mitigation

The Draft LEA analysis concluded that the proposed action and no action alternative would not result in significant environmental impacts; therefore, no mitigation measures are required to reduce impacts to less than significant. Fort Bliss would continue to adhere to existing agreements and plans that govern the use of its resources, including, but not limited to, the INRMP; Integrated Cultural Resources Management Plan; Programmatic Agreement between the Army, Texas State Historic Preservation Officer and New Mexico State Historic Preservation Officer, and the Advisory Council on Historic Preservation; Spill Prevention, Countermeasures, and Control Plan; Hazardous Waste Management Plan; and other planning documents, as applicable.

Public Review and Interagency Coordination

The Army published a Notice of Availability of the Draft LEA and Draft FONSI on October 10, 2024, in the following newspapers to commence a 30-day public comment period:

- *El Paso Times*,
- *Las Cruces Sun-News*,
- *El Diario* (Spanish language), and
- *Alamogordo Daily News*.

The Army coordinated with federally recognized Indian Tribes, in accordance with the *National Historic Preservation Act of 1966* (NHPA), the US Fish and Wildlife Service, in accordance with the *Endangered Species Act of 1973*, the US Environmental Protection Agency, the US Army Corps of Engineers, and other Federal agencies with a topical interest. The Army also notified the New Mexico State Historic Preservation Office, Environment Department, and Department of Game and Fish on issues related to NHPA Section 106 compliance; air quality, water quality, hazardous waste, and human health effects; and habitat and species of concern; respectively.

Conclusion

Finding of No Significant Impact. After review of the attached LEA prepared in accordance with the requirements of NEPA, Title 42 USC § 4321 et seq.; CEQ Regulations at 40 CFR Parts 1500–1508; and 32 CFR Part 651; which is hereby incorporated by reference, I have determined that the proposed action and no action alternative would not have a significant impact on the quality of the human environment. Accordingly, an Environmental Impact Statement will not be prepared. This decision was made after considering all submitted information, including a review of agency and public comments submitted during the 30-day public comment period, and considering a full range of practical alternatives that meet project requirements and are within the legal authority of the Department of the Army.

NAME (TBD)

DATE