FINDING OF NO SIGNIFICANT IMPACT
U.S. DEPARTMENT OF VETERANS AFFAIRS
FARGO NATIONAL CEMETERY
PROPOSED LAND ACQUISTION AND EXPANSION
CASS COUNTY, NORTH DAKOTA

BACKGROUND

The U.S. Department of Veterans Affairs (VA) has prepared this Final EA to analyze the potential environmental impacts associated with the Proposed Action to acquire 29.06-acres of land to the east and north of the existing Fargo National Cemetery (FNC) located at 8709 40th Avenue North in Harwood, Cass County, North Dakota. The EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code 4321 et seq.), the President's Council on Environmental Quality Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations 1500-1508), VA's NEPA regulations (38 CFR 26), and the VA NEPA Interim Guidance for Projects (VA 2010). The attached EA is incorporated by reference into this Finding of No Significant Impact (FONSI).

The purpose of the Proposed Action is to acquire land near the existing FNC in order to provide additional burial sites for eligible individuals once the existing FNC is at capacity. The Proposed Action would allow VA to expand the existing 4.82-acre FNC onto the neighboring 29.06-acres to the east and north.

The need for the Proposed Action is to address the projected depletion of remaining interment capacity at FNC by acquiring the necessary land to provide a larger, expanded cemetery. FNC is the only National Cemetery in North Dakota, with the next closest option for eligible individuals being Fort Snelling National Cemetery located more than 257 miles from FNC in Minneapolis, MN. VA estimates that the existing burial space at the cemetery will be depleted in approximately ten years. The Proposed Action would provide VA the land necessary in order to expand the FNC and provide additional capacity to meet its burial objectives for eligible Veterans in the region.

DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The Proposed Action would acquire the privately owned 29.06-acres to the east and north of the existing FNC that is currently being used for agricultural row-crop production (See Figure B. Site Aerial). In the interim, while plans/designs are being developed, the land would be leased for continued agricultural row-crop production. Once the existing FNC is nearing interment capacity, VA would expand the cemetery onto the 29.06-acres.

VA would follow the NCA Facilities Design Guide while preparing for the FNC expansion onto the acquired land. Prior to future construction, VA would obtain all applicable Federal, State, and local permits for the proposed cemetery development from appropriate government authorities. VA would avoid any significant onsite environmental resources through sensitive site design, including avoidance of significant natural resources.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families in the region would continue to use the FNC until internment options are no longer available. In the future, VA would likely seek other land to expand the FNC but may not be able to acquire the land contiguous with or near the existing FNC. The Proposed Action area likely would continue to be privately owned and utilized for agricultural purposes.

SUMMARY OF ENVIRONMENTAL ANALYSIS

The Final EA analyzed the existing physical, environmental, cultural, and socioeconomic conditions at the Cemetery, the Proposed Action area, and its general vicinity, with emphasis on those resources potentially affected by the Proposed Action. Effects were identified as either significant, minor (that is, common effects that would not be of the context or intensity to be considered significant under NEPA or CEQ Regulations), less-than-significant, or no effect. Where appropriate and clearly discernible, each effect is identified as either adverse or beneficial. Table 1 summarizes these findings and the potential environmental effects of the Proposed Action Alternative and the No Action Alternative. A detailed analysis of the potential effects to these resource areas is provided in the Final EA.

Table 1. Summary of Resource Area Impacts

Resource Area	Proposed Action Alternative	No Action Alternative
Aesthetics	• Minor temporary adverse impacts during construction.	• No Impacts.
Air Quality	• Minor temporary adverse impacts during construction. • Minor, less than significant adverse impacts related to increased traffic after cemetery expansion.	• No Impacts.
Cultural Resources	• No Impacts.	• No Impacts.
Geology, Topography, and Soils	• Utilize recommendations from Geotechnical Report to avoid adverse impacts to soils. No adverse impacts anticipated if BMPs and recommendations are followed.	• No Impacts.
Hydrology and Water Quality	• Implement BMPs to limit adverse impacts during construction related to soil erosion and sedimentation. • Designed stormwater features and systems will be utilized to avoid impacts to downstream water resources.	• No Impacts.
Wildlife and Habitat	• No Impacts. Potential beneficial impacts after cemetery expansion in future.	• No Impacts.
Noise	• Minor temporary adverse impacts during construction. • Minor adverse impacts from traffic, site maintenance, and burial gun salutes similar to existing conditions at adjacent Fargo National Cemetery.	• No Impacts.
Land Use	• No impact from converting farmland to cemetery.	• No Impacts.
Floodplains, Wetlands, Coastal Zone Management	• No impact pending final construction of Fargo-Moorhead Area Diversion project.	• No Impacts.
Socioeconomics	• Positive beneficial impact to regional economy via design, construction, and maintenance jobs.	• No Impacts.
Community Services	• No impacts.	• No Impacts.
Solid Waste and Hazardous Materials	• Potential minor temporary adverse impacts during construction. Mitigation via BMPs in Section 4.0 to lessen impacts.	• No Impacts.
Transportation and Parking	• Temporary adverse impacts during construction as vehicles and equipment go to and from the site. • Minor increases anticipated during operation of cemetery, but roadways have capacity to handle additional traffic. • All parking would be designed for the expansion to accommodate additional visitors.	• No Impacts.
Utilities	• No impacts.	• No Impacts.
Environmental Justice	• No impacts.	• No Impacts.
Cumulative Impacts	• No impacts.	• No Impacts.

AGENCY AND PUBLIC COMMENT

VA consulted the federal, state, local, tribal, and elected officials listed in Section 5.0 Public Involvement of the Final EA as part of an initial scoping process for this EA. A scoping notice was also posted to the VA website and published in the Forum of Fargo-Moorhead on July 19 and 26, 2023. A Draft EA was prepared, and a Notice of Availability (NOA) sent out to the listed stakeholders. The Draft EA and NOA were also posted to the VA website, made available as hard copies at the Fargo Public Library located at 102 3rd Street North, and published in the Forum of Fargo-Moorhead on October 18 and 25, 2023. Comments received during the scoping and Draft EA comment period can be found in Section 5.0 Public Involvement in the Final EA and were utilized to prepare the Final EA.

Copies of correspondence received during the initial scoping period and Draft EA comment period are included in Appendix B of the Final EA. Comments were received from the United States Fish and Wildlife Service, United States Department of Agriculture, North Dakota Game and Fish, Flandreau Santee Sioux Tribe, Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation Montana, and the North Dakota State Historical Preservation Office. Stakeholder information and comments have been incorporated into the Final EA, where and as appropriate. Additional details can be found in Section 5.0 Public Involvement of the Final EA and copies of relevant correspondence can be found in Appendix B. Agency Coordination and Consultation of the Final EA.

FINDING OF NO SIGNIFICANT IMPACT

This FONSI is based on the attached Final EA. After review of the Final EA, VA concludes that the Proposed Action would not generate significant controversy or have a significant adverse effect on the quality of the human environment, provided the mitigation measures and monitoring laid out in the Final EA and Attachment A of this FONSI are followed. VA will implement these measures.

This analysis fulfills the requirements of the NEPA and is consistent with the VA and CEQ regulations implementing the NEPA. An Environmental Impact Statement is not required.

JOSHUA DE LEON

Digitally signed by JOSHUA DE LEON
Date: 2023.11.27 13:00:36 -05'00'

Joshua M. De Leon
Executive Director, NCA – Midwest District
Department of Veterans Affairs

FERNANDO FERNANDEZ ORTIZ

Digitally signed by FERNANDO FERNANDEZ ORTIZ
Date: 2023.11.16 10:38:08 -05'00'

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

Attachment A. Mitigation Measures and Monitoring

ATTACHMENT A. MITIGATION MEASURES AND MONITORING

Mitigation measures that are laid out here were compiled within the EA. Mitigation measures are to be used to avoid, minimize, rectify, reduce, or compensate for the adverse effects of an impact to the environment.

VA and its contractors would implement BMPs and satisfy all applicable regulatory requirements in association with the design, construction, and operation of the cemetery expansion and columbarium construction. These mitigation measures are described in the Final EA and are included as components of the Proposed Action Alternative. In general, implementation of such mitigation measures would maintain impacts at acceptable levels for all resource areas analyzed.

Affected Environment Area	BMPs/Minimization Measures
Aesthetics	• Use vegetative buffers to enhance viewscape
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 area through re-vegetation or mulching if the area would be inactive for several weeks or longer. • Implement measures to reduce DPM emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls. • Comply with any applicable ND DEQ and US EPA regulations.
Cultural Resources	• None Required.
Geology and Soils	• Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the National Pollution Discharge Elimination System (NPDES) permitting process. • Implement effective controls per a site-specific Stormwater Pollution Prevention Plan (SWPPP). • The 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 the SWPPP to protect surface water quality.
Hydrology and Water Quality	• Control soil erosion and sedimentation impacts during construction by complying with the NPDES permit and the SWPPP. • Improvements would be designed in accordance with the requirements of EO 13514/EISA Section 438 with respect to stormwater runoff quantity and characteristics. • Ensure the design of the cemetery includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving waters and/or offsite areas. Obtain appropriate permits for off-site stormwater discharges.

Wildlife and Habitat	• Native species should be used to the extent practicable when revegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species. • Proper cleaning of construction equipment should be done to the extent practicable, to prevent the spread of non-native/invasive species.
Noise	• Post signage at the entry points of the Site providing current construction information, including schedule and activity. Limit, to the extent possible, construction and associated heavy truck traffic to occur between 8:00 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. • Select material transportation routes as far away from sensitive receptors as possible. • Shut down noise-generating heavy equipment when it is not needed and 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.).
Land Use	• None Required.
Floodplains, Wetlands, and Coastal Zone Management	• Prior to future expansion design, review FEMA FIRM maps to verify diversion project changes to floodplain.
Socioeconomics	• None Required.
Community Services	• None Required.
Solid and Hazardous Waste	• Comply with VA Standard Operating Procedures and applicable Federal and State laws governing the use, generation, storage, transportation, and disposal of solid and hazardous materials.
Transportation and Parking	• Ensure demolition and 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 demolition and construction activities.
Utilities	• None Required.
Environmental Justice	• None Required.