FINDING OF NO SIGNIFICANT IMPACT
U.S. DEPARTMENT OF VETERANS AFFAIRS
PROPOSED ACQUISITION, DEVELOPMENT, AND OPERATION OF THE
NATIONAL VETERANS BURIAL GROUND
ELKO COUNTY, NEVADA

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 10 to 15 acres of land located in the vicinity of Elko, Nevada for the development and operation of a National Veterans Burial Ground. 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 purpose of the Proposed Action is to provide a National Cemetery of sufficient size and capacity to serve the projected needs of Veterans in northern Nevada for the next 100 or more years. The Proposed Action would provide burial facilities for Veterans and eligible family members in northern Nevada and the surrounding area who are currently not served by a National Cemetery or a VA-funded State Veterans Cemetery.

A new National Cemetery is needed to better serve Veterans and their families in northern Nevada. There are currently no National Cemeteries in Nevada. The nearest State Veterans Cemeteries are the Northern Nevada Veterans Memorial Cemetery in Fernley, Nevada and the Utah Veterans Memorial Cemetery in Bluffdale, Utah, both located approximately 250 miles away from Elko. The new cemetery would provide improved access to Veterans and their families to a National Cemetery and would balance the current unequal geographic distribution of National Cemeteries in this region.

1. Description of the Proposed Action and Alternatives

Proposed Action

VA's Proposed Action is to acquire approximately 10 to 15 acres of unimproved land in the vicinity of Elko, Nevada, to develop, operate, and maintain as a new National Veterans Burial Ground under the VA National Cemetery Administration's (NCA's) Rural Initiative Program.

The proposed National Veterans Burial Ground would be open to the public every day throughout the year. VA estimates that the cemetery would receive approximately 20 visitors per day, once fully established. VA anticipates approximately 1 to 3 funeral processions per week, averaging approximately 20 cars per procession. VA estimates there would be approximately 50 interments per year at the proposed cemetery.

VA would follow the NCA Facilities Design Guide in developing the proposed cemetery, which would include preplaced crypts, columbarium niches, and in-ground burial sections, as well as a committal shelter, a gateway entrance, on-site parking, and perimeter fencing.

Alternatives Considered

After identifying a need for a National Veterans Burial Ground in northern Nevada, VA considered various alternatives for establishing a small National Cemetery in the region. VA published Solicitations for Federal Business Opportunity (FBO) three times from 2013 to 2018, soliciting offers for approximately ten acres of land suitable for a cemetery development located in the Elko County, Nevada area.

VA received responses to each advertisement. Through a comprehensive screening process, VA narrowed the number of viable sites based on analyses of site-specific attributes, including: topography and natural aesthetics, soil/geology, environmental issues, site configuration, availability of utilities, existing structures and obstructions, site adjacencies, aesthetic quality and zoning, proximity to catchment area, and accessibility. Through this analysis, VA initially identified sites that met most of the screening criteria; however, upon further evaluation, all offered sites other than one property owned/managed by U.S. Department of Interior Bureau of Land Management (BLM) were eliminated due to disagreeable fair market value negotiations, soil/geology, environmental issues, and/or site adjacencies. As a result, VA was left with a single location, the BLM property (Site 1), which met all the screening criteria and fair market value negotiations. In 2018, VA initiated due diligence activities for the acquisition and development of the proposed cemetery at the BLM property (Site 1).

In late 2019, the City of Elko offered approximately 15 acres of land located in the northwestern portion of the City of establish the proposed cemetery (Site 2). The City of Elko's property met all of VA's established screening criteria and became a second alternative for the proposed cemetery. Site 2 is located approximately one-half mile east of Site 1.

The EA examined in-depth two Action Alternatives for implementation of the Proposed Action (Site 1 and Site 2) and the No Action Alternative.

Proposed Action Alternatives

Site 1 Alternative: Site 1 is approximately 10 acres of unimproved, grassy and brushy land located north of Cattle Drive, east of Western Way, and west of Rocky Road in a relatively undeveloped area of Elko County, northwest of the City of Elko. Site 1 is part of an approximately 1,457-acre parcel of land owned by the federal government and managed by BLM. Site 1 has been undeveloped land with grassy and brushy vegetation since at least 1953. The Site is part of a cattle grazing allotment managed by BLM but has not been grazed in many years.

Site 2 Alternative: Site 2 is approximately 15 acres of unimproved, grassy and brushy land located at the southeast corner of Jennings Way and Rocky Road, in a relatively undeveloped area in the northwestern portion of the City of Elko. Site 2 is part of an approximately 38-acre parcel of land owned by the City of Elko. Site 2 has been undeveloped land with grassy and brushy vegetation (sagebrush) since at least 1953.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in northern Nevada would continue to be unserved by a proximate National Cemetery or VA-funded State Veterans Cemetery and would continue to be required to travel a substantial distance to a National or State Veterans Cemetery. The distribution of National Cemeteries throughout the region would continue to be unbalanced. The Action Alternative Sites likely would remain unimproved land.

2. Environmental Analysis

Environmental Consequences

Proposed Action Alternatives

The Final EA concluded that the Action Alternatives would result in potential short-term and/or long-term adverse impacts to aesthetics, air quality, soils, hydrology and water quality, wildlife and habitat, noise, land use, 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 and measures, and compliance with regulatory requirements, as identified in the Final EA.

The Proposed Action would establish a new National Cemetery in unserved northern Nevada, a significant beneficial socioeconomic effect to the Veterans and their families in the region.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families in northern Nevada would continue to reside greater than 75 miles from the nearest National or VA-funded State Veterans Cemetery. No positive impacts attributable to the Proposed Action would occur. Veterans and their families in the area would have to travel much longer distances to the nearest National or State Veterans Cemetery for interment and subsequent visits, at increased cost and time.

Cumulative Impacts

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

Management, Minimization and Mitigation Measures

VA will include the BMPs, management and 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 and minimization 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 Native American Tribes identified as having possible ancestral ties to the Site 1 and Site 2 areas. 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 published in the Elko Daily Free Press, a local newspaper of general circulation, in January 8, 9, and 12, 2021. A copy of the Draft EA was made available for public review on the VA Office of Construction and Facilities Management Environmental Program

website. 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 that were contacted during the NEPA scoping. The U.S. EPA and one member of the public provided comments on the Draft EA. These comments were considered in preparing the Final EA, as appropriate.

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 and minimization 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.

Bradley G Phillips 156860

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VA National Cemetery Administration

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Management and Minimization Measures Incorporated into the Proposed Action

Technical Resource Area	Best Management Practice/Minimization Measure
Aesthetics	Comply, to the extent practicable, with Elko County (Site 1) or City of Elko (Site 2) land development standards during the cemetery design. Use vegetative buffers and/or berms between the developed portion of the cemetery and the adjacent residential properties.
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 area would be inactive for several weeks or longer. Implement measures to reduce diesel particulate matter emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls. Comply with the Nevada Department of Environmental Protection (NDEP) air quality regulations. Secure any required, individual minor air emissions permits from the NDEP Bureau of Air Pollution Control, as appropriate prior to construction.
Cultural and Historic Resources	Should potentially historic or culturally significant items be discovered during project construction, the construction contractor would immediately cease work in the area until VA, a qualified archaeologist, the Nevada SHPO, and Native American tribes with ancestral ties to the site area are contacted to properly identify and appropriately treat discovered items in accordance with applicable state and federal law(s).
Geology and Soils	Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the NDEP NPDES permitting process. Implement effective controls through a site-specific stormwater pollution prevention plan (SWPPP). The NDEP NPDES 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 NPDES permit and SWPPP to protect surface water quality.
Hydrology and Water Quality	Utilize low impact development practices, to the extent practicable, during the cemetery design. Control soil erosion and sedimentation impacts during construction by complying with the NDEP NPDES permit. Design improvements in accordance with the requirements of Energy Independence and Security Act Section 438 with respect to stormwater runoff quantity and characteristics. Maintain the existing drainageway (ephemeral stream) and an associated vegetative buffer (outside of road crossings) in the northern portion of Site 2, if selected. Ensure the site includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving water and/or offsite areas. Native, drought tolerant species should be used to the extent practicable when re-vegetating land disturbed by construction to reduce the need for irrigation.

Technical Resource Area	Best Management Practice/Minimization Measure
Wildlife and Habitat	Construction activities would be timed to avoid migratory birds protected under the Migratory Bird Treaty Act that may be present on-site. Vegetation removal at the site would be conducted outside the nesting season of migratory birds that nest in sagebrush (April through August). If it is not practical to clear the site outside of this timeframe, a qualified biologist would survey the site prior to vegetation clearing to ensure that no active nests are disturbed. Native species should be used to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species. Areas disturbed by cemetery construction should be quickly revegetated with native species to prevent invasive species from becoming established.
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. 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 (e.g., speed restrictions, retarder brake restrictions, engine speed restrictions, etc.). Consider the location of nearby sensitive noise receptors and the placement and orientation of the committal shelter during the cemetery design. Design the cemetery to minimize noise impact to nearby sensitive receptors, to the extent practicable.
Land Use	Comply with Elko County (Site 1) or City of Elko (Site 2) land development standards, to the extent practicable, during the cemetery design.
Wetlands, Floodplains, and Coastal Zone Management	Maintain the existing drainageway (ephemeral stream) and an associated vegetative buffer (outside of road crossings) in the northern portion of Site 2, if selected. Design improvements in accordance with the requirements of Energy Independence and Security Act Section 438 with respect to stormwater runoff quantity and characteristics.
Socioeconomics	Secure construction areas to prevent unauthorized access by children from nearby residential areas.
Community Services	None required.
Solid Waste and Hazardous Materials	Comply with applicable federal and state laws governing the use, generation, storage, and transportation of solid waste and hazardous materials.
Traffic, Transportation, and Parking	Coordinate with the City of Elko, Elko County, and NDOT, 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 of the cemetery.

Technical Resource Area	Best Management Practice/Minimization Measure
Utilities	Coordinate with local utility providers to determine connection/extension requirements and implement the necessary requirements. Plant low moisture tolerant species suited to northern Nevada to the extent practicable to minimize irrigation needs.
Environmental Justice	None required.