FINDING OF NO SIGNIFICANT IMPACT
U.S. DEPARTMENT OF VETERANS AFFAIRS
LAND ACQUISITION FOR THE FUTURE EXPANSION OF
CAMP NELSON NATIONAL CEMETERY
6980 DANVILLE ROAD
JESSAMINE COUNTY, KENTUCKY

Introduction

A Final Environmental Assessment (EA), included herein by reference, was prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the U.S. Department of Veterans Affairs' (VA's) Proposed Action to acquire approximately 18.7 acres of vacant, unimproved land (Site) adjacent to the existing Camp Nelson National Cemetery (CNNC), located at 6980 Danville Road in Jessamine County, Kentucky, for the future expansion of the cemetery. The EA was prepared in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code 4321 *et seq*.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and *Environmental Effects of the Department of Veterans Affairs Actions* (38 CFR Part 26).

The current Site owner, Jessamine County, has offered to sell the approximately 18.7-acre property to VA for future cemetery expansion. VA would acquire the Site in 2023, while available for purchase, and would leave it undeveloped until needed for the expanded cemetery (approximately 25 to 30 years). At that time, and as part of the cemetery design process, VA will perform a supplemental NEPA analysis to reanalyze and reevaluate the potential effects of the construction and operation of the expanded cemetery at the Site. VA will incorporate the minimization, management, and avoidance measures identified in the Final EA into that future design process and supplemental NEPA analysis to minimize potential adverse environmental effects.

The purpose of the Proposed Action is to acquire land for CNNC use, including future burial and facility expansions, to serve the interment needs of Veterans and their eligible family members in central Kentucky after the current burial space at CNNC is depleted.

A larger, expanded CNNC is needed to continue providing national cemetery burial benefits to the regional Veteran community. VA estimates that the 2021/2 CNNC cemetery expansion area will provide adequate space for burials until approximately 2035 and the remainder of the existing CNNC properties will provide adequate burial space for approximately 15 additional years. However, additional land would be needed in the future once the current CNNC properties reach their maximum capacity.

One of the primary objectives of the VA burial program is to ensure that the burial needs of Veterans and eligible family members are met. NCA further defines this objective on the assumption that the burial needs of a Veteran are met if they have reasonable access to a burial option (whether for caskets, remains, or cremated remains, either in-ground or in a columbarium) in a national or state Veterans cemetery within 75 miles of the Veteran's place of residence. The Proposed Action would provide VA additional capacity needed to meet its burial objectives for eligible Veterans in central Kentucky.

1. Description of the Proposed Action and Alternatives

Proposed Action

The Proposed Action is to acquire approximately 18.7 acres of vacant, unimproved land (Site) located northerly adjacent to the current CNNC for the future expansion of the cemetery. VA intends to acquire the Site in 2023, while available, and would leave it undeveloped until needed for the expanded cemetery.

VA estimates that the current CNNC properties, totaling approximately 52 acres, contain adequate space for burials for approximately 30 years. It is anticipated that cemetery expansion construction at the Site would begin in approximately 2050. Design details of the proposed cemetery expansion at the Site do not exist at this time; however future gravesite expansion onto the Site would be designed to be similar in appearance to the existing grounds of the CNNC.

Alternatives Considered

Although VA estimates the current CNNC properties contain adequate space for burials for approximately 30 years, additional land, preferably adjacent to the existing CNNC, will be needed to meet the interment needs of regional Veterans and their families in the future. NCA considers adjacent/contiguous property to be the first and best option for cemetery expansion.

The current Site owner, Jessamine County, has offered to sell the property to VA. After evaluating the opportunity to acquire additional land adjacent to CNNC for future expansion, VA concluded that acquiring the Site in the short-term, while available, would secure the land necessary for its long-term cemetery needs. No other sites adjacent to CNNC were offered to VA or identified as available for acquisition. Therefore, no other sites were considered.

The Final EA examined in-depth two alternatives, the Proposed Action and the No Action Alternative.

Proposed Action

VA proposes to acquire approximately 18.7 acres of vacant, unimproved land contiguous to the north of the CNNC for the future expansion of CNNC. After the acquisition, the Site would remain unimproved land until such date when the expansion of the CNNC becomes necessary. It is anticipated that cemetery expansion construction at the Site would begin in approximately 2050. Future gravesite expansion onto the Site would be designed to be similar in appearance to the existing grounds of the CNNC. The majority of the Site would be developed with the expanded cemetery except for the 2.5-acre wooded sinkhole area in the southern portion of the Site. VA estimates the cemetery expansion at the Site would provide 20 to 30 years of additional burial capacity, through approximately 2070 to 2080.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in central Kentucky would continue to use the CNNC until burial space is no longer available. In the future, VA would likely seek additional land to expand the CNNC but may not be able to acquire land contiguous with the existing CNNC. If no adjacent land were to be available, VA would be required to create a discontiguous cemetery annex or a new national cemetery in the region to serve area Veterans and their families. The Site would likely remain vacant, unimproved land for the foreseeable future.

2. Environmental Analysis

Environmental Consequences

Proposed Action

The Final EA concluded that the Proposed Action would result in potential short-term and/or long-term adverse impacts to aesthetics, air quality, geology and soils, hydrology and water quality, wildlife and habitat, noise, solid waste and hazardous materials, transportation, and utilities. All of these potential impacts are less than significant and would be further reduced through careful implementation of the general best management practices (BMPs); management, minimization, and avoidance measures; and compliance with regulatory requirements, as identified in the Final EA.

The Proposed Action would enable VA to provide national cemetery burial benefits to the regional Veteran community after the existing CNNC interment space is depleted, a significant beneficial socioeconomic effect.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. No beneficial impacts attributable to the Proposed Action would occur. Veterans and their families residing in central Kentucky would continue to use the CNNC until space is no longer available. Once CNNC reaches capacity, Veterans and their families in the region would be required to travel much longer distances to the nearest national cemetery for burial and subsequent visits, at increased cost and time.

Cumulative Impacts

The Final EA also examined the potential cumulative effects of implementing each of the considered alternatives. This analysis finds that the Proposed Action, with the implementation of the BMPs; management, minimization, and avoidance measures; and regulatory compliance measures specified in the Final EA, would not result in significant adverse cumulative impacts to the human environment.

Management, Minimization and Mitigation Measures

VA will include the BMPs; management, minimization, and avoidance measures; and regulatory compliance measures summarized in Table 4-1 of the Final EA (attached herein as Appendix A) in the Proposed Action to minimize and maintain adverse effects at less-than-significant levels.

3. Regulations

The Proposed Action will be consistent with federal, state, and local environmental regulations, including those listed in Appendix A of the Final EA.

4. Commitment to Implementation

VA affirms its commitment to implement the BMPs; management, minimization, and avoidance measures; and regulatory compliance measures identified in the Final EA and this Finding of No Significant Impact (FONSI).

5. Agency and Public Involvement

VA has consulted with appropriate federal, state, and local regulatory agencies, and federally recognized Indian tribes identified as having possible ancestral ties to the Site area. This consultation is documented in the Final EA. Comments and input submitted by regulatory agencies and Tribes have been addressed in the Final EA.

VA published and distributed the Draft EA for a 30-day public comment period, as announced by a Notice of Availability (NOA) published in the Lexington Herald-Leader on September 6 and 10, 2023. Copies of the Draft EA were made available for public review at the Jessamine County Public Library located at 600 S. Main Street in Nicholasville, Kentucky, the CNNC Administrative Building, and on the VA Office of Construction and Facilities Management Environmental Program website: (https://www.cfm.va.gov/environmental/index.asp). VA also emailed notification of the Draft EA for review and comment, with a link to the Draft EA on VA's website, to each of the government agencies, organizations, and Indian tribes that were contacted during the NEPA scoping and Section 106 consultation. The Kentucky Heritage Council responded that they had no comments on the Draft EA. VA did not receive other government agency, Indian tribe, or public comments regarding the Draft EA.

6. Finding of No Significant Impact

After careful review of the Final EA, VA has concluded that the Proposed Action would not generate significant controversy or have a significant impact on the quality of the human environment, provided VA implements the BMPs; management, minimization, and avoidance measures; and regulatory compliance measures identified in Appendix A to this FONSI. VA will implement these measures.

This analysis fulfills the requirements of the NEPA and is consistent with the VA and CEQ regulations implementing the Act. An environmental impact statement is not required.

FERNANDO FERNANDEZ ORTIZ
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Date: 2023.10.24 16:27:14 -04'00'

Fernando L. Fernández, REM
Environmental Engineer
Environmental Program Office
VA Office of Construction & Facilities Management

Frank, Stephan J.
Digitally signed by Frank, Stephan J.
Date: 2023.10.24 18:15:14 -04'00'

Stephan J. Frank,
Executive Director, Southeast District.

Management, Minimization, and Avoidance Measures Incorporated into the Proposed Action

Technical Resource Area	Measure
Aesthetics	Develop the cemetery in concert with the Site's natural topography. Maintain some natural areas.
	Comply, to the extent practicable, with the development standards of Jessamine County Ordinances during the cemetery design.
Air Quality	Use appropriate dust suppression methods (such as the use of water, dust palliative, covers, suspension of earth moving in high wind conditions) during onsite construction activities.
	Stabilize disturbed areas through re-vegetation or mulching if the areas would be inactive for several weeks or longer. Specific requirements would be identified with the Stormwater Pollution Prevention Plan.
	Implement measures to reduce diesel particulate matter emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls.
Cultural and Historic Resources	Design and utilize a construction equipment access route that avoids potential impacts to Camp Nelson National Monument.
	Share cemetery design information with the Kentucky State Historic Preservation Office (KY SHPO), National Park Service – Camp Nelson National Monument and other interested consulting parties at the approximately 30%, 60% and 90% design stages for review and comment.
	Should potentially historic or culturally significant items be discovered during project construction, the construction contractor would immediately cease work until VA, appropriate Secretary of the Interior (SOI)-qualified professional(s), (KY SHPO), Indian tribes and other consulting parties are contacted to properly identify, evaluate, and appropriately treat discovered items in accordance with applicable state and federal laws (e.g., 36 CFR § 800.13).

Technical Resource Area	Measure
Geology, Topography, and Soils	Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the Kentucky Pollutant Discharge Elimination System (KPDES) KYR10 Stormwater Construction General Permit permitting process. Implement effective controls per a site-specific Stormwater Pollution Prevention Plan (SWPPP). The KPDES permit would require stormwater runoff and erosion management using BMPs, such as earth berms, vegetative buffers and filter strips, and spill prevention and management techniques. The construction contractor would implement the sedimentation and erosion control measures specified in the KPDES permit and the SWPPP to protect surface water quality.
	Complete a Farmland Conversion Impact Rating (Form AD-1006) in conjunction with United States Department of Agriculture – Natural Resources Conservation Service (USDA NRCS) for the Site.
	Design the cemetery to avoid disturbance or development within the wooded sinkhole area in the southern portion of the Site. Maintain a buffer of undeveloped land around the sinkhole.
	Complete a geotechnical evaluation of potential karst conditions and sinkholes at the Site during the cemetery expansion design and development. Incorporate geotechnical recommendations into the cemetery design, as necessary, to stabilize cemetery development areas and reduce potential future sinkhole development. Geotechnically remediate subsurface voids encountered during cemetery construction, as necessary.
Hydrology and Water Quality	Control soil erosion and sedimentation impacts during construction by complying with the NPDES permit and the SWPPP.
	Design cemetery to prevent stormwater runoff from entering the sinkhole located in the southern portion of the Site.
	Design improvements in accordance with the requirements of Energy Independence and Security Act Section 438 with respect to stormwater runoff quantity and characteristics.
	Ensure the cemetery design includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving waters and/or offsite areas.
	Use native, low-moisture tolerant species to the extent practicable to reduce the need for irrigation.

Technical Resource Area	Measure
Wildlife and Habitat	Design the cemetery to avoid disturbance or development within the wooded sinkhole area in the southern portion of the Site. Maintain a buffer of undeveloped land around the sinkhole.
	Re-evaluate the potential for protected species at the Site during the future cemetery expansion design. Coordinate and consult with USFWS and KDFWR, and conduct pre-development biological surveys, as necessary.
	Conduct tree clearing between October 1 and through March 31, outside the Indiana bat and northern-long eared bat roosting season. If tree clearing/removal activities cannot be conducted outside of bat roosting season, conduct a summer presence/absence survey to confirm protected bats are not present before tree clearing. Consult with USFWS to prior to tree clearing.
	Use native species to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species.
Noise	Limit, to the extent possible, construction and associated heavy truck traffic to occur between 7:00 a.m. and 6:00 p.m. on Monday through Friday, or during normal, weekday, work hours.
	Locate stationary operating equipment as far away from sensitive receptors as possible.
	Shut down noise-generating heavy equipment when it is not needed.
	Maintain equipment per manufacturer's recommendations to minimize noise generation.
	Encourage construction personnel to operate equipment in the quietest manner practicable (such as speed restrictions, retarder brake restrictions, and engine speed restrictions).
Land Use	None required.
Wetlands, Floodplains, and Coastal Zone Management	None required.
Socioeconomics	Secure construction areas to prevent unauthorized access by children from nearby residential areas.
Community Services	None required.

Technical Resource Area	Measure
Solid Waste and Hazardous Materials	Comply with applicable federal and state laws governing the use, generation, storage, transportation, and disposal of solid waste and hazardous materials.
Transportation and Parking	Coordinate with Jessamine County Road Department and KYTC, as applicable, during the cemetery design to identify and implement roadway improvements in the vicinity of the Site, if necessary.
	Ensure cemetery construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.
	Ensure debris and/or soil is not deposited on local roadways during the construction activities.
Utilities	Consult with the Jessamine County to determine if the municipal water system has sufficient capacity for the expanded cemetery irrigation.
	Plant low moisture tolerant species suited to Kentucky to the extent possible to minimize irrigation needs.
Environmental Justice	None required.