FINDING OF NO SIGNIFICANT IMPACT (FONSI)

DEPARTMENT OF VETERANS AFFAIRS
PROPOSED PHASE I GRAVESITE EXPANSION CONSTRUCTION PROJECT
FORT LOGAN NATIONAL CEMETERY
DENVER, COLORADO

The U.S. Department of Veterans Affairs (VA) prepared a Site-specific Environmental Assessment (EA) of the potential environmental, cultural, and socioeconomic impacts that may result from proposed Phase I, Major Construction, expansion and subsequent operation in the Fort Logan National Cemetery in Denver, Denver County, Colorado. The EA was prepared in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and VA's NEPA implementing regulations, 38 CFR Part 26 (Environmental Effects of the Department of Veterans Affairs Actions).

The purpose of the Proposed Action is to support burial requests for eligible individuals and provide sufficient onsite parking to support the needs of Veterans, family members, and staff at the Fort Logan National Cemetery.

The Proposed Action is needed to provide accessible interment services to Veterans and their families. The existing infrastructure, crypts, and columbarium cannot support burial requests for eligible individuals as well as provide sufficient onsite parking to support the needs of Veterans, family members, and staff. As of today, projections anticipate that burial capacity will be depleted by 2027 (cremains and memorials) and 2028 (full casket crypts).

Background

In 1950, Fort Logan National Cemetery was established on the western 160 acres of the former Fort Logan Military Reservation. Fort Logan Military Reservation was established in the late 1880s and closed in 1946. In 1946, the reservation was used by the VA as a temporary health care facility for Veterans until the VA hospital was constructed and open in 1960s. Fort Logan National Cemetery was later expanded to 214 acres. In 2019, the Fort Logan National Cemetery was again expanded by the acquisition of 49.4 acres.

The proposed development of Phase I, Major Construction, of the National Cemetery would continue to increase access to burial options to the currently unserved Veteran population living in Colorado and surrounding states. Accordingly, the Proposed Action would continue to balance the currently unequal geographic distribution of National Cemeteries in the region.

1. Description of Proposed Action and Alternatives

Proposed Action

Under the Proposed Action, the VA would construct approximately 9,100 casketed remains including pre-placed crypts and traditional gravesites, 19,397 at markers for cremains, and 7,500 columbarium niches. Infrastructure upgrades such as roadways leading to/from the new burial areas and spillway improvements would also be constructed. It is estimated that the total acreage of temporary and permanent impacts is 19.45 acres. Two roadways would be constructed. Roadways A and B would link the additional burial sites to the existing roads. Road A would be linked to Denver Road and Road B would be linked to Omaha Road. Each roadway would include two lanes, allowing for two-way traffic, and would be approximately 28 foot in width, an additional ten foot (five feet on each side) would be constructed to allow for street parking for the roadway that circles the burial and cremains area. A minimum of ten feet of turf grasses should be planted adjacent to roadways.

Independent of Phase I construction, spillway improvements would occur as well as construction of a columbarium wall and columbarium court on the southern boundary of the existing Fort Logan National Cemetery. There are two embankment dams located in series on the Marston Lake North Drainageway within the Fort Logan National Cemetery that are owned and operated by the VA. The upper dam impounds Veterans Lake and is located about a quarter mile upstream of the lower dam that impounds Memorial Lake. Both dams provide storage of irrigation water for the Fort Logan National Cemetery. Under the Proposed Action, Veterans Lake Dam upper dam would be cleared and grubbed, and soils removed, within the 100-year floodplain from Denver Road to Kenyon Avenue. The new spillway for Veterans will consist of a labyrinth weir with a crest at the existing spillway crest elevation, weir height at 9.5 feet, a spillway channel width of 45 feet; and include an energy dissipator (hydraulic jump basin with a length of 21.5 feet and 14 feet in height).

Actions at Memorial Lake would include removal of 65 linear feet of curb and gutter, remove the existing pipe culvert, remove a portion of memorial walk and associated rock walls, and remove 300 linear feet of street, curb/gutter and paving including inlets along Denver Road. A new spillway would be constructed which would consist of a labyrinth weir with a crest at the existing spillway crest elevation, weir height at 9.5 feet, a spillway channel width of 42.4 feet and include an energy dissipator (hydraulic jump basin with a length of 33.5 feet and 145 feet in height). Additionally, the existing inlet gate and operating stem would be replaced and connected to the new culvert crossing to be constructed under Denver Drive. The spillways/dams associated with both lakes would be brought into compliance with the latest revision to the Colorado Rules and Regulations for Dam Safety and Dam Construction.

Alternatives Considered

Under the No-Action Alternative, the VA would not construct additional burial sites, roadways leading to the burial areas, and perform spillway improvements. The Fort Logan National Cemetery would only have the capacity that is available to date and the current dams and associated spillways would remain in a state of degradation and inability to manage floodwaters. Under the No-Action Alternative, the VA could not meet its mission as well as satisfy the purpose and need for the Proposed Action; however this alternative was retained to provide a comparative baseline, against which to analyze the effects of the Proposed Action, as required under CEQ Regulations (40 CFR Part 1502.14).

Preferred Action Alternative: Implement the Proposed Action by constructing and operating Phase I of the expansion of the Fort Logan National Cemetery as well as spillway improvements on-site.

No Action Alternative: Do not implement the Proposed Action as identified.

2. Potential Environmental Effects

As documented in the EA, VA concludes no significant adverse impacts, either individually or cumulatively, would result from implementing the Proposed Action. The Proposed Action would have no or negligible adverse impacts on cultural resource. During construction and operation of the Proposed Action, less-than-significant minor or moderate adverse impacts would occur to air quality; noise; geology, topography, and soils; hydrology and water quality, wildlife and habitat, floodplains and wetlands; and cultural resources. VA will implement routine best management practices as necessary, to minimize or avoid adverse environmental impacts and ensure these impacts are less-than-significant levels as described in the EA.

The potential environmental effects associated with implementing the Proposed Action are summarized in the following sections. The best management practices (BMP) that reduce, eliminate, or avoid these potential effects, are provided in the EA.

Aesthetics: No impact is anticipated. Buildings, roads, columbarium, and burial areas associated with Phase I will be designed, constructed, and operated in accordance with NCA Facility Design Guide Criteria, VA Program Guide PG 18-15, H-18-8 Seismic Design Requirements, and VA Signage Design Guide Chapter 12 National Cemetery Signs, and will mirror the existing design of the Fort Logan National Cemetery.

Land Use*:* No impact is anticipated. The project area, including the entire property is owned and operated by the VA and is designated for use as cemetery. The site, is currently zoned as CMP-H2, Special Campus, Health care. The zoning requires the site to be used for health care with more restrictive standards. As a Federal agency, VA is not subject to local zoning regulations. Future use of the Site as a cemetery would be compatible with the current surrounding land

uses, and consistent with the northerly adjacent Fort Logan National Cemetery. Land use will not require modification/change.

Socioeconomics: Short-term positive impacts on the local economy as a result of construction activities within the area are anticipated. The temporary positive impact should be caused by incidental spending by construction workers and the purchase of construction materials. No long-term impacts are anticipated.

Community Services: No impacts to these services or to the site from these services are anticipated. Additional community services, including police, fire, and medical, are not anticipated to be needed during the construction and upon completion of the Proposed Action. The area is currently serviced by these agencies.

Solid and Hazardous Waste: No impacts to or associated with this resource are anticipated**.** Construction activities include ground disturbance associated with the pond, gravesites, and new roadways. Solid wastes that would be generated may include concrete, scrap wire, and packing materials. A Phase I and Phase II Environmental Site Assessments were conducted in May and October 2017. Findings of these investigations stated that "Shallow soil at the site contains coal, coal ash and some construction debris. Although no soil impacts in excess of the Colorado Department of Public Health and Environment Soil Screening Values were identified, localized area of impacted soil may be present". Soil excavated from the site during cemetery development should be properly managed. Excess soil that cannot be reused on-site, if any, should be characterized prior to off-site disposal. No further investigation was warranted. Proper soil management will allow for no adverse impacts.

Transportation and Parking: Short-term impacts on roadways are anticipated during construction. During construction, additional traffic associated with the mobilization/demobilization of equipment, labor and delivering of materials should occur. The increase in additional interment space has the potential for an increase in visitors; however, it is anticipated that the additional visitors would not congregate at one time; therefore, an increase in traffic to the point to where it is noticeable is not anticipated. No long-term impact is anticipated.

Utilities: No impacts are anticipated. The Proposed Action will require new utility lines to service the new burial areas; however, the new line(s), would be connected to the existing systems within cemetery. The Fort Logan National Cemetery will continue receiving electrical and water/wastewater from the current utility providers, the City of Denver, and Xcel Energy.

Environmental Justice: No impacts are anticipated. The Proposed Action would occur within the boundaries of the cemetery and no low-income or minority communities located within or adjacent to the boundaries of the Fort Logan National Cemetery.

Air Quality: Short-term adverse, direct, and minor impacts associated with the construction activities are anticipated. Construction activities would generate minor amounts of fugitive dust (PM_{10}) and gaseous emissions of carbon monoxide, volatile organic compounds, nitrogen oxides, sulfur dioxide, and particulate materials from the combustion of fuel by construction equipment and vehicles. To mitigate short-term impacts, BMPs should be implemented to reduce emissions during the construction. No long-term impacts are anticipated.

Noise: Short-term, direct, minor, and adverse impacts and long-term, direct, negligible, and impacts are anticipated. During the construction of Phase I and soil removal associated with the spillway activities noise associated with construction equipment will be present; however the equipment would not generate noise so intense that averaged over a year would produce a 65 dB(A) DNL. Long-term impacts are consistent with the current noise levels within and extending beyond the boundaries of the Fort Logan National Cemetery since the location of the rifle salutes will remain within the boundary of the cemetery. Noise associated with the construction of the existing infrastructure, crypts, and columbarium would be short term, intermittent, and temporary.

Geology, Topography, and Soils: Short-term, adverse, direct, and minor impacts associated with the construction are anticipated. During the construction of the burial areas, roads, and spillway the designated areas would be cleared, graded, and stabilized, where necessary, with compacted fill to provide foundations for construction of the structures and roads as needed exterior slabs-on-grade should be over excavated to a depth of at least three feet, moisture conditioned, and recompacted to grade. No long-term impacts are anticipated.

Hydrology and Water Quality: No impact to groundwater is anticipated. No additional groundwater is anticipated to be withdrawn and the increase in impervious cover would not impact the recharge to the aquifer.

Short-term, adverse, direct, and minor impacts to water quality, associated with the construction, are anticipated. During construction, over 19 acres of soils will be disturbed, potentially increasing the opportunity for sediment to leave the construction site and enter surface waters, increasing sediment loading and decreasing water quality. To reduce impacts, BMPs associated with the implementation of the Stormwater Pollution Prevention Plan will be implemented. Additionally during construction, dewatering activities will modify the quantity of water within the lakes as well as the spillways, and limiting the quantity of water discharged off-site to the north.

Long-term, adverse and, direct, and minor impacts to water quality, associated with the operation of the Phase I, are anticipated. These impacts are associated within the increase in impervious surface which could generate additional surface water runoff during rain events. To reduce impacts, the increase in surface water will be maintained and managed by the implementation of a drainage system.

Wildlife and Habitat: Short-term, direct, and minor impacts are anticipated. Proposed Action would remove the existing vegetation and displace the existing wildlife within the area as well as those species that use the project intermittently or seasonally for nesting. Additionally, the dewatering of lakes will reduce quantity of water within lakes and downstream features limiting the habitat for fish and other aquatic species during the work within the lakes, until water levels return. No state or federally listed species were observed during the site visit, however, critical habitat for state listed was observed. No long-term impacts are anticipated.

Floodplains and Wetlands: Long-term direct and indirect, moderate and beneficial impacts to floodplains are anticipated. Dredging of the two lakes and the updates to the spillways will allow an increase of capacity within the existing floodplain. The increase in capacity will reduce the potential for burial areas to flood during rain events. A long-term direct, moderate adverse impact to wetlands is anticipated. Wetlands present north of Memorial lake and adjacent to the spillways

will be removed during the construction activities associated with the spillway construction. The United States Army Corps of Engineers (USACE) has classified these wetlands as not under the jurisdiction of the USACE. The wetlands are considered isolated and not part of a larger functional system and since the wetlands are not under the jurisdiction of the USACE, the adverse impact is not significant.

Cultural Resources: No adverse impacts are anticipated. Two eligible historic districts are present within the area of potential effects; however the SHPO has determined that there is no adverse impact on historic structures and associated districts.

Potential for Generating Substantial Public Controversy: The VA has solicited input from various federal, state, and local government agencies as well as the general public at large, concerning to the Proposed Action. None of these groups have expressed any concerns with the Proposed Action and therefore no substantial controversy is expected during construction.

3. Agency and Public Comment

The Draft EA was made available for public and agency review for a minimum of 30 days beginning 16 September 2022. A Notice of Availability was published in the Denver Herald-Dispatch, with information on how to obtain the documents and where to send comments. Additionally, the Draft EA was made available at the Administration Building of the Fort Logan National Cemetery and a Notice of Availability was sent to Stakeholders, to include federal, tribal, state and local agencies.

Upon completion of the 30-day public comment period, no member of the general public or agencies afforded comments on the Proposed Action.

4. Finding of No Significant Impact

In accordance with the NEPA, as amended, the Council on Environmental Quality Regulations (40 CFR 1500-1508), and VA (38 CFR 26), any final action by VA related to the proposed action will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations.

As a result of the analysis of impacts in the EA, summarized and incorporated by reference herein, VA has determined that with the implementation of appropriate management and avoidance measures included herein as Appendix A, the Proposed Action would not generate significant public controversy nor have a significant adverse impact the quality of the natural or human environment within the meaning of Section 102(2c) of the National Environmental Policy Act of 1969. Because VA's actions will not result in significant impacts to the quality of the human health and the environment, VA will not prepare an Environmental Impact Statement for its potential federal action associated with this action.

Sincerely,

FERNANDO FERNANDEZ ORTIZ

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Mr. Fernando Fernandez
Environmental Technical Reviewer Environmental Programs Office
VA Office of Construction & Facilities Management

JEFFREY GRIMES

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Mr. J. Kash Grimes
Executive Director, NCA Continental District
VA National Cemetery Administration

Best Management Practices and Minimization Measures Incorporated into the Proposed Action

Technical Resource Area	Best Management Practice/Minimization
Aesthetics	None required.
Land Use	None required.
Socioeconomics	None required.
Community Services	None required.
Solid and Hazardous Waste	None required.
Transportation and Parking	None required.
Utilities	None required.
Environmental Justice:	None required.
Air Quality	Use appropriate dust suppression methods during on-site construction activities.
	Shut off equipment when not in use.
	Maintain an appropriate speed, less than 15 mph, to minimize dust generated by vehicles and equipment on unpaved surfaces.
	Cover haul trucks with tarps.
Noise	Equipment should be fitted with noise reducing features (e.g., mufflers).
	Construction activities would be limited to daytime hours (7 a.m. to 9 p.m. in the summer months and 8 a.m. to 6 p.m. during winter months).
Geology, Topography, and Soils:	Exterior slabs-on-grade should be over excavated to a depth of at least three feet, moisture conditioned, and recompacted to grade.
Hydrology and Water Quality	Vehicle tracking controls should be implemented to minimize vehicle tracking of sediment from disturbed areas
	Stormwater runoff from all disturbed areas and soil storage areas for which permanent or temporary stabilization is not implemented, must flow to at least one control measure to minimize sediment in the discharge.
	Maintain pre-existing vegetation or equivalent control measures for areas within 50 horizontal feet of receiving waters, unless infeasible.
	Topsoil shall be preserved for those areas of a site that will utilize vegetative final stabilization, unless infeasible.

	Minimize the amount of soil exposed during construction activities, including the disturbance of steep slopes.
	Soil compaction must be minimized for areas where infiltration control measures will occur or where final stabilization will be achieved through vegetative cover.
Wildlife and Habitat	Vegetation removal should be conducted outside the peak nesting period, March through August. If project activities must be conducted during this time, it is recommended that nest surveys are conducted prior to those activities. If a nest is found, and if possible, the USFWS recommends a buffer of vegetation remain around the nest until the young have fledged or the nest is abandoned.
	During dewatering activities, aquatic fauna would be monitored on and off-site to ensure that mortality rates of the aquatic species present within the lakes does not rise. If water levels decrease to the point where mortality increases, work will stop, and construction parameters revised to restore existing systems back to functionality.
Floodplains and Wetlands	Removal of wetlands will be limited to the acreage required to improve the spillways and increase retention of the existing lakes.
	Construction activities should be conducted during seasons where less rain fall is anticipated, limiting the impacts to the upstream floodplain during rain events.
Cultural Resources	None required.