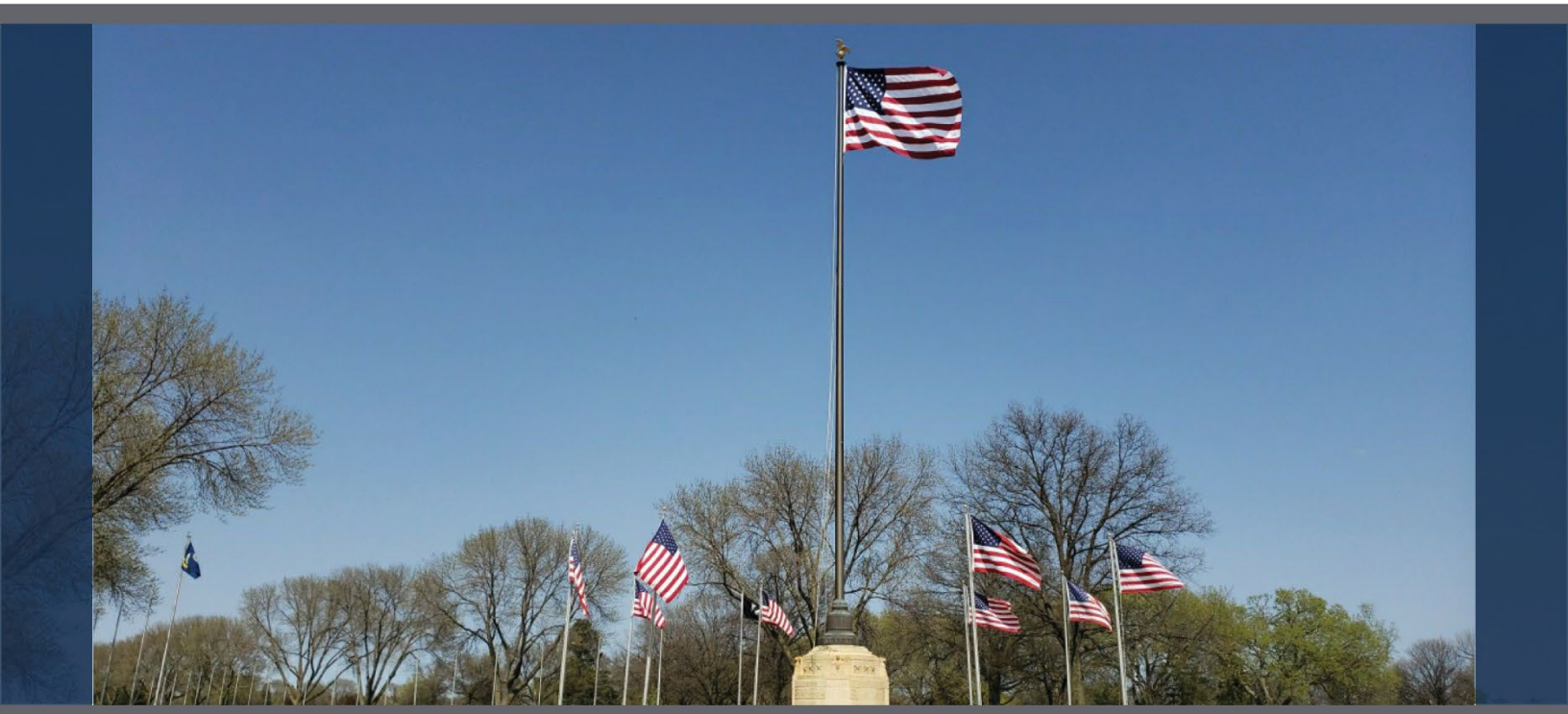
FINAL
ENVIRONMENTAL ASSESSMENT

Gravesite Development and Cemetery Improvements

Fort Snelling National Cemetery

Minneapolis, Minnesota

September 2024



EXECUTIVE SUMMARY

This Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential social, economic, and environmental effects associated with the U.S. Department of Veterans Affairs (VA) proposed gravesite development and cemetery improvements at Fort Snelling National Cemetery (FSNC). This EA has been 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 Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508); Environmental Effects of the Department of Veterans Affairs Actions (38 CFR Part 26); VA's NEPA Interim Guidance for Projects (VA, 2010); and VA NEPA Implementation, Directive 0067 (VA, 2013).

FSNC was established in 1939 in Minneapolis, Minnesota at the site of Fort Snelling near the confluence of the Minnesota and Mississippi Rivers. FSNC is one of seven VA National Cemetery Administration (NCA) properties developed during the period between World War I and World War II to serve large Veteran populations in cities across the country.

In May 1960, Fort Snelling Air Force Station transferred approximately 146 acres of land to FSNC. One more land transfer of approximately 177 acres followed in 1961, bringing the cemetery to its present size of approximately 436 acres.

Purpose and Need

The purpose of the Proposed Action is to provide additional burial options at FSNC for eligible individuals and the essential support facilities and infrastructure throughout FSNC that are required to meet the needs of Veterans, family members, and staff at FSNC over the next 15 years.

While FSNC currently has interment options to support burial requests for eligible individuals, the existing cemetery and associated infrastructure require expansion to continue supporting the needs of Veterans, family members, and staff over the next 15 years. The Proposed Action is needed to address the forecasted interment needs of Veterans and their families by ensuring that there will not be a deficiency gap in the forecasted depletion rate.

Proposed Action

The VA proposes to construct and operate additional burial sites and support facilities and infrastructure at FSNC within the existing cemetery grounds and a 60-acre undeveloped area within FSNC that is intended for future expansion of cemetery uses. The Proposed Action would provide approximately 13,850 gravesites, including both casket and cremation sites in new burial sections and columbarium niches in a new courtyard. An additional 7,030 cremation sites would be provided within the existing cemetery grounds.

Alternatives

This EA evaluates the effects of two alternatives, the Proposed Action and the No Action Alternative.

The Proposed Action constitutes an additional construction phase of cemetery development, including additional burial sites and upgrades or improvements to facilities and infrastructure throughout the existing cemetery that are necessary to support continued operations for an additional 15 years of service.

Under the No Action Alternative, the VA would not construct the elements and features of the Proposed Action. FSNC would remain at its current capacity.

Affected Environment and Environmental Consequences

The affected environment of the Proposed Action includes FSNC, lands surrounding FSNC, and waters downstream of FSNC, as discussed in Section 3 of this EA.

This EA considered, but eliminated from further detailed study, the following Technical Resource Areas because the Proposed Action would not have the potential to significantly affect these resources:

- Aesthetics
- Air Quality
- Aviation
- Community Services
- Environmental Justice
- Geography, Topography, and Soils
- Land Use
- Noise
- Parks and Recreational Resources
- Socioeconomics
- Transportation and Parking
- Utilities

The Proposed Action would result in the impacts identified throughout Section 3 and summarized in the table below. These include potential short-term and/or long-term adverse impacts to hydrology and water quality, wildlife and habitat, and solid and hazardous materials. All of these potential impacts are less than significant and would be further reduced through careful implementation of general best management practices (BMPs); management, minimization, and avoidance measures; and compliance with regulatory requirements, as identified in Section 5.

Table ES-1. Summary of Impact Analysis

Resource Area	Proposed Action	No Action
Cultural Resources	On December 14, 2022, the State Historic Preservation Office (SHPO) concurred with the VA's finding that the Proposed Action will have **no adverse effect** on historic properties provided that the conditions outlined in Section 3.3.2.1 are implemented.	No impact

Resource Area	Proposed Action	No Action
Hydrology and Water Quality	The Proposed Action would result in **moderate, long-term, beneficial, direct impacts** on water quality by increasing dissolved oxygen levels and discouraging the growth of algae in the South Pond. Both **short** and **long-term minor, adverse, indirect impacts** are anticipated on hydrology and water quality in association with the construction and operation of the cemetery improvements; however, none are significant, and impacts would be reduced by the implementation of BMPs.	No impact
Floodplains and Wetlands	The proposed improvements would be located outside of floodplains and wetland areas; therefore, the Proposed Action would have **no impact** on these resources.	No impact
Wildlife and Habitat	The Proposed Action may result in **minor, long-term, adverse, direct impacts** to potential summer roosting and foraging habitat for the NLEB, tricolored bat, and state-listed bat species from tree removal. Impacts to bats and to migratory birds will be minimized by not allowing tree clearing between April 1 and October 31. The Proposed Action would have a low potential for **minor, long-term, adverse, direct impacts** to the rusty patched bumble bee and monarch butterfly due to habitat conversion and use of herbicides and pesticides.	No impact
Solid and Hazardous Materials	Construction of the cemetery expansion would generate minimal quantities of solid wastes, creating a **minor, short-term, adverse, direct impact**. Due to the available capacity of landfills within the area and the promotion of recycling wastes, **long-term, adverse, direct impacts** associated with solid waste generation would be **negligible**.	No impact

Cumulative Impacts

As identified in the table above and discussed in Sections 3.2 through 3.7 of this EA, the Proposed Action would result in negligible to minor adverse effects related to hydrology and water quality, wildlife and habitat, and solid and hazardous materials. Past actions within the Minneapolis-Saint Paul area have resulted in impacts to water quality, loss of wildlife habitat, and contamination of soils and groundwater. With implementation of BMPs and mitigation measures described in Section 5 of this EA, the contribution of the Proposed Action to these cumulative impacts would not be significant.

Agency Coordination and Public Involvement

VA has consulted with federal, state, and local agencies and Native American tribes concerning the Proposed Action. Scoping letters soliciting input on the scope of the EA were sent to elected officials and various stakeholders, including 13 federally recognized tribes, as identified in Section 4.1 of this EA. Notice of Availability (NOA) letters were sent to these same agencies and organizations to announce the availability of the Draft EA for review. Comments received from all parties have been considered and incorporated within this EA; communications received during this process are located in **Appendix A Agency Correspondence**.

On October 12, 2022, VA initiated consultation with agencies with interest in cultural resources in accordance with Section 106 of the National Historic Preservation Act (NHPA). The Section 106 consultation letters included a description of VA's proposed undertaking (Proposed Action), definition of the area of potential effects (APE), identification of historic properties (the results of the **Cultural Resources Literature Review, Archaeological Assessment, and Phase I Archaeological Survey Report**), and VA's finding of effects on historic properties (no adverse effect with conditions). The Minnesota SHPO concurred with VA's findings and No Adverse Effect determination on December 14, 2022 (see **Appendix B Section 106 Correspondence**).

A Notice of Public Scoping was published in the Star Tribune for two days, and an NOA to announce the availability of the Draft EA for public review was published in the Star Tribune for two days. The public notice records are included within **Appendix C Public Notices**.

Conclusions

This EA has reached a determination that there will be no significant adverse impact, either individually or cumulatively, to the human environment associated with the Proposed Action, provided the management, minimization, avoidance, and regulatory compliance measures described in this EA are implemented.

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D-11. Stakeholders Report

D-12. Regulatory Requirements

LIST OF ACRONYMS AND ABBREVIATIONS

ACM	Asbestos-containing Materials
APE	Area of Potential Effects
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
BA	Biological Analysis
BMP	Best Management Practices
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CREC	Controlled Recognized Environmental Condition
CWA	Clean Water Act
dBA	Decibels A
DNR	Minnesota Department of Natural Resources
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ERIS	Environmental Risk Information Services
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FCA	Facility Condition Assessment
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FSNC	Fort Snelling National Cemetery
GIS	Geographic Information System
HREC	Historical Recognized Environmental Condition
HUC	Hydrologic Unit Code

HVAC	Heating, Ventilation, and Air Conditioning
IPAC	Information for Planning and Consultation
LBP	Lead-based Paint
LEED	Leadership in Energy and Environmental Design
LMRWD	Lower Minnesota River Watershed District
LUST	Leaking Underground Storage Tank
MAC	Metropolitan Airports Commission
MDA	Minnesota Department of Agriculture
MDH	Minnesota Department of Health
MGS	Minnesota Geological Survey
MOU	Memorandum of Understanding
MSL	Mean Sea Level
MSP	Minneapolis-Saint Paul International Airport
MPCA	Minnesota Pollution Control Agency
MWI	Minnesota Well Index
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NCA	National Cemetery Administration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NLEB	Northern Long-Eared Bat
NO_2	Nitrogen Dioxide
NOA	Notice of Availability
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
O_3	Ozone
OEAAA	Obstruction Evaluation/Airport Airspace Analysis
OHWM	Ordinary High-Water Mark

OSA	Office of the State Archaeologist
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCB	Polychlorinated Biphenyls
PFO	Palustrine Forested
PHASE 1 ESA	Phase 1 Environmental Site Assessment
PIC	Public Information Center
PM	Particulate Matter
REC	Recognized Environmental Condition
SHPO	State Historic Preservation Office
SO_2	Sulfur Dioxide
SOI	Secretary of the Interior
SWPPP	Stormwater Pollution Prevention Plan
TSS	Total Suspended Solids
UST	Underground Storage Tank
VA	U.S. Department of Veterans Affairs
VOC	Volatile Organic Compounds
U.S.	United States
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WOTUS	Waters of the U.S.

1. PURPOSE AND NEED FOR THE PROPOSED ACTION

The U.S. Department of Veterans Affairs (VA) proposes to construct and operate additional burial sites at the existing Fort Snelling National Cemetery (FSNC) in Minneapolis, Minnesota. This Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential social, economic, and environmental effects associated with this Proposed Action.

The National Environmental Policy Act (NEPA) of 1969, as amended, requires federal agencies to consider environmental consequences in their decision-making process. The intent of NEPA is to protect, restore, or enhance the environment through a well-informed decision-making process. The President's Council on Environmental Quality (CEQ) was established under NEPA to implement and oversee federal policy in this process. The CEQ has issued regulations to implement NEPA that include provisions for both the content and procedural aspects of the required environmental impact analysis. The CEQ regulations declare that an agency may prepare an EA on any action to assist agency planning and decision making. Furthermore, the CEQ regulations indicate that the EA shall briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI).

The VA accomplishes adherence to NEPA through 38 Code of Federal Regulations (CFR) Part 26 (Environmental Effects of the Department of Veterans Affairs Actions); VA's NEPA Interim Guidance for Projects (VA, 2010); and VA NEPA Implementation, Directive 0067 (VA, 2013). These federal regulations establish both the administrative process and substantive scope of the environmental impact evaluation to ensure that deciding authorities have a proper understanding of the potential environmental consequences of a contemplated course of action. This EA has been prepared in accordance with these regulations and guidance documents.

This section of the EA provides introductory and background information for the Proposed Action, including a statement of purpose and need and the federal decision to be made.

1.1 Project Background

The VA is responsible for providing programs that benefit Veterans and their families. The VA provides health care (including rehabilitation and counseling); burials; and a variety of benefits including education, home loans, and pensions. The Veterans Bureau was established in 1921 and consolidated the Veterans Bureau, the Bureau of Pensions of the Interior Department, and the National Home for Disabled Volunteer Soldiers. The Veterans Bureau provided insurance for service personnel, disability compensation, and medical care. In 1930, Executive Order (EO) 5398 was signed and the Veterans Bureau was designated the Veterans Administration, at which time the National Homes and Pension Bureau was transferred to the Veterans Administration. In 1988, the Veterans Administration was raised to a cabinet-level executive department and the Veterans Administration was renamed the Department of Veterans Affairs, the VA.

On July 17, 1862, the United States (U.S.) government purchased cemetery grounds to be used as national cemeteries "for soldiers who shall have died in the service of their country," thereby creating the National Cemetery System. The U.S. government established 14 cemeteries. By 1870, 73 national cemeteries had been established. In 1930, new national cemeteries were established to service those who were living in major metropolitan areas and not near a battlefield. In 1973, 82 national cemeteries were transferred from the Department of the Army to the Veterans Administration. In 1998, the National Cemetery System was renamed the National Cemetery Administration (NCA). As of today, the VA NCA operates 155 national cemeteries and 34 soldiers' lots and monument sites in 42 states and Puerto Rico. In addition, two national cemeteries are maintained by the Department of the Army (Arlington National Cemetery and the U.S. Soldiers' and Airmen's Home National Cemetery) and 14 are maintained by the Department of the Interior (cemeteries that are located within National Parks).

FSNC was established in 1939 in Minneapolis, Minnesota at the site of Fort Snelling near the confluence of the Minnesota and Mississippi Rivers (see **Figure 1-1**). FSNC is one of seven VA NCA properties developed during the period between World War I and World War II to serve large Veteran populations in cities across the country.

In May 1960, Fort Snelling Air Force Station transferred approximately 146 acres of land to FSNC. One more land transfer of approximately 177 acres followed in 1961, bringing the cemetery to its present size of approximately 436 acres.

1.2 Purpose and Need

The mission of the NCA is to honor Veterans and their eligible family members "with final resting places in national shrines and with lasting tributes that commemorate their service and sacrifice to our Nation." The mission is accomplished by providing burial space for Veterans and their eligible family members; maintaining the cemeteries as national shrines in honor and memory of those entombed or memorialized at the cemetery; marking Veterans graves with government-furnished markers; providing Presidential Memorial Certificates; and administering grants for establishing or expanding state and tribal government Veteran cemeteries.

The purpose of the Proposed Action is to provide additional burial sites at FSNC for eligible individuals and the essential support facilities and infrastructure throughout FSNC that are While FSNC currently has interment options to support burial requests for eligible individuals, the existing cemetery and associated infrastructure require expansion to continue supporting the needs of Veterans, family members, and staff over the next 15 years. The Proposed Action is needed to address the forecasted interment needs of Veterans and their families by ensuring that there will not be a deficiency gap in the forecasted depletion rate.

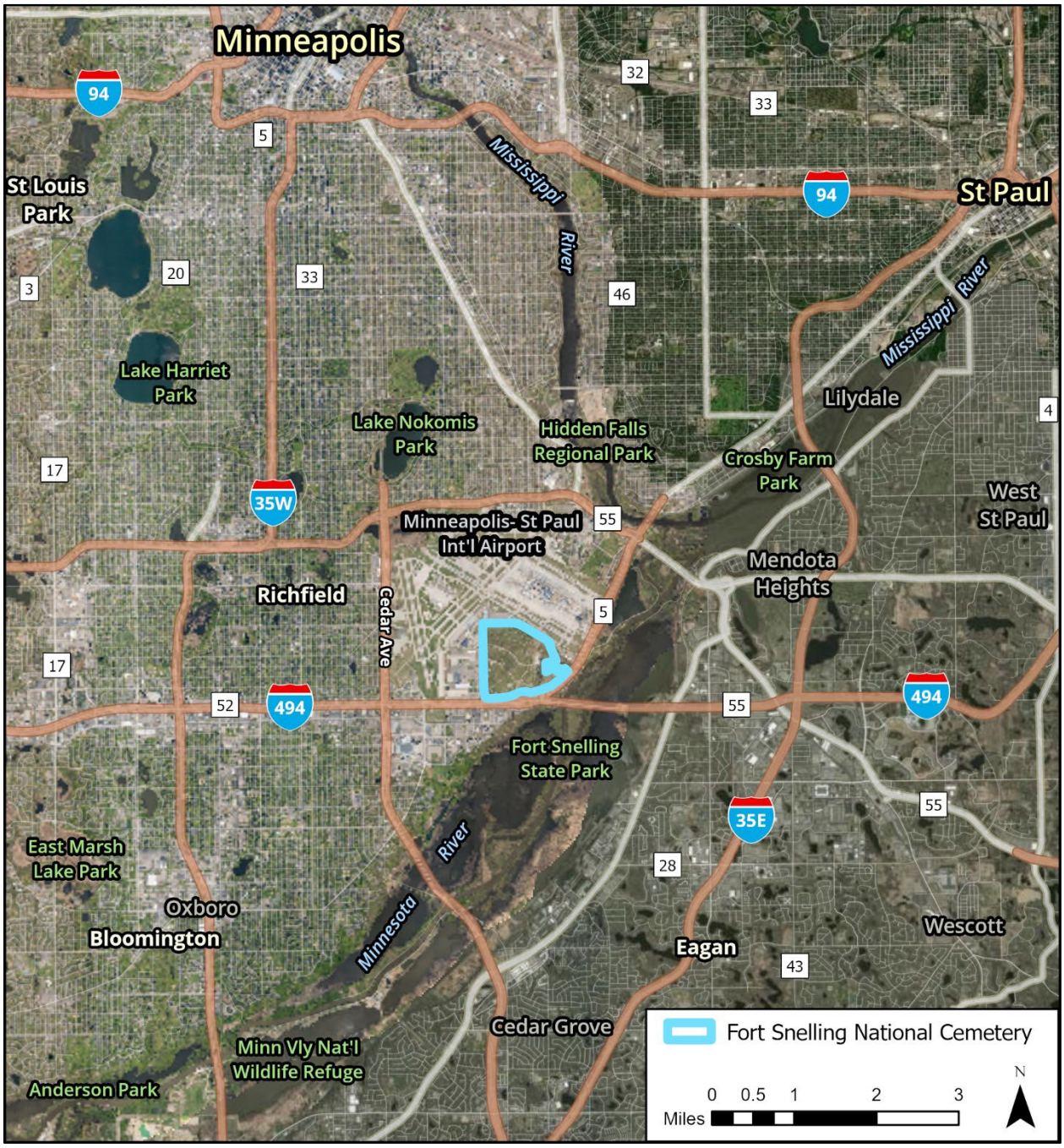

Figure 1-1. Project Location Map

1.3 Federal Decision to be Made

The VA is the federal decision-maker concerning this Proposed Action and controls the federal funds that would be used for its implementation. The purpose of this EA is to inform decision-makers of the potential environmental effects of the Proposed Action and alternatives prior to making a federal decision to move forward with any action. In this manner, federal decision-makers can make a fully informed decision, aware of the potential environmental effects of the Proposed Action. Overall, the purpose of this EA is to:

- Document the NEPA process;
- Inform decision-makers of the possible environmental effects of the Proposed Action and its considered alternatives, as well as methods to reduce these effects;
- Allow for regulatory agency and tribal input into the decision-making process; and
- Allow for informed decision-making by the federal government.

This decision-making includes identifying the actions that the federal government will commit to undertake to minimize environmental effects, as required under NEPA, CEQ regulations, 38 CFR Part 26, and VA NEPA Implementation, Directive 0067 (VA, 2013).

The decision to be made is whether, having taken potential social, economic, and environmental effects into account, the VA should implement the Proposed Action and, as appropriate, carry out mitigation measures to reduce effects on resources. The VA will ultimately decide if the action is funded and constructed.

The VA, as the federal proponent of the Proposed Action, will document their decision in a FONSI, if appropriate. The VA will carefully consider comments received from regulatory agencies and tribes in this decision-making process.

2. ALTERNATIVES

This section of the EA provides a description of the Proposed Action and a description of the No Action Alternative.

2.1 Proposed Action Alternative

The VA proposes to construct and operate additional burial sites and support facilities and infrastructure at FSNC within the existing cemetery grounds and a 60-acre area outlined in yellow in **Figure 2-1**, which is currently undeveloped land within FSNC that is intended for future expansion of cemetery uses (from hereto referred to as the "cemetery expansion area"). Approximately 20,525 additional gravesites constitute sufficient burial capacity for approximately 15 years. To meet this need, the Proposed Action would provide approximately 13,850 gravesites, including both casket and cremation sites in new burial sections and columbarium niches in a new courtyard. An additional 7,030 cremation sites would be provided within the existing cemetery grounds. The locations of these new burial areas are shown in **Figure 2-2**, which together will provide a total of approximately 20,880 new gravesites.

The Proposed Action constitutes an additional construction phase of cemetery development; therefore, upgrades or improvements to facilities and infrastructure throughout the existing cemetery that are necessary to support continued operations for an additional 15 years of service would also be included in this phase of construction. The total estimated area of disturbance for all proposed improvements within FSNC is 51 acres (Proposed Disturbance Area in Figure 2-2), of which approximately 10 acres are within the cemetery expansion area.

Specifically, the Proposed Action consists of the following elements and features:

1. Development of additional burial sites as described above and as shown in Figure 2-2, and the circulation roadways, drainage/stormwater conveyance, irrigation systems, and landscaping for these new sites.
    - Casketed Remains:
        - approximately 1,000 pre-placed crypt full casket gravesites
        - approximately 180 over-sized pre-placed crypt full casket gravesites
    - Cremated Remains:
        - approximately 12,400 (4'x4') in-ground cremation, garden niche, or terrace sites
        - approximately 7,300 columbarium niches
2. Replacement or repair of the six Committal Shelters. Committal Shelter #1 will be demolished and rebuilt in a new location, as shown in Figure 2-2, and the remaining five shelters will undergo renovation and repairs, as required.

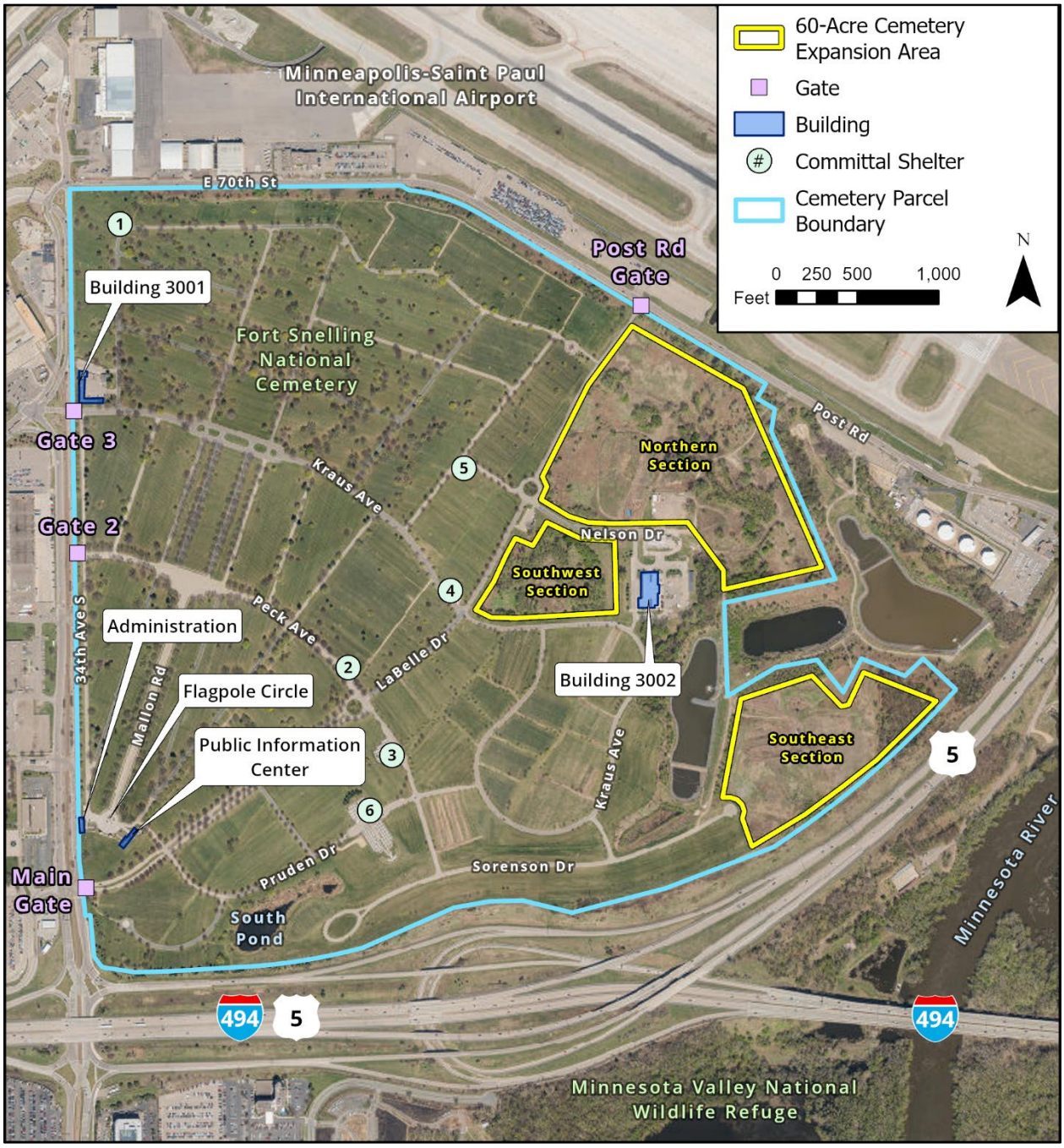

Figure 2-1. Project Area Map

Figure 2-2. Proposed Action Map

3. Construction of a new Administration Building (LEED Silver certification) and an irrigation well in the northern section of the cemetery expansion area, as shown in Figure 2-2.
4. Renovation and rehabilitation of the interiors of the Public Information Center (PIC) and existing Administration Building (which will be converted to serve as the new Honor Guard building), as well as exterior repair work to pursue LEED Silver certification (at a minimum) in accordance with VA's Green Building Certification Requirements and in support of EO 14057 Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability.
5. Demolition of the Maintenance Building (Building 3002) and development of a new Vehicle Storage Building in the same location, and construction of a new Maintenance Office in the same complex, as shown in Figure 2-2.
6. Repair of the Flagpole Circle monument and base.
7. Repair of the cemetery's fence along 34th Avenue South, as well as the posts and Gates 2 and 3 within this section, and in other locations along the cemetery parcel boundary as needed (and as shown by the Proposed Disturbance Area lines around the perimeter of the property in Figure 2-2).
8. Redevelopment of the Main Gate area at 34th Avenue South and LaBelle Drive in accordance with updated safety standards to include new entrance signage, the VA seal, and additional landscaping.
9. Development of a new parking area to service the PIC and new Honor Guard building (formerly the Administration Building).
10. Landscaping improvements and replacement of liner at the South Pond, a stormwater pond located in the southwest quadrant of the cemetery, south of Pruden Drive.

2.2 No Action Alternative

Under the No Action Alternative, the VA would not construct the elements and features of the Proposed Action. FSNC would remain at its current capacity.

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§ 1502.14(c)).

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section describes the baseline, i.e., existing conditions or environmental resources (Technical Resource Areas), at and near FSNC that are potentially subject to effects from implementation of the Proposed Action. The baseline conditions presented in this section are described to the level of detail necessary to support analysis of potential impacts associated with the Proposed Action.

The information and findings presented in this section and used to analyze potential impacts were gathered from federal, state, and local agencies; studies conducted for past projects in and around FSNC; existing literature and websites; aerial photography; geographic information system (GIS) databases; and site visits. Some of the information and findings are documented in the technical reports listed in the Table of Contents of this EA, which are available for review on the VA's Office of Construction & Facilities Management webpage (the FSNC documents are listed under the Minnesota heading): https://www.cfm.va.gov/environmental/index.asp.

3.1 Criteria of Analysis of Impacts

After the description of the relevant baseline conditions of each considered Technical Resource Area, the potential social, economic, and environmental effects of the Proposed Action and No Action Alternative are analyzed. For the purposes of this analysis, the potential effects are described in terms of duration (short-term or long-term), whether they are direct or indirect, whether they are adverse or beneficial, and the magnitude of the impact, as summarized in the following paragraphs:

Short-term or long-term. In general, short-term impacts are those that would occur only with respect to a particular time-lined activity, for a finite period, or only during the time required for construction activities. Long-term impacts are those that are more likely to be persistent and chronic.

Direct or indirect. A direct impact is caused by an action and occurs around the same time at or near the location of the action. An indirect impact is caused by an action and might occur later in time or be farther removed in distance but could still be a reasonably foreseeable outcome of the action.

Adverse or beneficial. An adverse impact is one having unfavorable or undesirable outcomes on the man-made or natural environment. A beneficial impact is one having positive outcomes on the man-made or natural environment.

The magnitude, or significance, of an impact is based on its context and intensity (VA, 2010):

- **Context** means the affected environment in which a proposed action would occur; it can be local, regional, national, or all three, depending upon the circumstances. Context means that the significance of an action must be analyzed in several contexts, such as society as a whole (human/national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a

site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

- **Intensity** refers to the severity of impact, ranging from negligible, minor, or moderate. **Negligible** impacts are generally those that might be perceptible but are at the lower level of detection. A **minor** impact is slight, but detectable. A **moderate** impact is readily apparent. Significant impacts are those that, in their context and due to their magnitude (severity), warrant heightened attention and examination for potential means for mitigation to fulfill the policies set forth in NEPA.

3.2 Resources Eliminated from Further Analysis

Per 40 CFR § 1501.9(f)(1), the scoping process should "identify and eliminate from detailed study the issues that are not significant or have been covered by prior environmental review(s) (40 CFR § 1506.3), narrowing the discussion of these issues in the statement [EA] to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere." The following Technical Resource Areas are anticipated to not have a significant impact and have been eliminated from further study in this document; the rationale for eliminating them are discussed below.

Aesthetics: FSNC presents a park-like setting with manicured turf and ample large ornamental trees. The predominant view throughout the cemetery is of rows of white headstones and related facilities, such as the columbarium niches and committal shelters. Both the Proposed Action and the No Action Alternative would not change the overall aesthetic and visual characteristics of FSNC. The burial sites and support facilities and infrastructure associated with the Proposed Action 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. A landscaping plan will be prepared for the Proposed Action and will include a tree planting plan consistent NCA National Shrine Commitment Operational Standards and Measures (VA, 2009). The character of the proposed improvements will mirror the existing design of FSNC; therefore, no impact to aesthetics is anticipated.

Air Quality: Minnesota meets the National Ambient Air Quality Standards (NAAQS) for all six criteria pollutants (i.e., carbon monoxide [CO], lead [Pb], nitrogen dioxide [NO_2], ozone [O_3], particulate matter [PM], and sulfur dioxide [SO_2]) (MPCA, 2022a). Temporary releases of fugitive dust (PM_{10}) and gaseous emissions of CO, volatile organic compounds (VOC), NO_2, SO_2, and $PM_{2.5}$ from the combustion of fuel used by equipment and vehicles are anticipated during construction of the Proposed Action. It is anticipated that the use of heavy equipment for normal operations at FSNC would remain unchanged with the Proposed Action. Given that air quality effects would be limited to short-term construction emissions and that construction activities would be performed in compliance with air resource protection requirements included in the NCA

Master Construction Specifications (VA, 2023a), the Proposed Action would not have adverse impacts on air quality. In addition, VA will request that the Contractor consider the use of recycled materials in place of carbon-intensive Portland Cement, where consistent with NCA standards, and implement, to the extent practicable, protective measures included in EPA's *Construction Emission Control Checklist* (see **Appendix A-4 Draft Environmental Assessment Correspondence**).

Aviation: The FSNC is bounded by Minneapolis−Saint Paul International Airport (MSP) on the north and west. During project scoping, the Federal Aviation Administration (FAA) communicated that proposed structures associated with the project need to be entered into the Notice Criteria Tool in FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) system to determine if further airspace analysis needs to be conducted by the FAA in order to ensure structures are compatible from an airspace standpoint. Due to the project's proximity to the MSP, VA will submit proposed structures with vertical development (e.g. building, light pole, tower, crane etc.) via OE/AAA for analysis during final design in accordance with 14 CFR § 77.9. Given this coordination with FAA during final design, no impact to aviation is anticipated.

Community Services: FSNC provides a community service to Veterans and their families. The Proposed Action would provide the improvements and infrastructure needed for FSNC to continue to provide accessible interment services to Veterans and their families. The Proposed Action would not require additional demand for emergency services nor affect emergency response times during or after project construction; therefore, no impact to these services is anticipated.

Environmental Justice: Demographic data was analyzed to identify populations of concern under Title VI of the Civil Rights Act of 1964; EO 13045 *Protection of Children from Environmental Health Risks and Safety Risks*; and EO 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (re-issued as EO 14008). The U.S. Environmental Protection Agency (EPA) developed an environmental justice (EJ) mapping and screening tool called EJScreen, which combines environmental and demographic indicators within mapping software. The FSNC and its immediate vicinity were investigated using EJScreen and no minority or low-income populations were identified. As there are no low-income or minority communities located within or adjacent to the boundaries of the FSNC, no impact to minorities or low-income populations is anticipated.

Geology, Topography, and Soils: Based on review of U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle maps, the topography of FSNC ranges from relatively flat on the west end to somewhat steep in areas east of LaBelle Drive (see **Appendix D-1 Topographic Survey Report**). The approximate elevation of FSNC is 830 feet above mean sea level (MSL), with topography generally sloping south. According to the Hennepin County Geologic Atlas prepared by the Minnesota Geological Survey (MGS), the native soil underlying FSNC generally consist of terrace sand and gravel (MGS, 2018). The terrace deposits are comprised of fine- to

course-grained sand and gravel. A geotechnical study performed for the Proposed Action concluded that the native soils are generally suitable for support of foundations of above ground structures and for underground crypts (see **Appendix D-2 Geotechnical Evaluation**); therefore, the Proposed Action would have no impact related to geology and soils.

Land Use: The entire property is owned and operated by the VA and is designated for use as a cemetery. Because the site is zoned and permitted for use as a cemetery, the land use would not require modification; therefore, the Proposed Action would have no impact to land use.

Noise: The FSNC is bounded on the west, north, and northeast by MSP, on the east by State Highway 5 and Fort Snelling State Park, and on the south by I-494, the Minnesota Valley National Wildlife Refuge, and commercial development. Lands within the State Park and the National Wildlife Refuge in proximity to FSNC are affected by existing noise from MSP and/or from State Highway 5 and I-494. Typical existing noise-generating activities at FSNC, including the use of heavy equipment for excavation of individual gravesites and periodic ceremonial rifle salute discharges, would remain unchanged with implementation of the Proposed Action; therefore, no noise impacts associated with operations of the Proposed Action are anticipated.

The Proposed Action would result in temporary increases in noise levels during construction of new burial sites and supporting infrastructure. The nearest noise sensitive receptors to areas of proposed construction activity would be trail users at the Minnesota Valley National Wildlife Refuge and Fort Snelling State Park. The distance between these sensitive receptors and proposed construction activities ranges from 0.26 mile (1,350 feet) to 0.30 mile (1,600 feet). Based on the Federal Highway Administration's Roadway Construction Noise Model and assuming the loudest piece of construction equipment used will be a dozer with a noise level of 85 decibels A (dBA) at 50 feet, the predicted L_{10} noise levels at trails within the refuge and state park would range from 51 to 52 dBA. These noise levels are below thresholds identified by the Minnesota Pollution Control Agency (MPCA) (MPCA, 2015) and the City of Bloomington (City of Bloomington, 2023), which include a L_{10} level of 65 dBA during the daytime and 55 dBA during the nighttime; therefore, no noise impacts from construction of the Proposed Action are anticipated.

Parks and Recreational Resources: Fort Snelling State Park and the Minnesota Valley National Wildlife Refuge are located to the east and southeast of FSNC, respectively, beyond I-494 and State Highway 5. Both the park and refuge provide opportunities for passive recreational activities, such as hiking and fishing, as well as habitat for a wide range of species. The Proposed Action would have no impact on either of these park and recreational areas or their features and functions.

Socioeconomics: The Proposed Action is anticipated to have temporary benefits to the local economy from construction activities within the area. The temporary benefits would be caused by the creation of construction jobs, incidental spending by construction workers, and the purchase of construction materials. No adverse impacts to socioeconomic resources are anticipated.

Transportation and Parking: The FSNC is well served by public roadways that include 34th Avenue South, along which three entrances into the cemetery are located; and I-494 and State Highway 5, by way of an interchange at 34th Avenue South. The cemetery is also accessible from Post Road along the north side of the cemetery. The Proposed Action would not add additional access (ingress or egress) to the site. The Main Gate area at 34th Avenue South and LaBelle Drive would be redeveloped in accordance with updated safety standards to include new entrance signage, the VA seal, and additional landscaping. The Proposed Action would construct a new parking area for the PIC just inside the Main Gate. The Main Gate would need to be temporarily closed during construction of these improvements. There would be some additional traffic associated with the mobilization/demobilization of equipment and labor and delivering of materials during construction of the Proposed Action. The additional vehicles accessing FSNC during construction of the Proposed Action and the temporary closure of the Main Gate during project construction are not anticipated to adversely affect traffic flow on adjacent roadways because of the availability of multiple points of ingress/egress to the cemetery. Signalization and dedicated turn lanes are provided at both the 34th Avenue South and Kraus Avenue intersections to manage traffic movements. The gate along Post Road at the north end of FSNC would facilitate access to the cemetery expansion area.

Utilities: A survey was completed to identify the presence and location of existing utilities within the project area. Utilities were identified and mapped, including fiberoptic, natural gas, and electric (see **Appendix D-3 Utilities: Identification and Capacity Report**). Potable water for several buildings is currently obtained from the Metropolitan Airports Commission (MAC). Irrigation water is obtained from two on-site wells. The Proposed Action includes installation of an additional irrigation well adjacent to the new Administration Building. According to the Phase I Environmental Site Assessment for the Proposed Action (see **Appendix D-4 Phase I Environmental Site Assessment)**, most of the cemetery is currently connected to public sanitary sewer laterals where wastewater is treated in the public sanitary sewer system. The existing Maintenance Building (Building 3002) is connected to two gray water tanks and one black water tank. These tanks are regularly serviced by a local septic pumping company. It is anticipated that the utility needs of the proposed improvements would be supported by existing utility providers currently under contract with the cemetery and that the Proposed Action would have no adverse effects on utilities.

3.3 Cultural Resources

Cultural resources are prehistoric and historic sites, districts, structures, artifacts, or any other physical evidence of human activity considered important to a culture, subculture, or community for scientific, traditional, religious, or other reasons. A historic district is an area that "possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development" (36 CFR § 67.2).

The nature and potential significance of cultural resources are identified by considering the following definition: historic properties, under 36 CFR Part 800, are defined as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places (NRHP)." For the purpose of these regulations this term includes artifacts, records, and remains that are related to and located within such properties. The term "eligible for inclusion in the National Register" includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet NRHP-listing criteria.

3.3.1 Affected Environment

The Area of Potential Effects (APE) for the Proposed Action encompasses the entirety of the FSNC property (see Figure 2-1). Within this APE, there are separate areas of interest designated for below-ground (i.e., archaeological area of interest) or above-ground (i.e., architectural area of interest) resources.

An appropriate area of interest for archaeology includes all areas of potential ground disturbing activities associated with construction, as shown in Figure 2-2.

An appropriate area of interest for architectural resources accounts for various types of effects to the built environment (e.g., physical, auditory, vibration, visual, etc.). Physical effects are anticipated due to the construction of additional burial sites; demolition and replacement/renovation of committal shelters; exterior and interior rehabilitation to three buildings; demolition of Building 3002; as well as work along the perimeter fence, Flagpole Circle, and the Main Gate area. New construction proposed as part of the Proposed Action includes relatively small-scale features, such as new burial sites and supporting infrastructure such as circulation roadways, drainage/stormwater conveyance, as well as management/administrative facilities. Potential visual effects will be limited to within the cemetery. Therefore, the area of interest for architectural resources includes the entire FSNC property.

A cultural resources literature review, archaeological assessment, and Phase I archaeological survey was conducted for the Proposed Action to identify historic properties within the APE (see **Appendix D-5 Cultural Resources Literature Review, Archaeological Assessment, and Phase I Archaeological Survey**). The cultural resources literature review included research at the State Historic Preservation Office (SHPO) and the Office of the State Archaeologist (OSA) to obtain information regarding previously identified archaeological sites, NRHP-listed and State Register-listed architectural resources, and/or properties that are part of the State Historic Sites Network within the APE. Reports of previous archaeological investigations were also reviewed and multiple documentary sources were consulted, including USGS topographic quadrangles, historical plat maps, and aerial photographs, to determine if any portion of the APE had been previously surveyed.

Research indicates that two previous archaeological surveys have been conducted within the archaeology area of interest. Phase I and II surveys conducted in 2000 were mostly outside the archaeology area of interest for the Proposed Action, though some portions of these surveys

overlapped the archaeology area of interest. Numerous areas of disturbance associated with military infrastructure and training were identified, including portions that overlap the archaeology area of interest. Pedestrian survey and shovel testing were conducted in undisturbed areas of the 2000 survey area and two archaeological sites were identified: 21HE0316 (located within the archaeology area of interest) and 21HE0317 (located outside of the archaeology area of interest). Both of these sites were subjected to Phase II evaluation. A Phase I archaeological survey was also conducted in 2004 as part of the larger FSNC Expansion. Portions of that survey overlap the archaeology area of interest and the walkover assessment conducted identified numerous areas of disturbance and surface grading. Five areas were subjected to Phase I archaeological survey; three of these areas overlap the archaeology area of interest. No new archaeological sites were identified during this survey.

The archaeological assessment was based on the results of the literature review and visual assessment. Visual assessment was conducted for the entire archaeology area of interest to assess archaeological potential, to identify areas of disturbance, and to ascertain whether above-ground features, such as earthworks or abandoned structural foundations, were present. All areas assessed as possessing moderate to high potential to contain intact archaeological resources were further investigated with Phase I archaeological survey methods, including systematic pedestrian survey at 15-meter (m) intervals and 15-m interval shovel testing.

The archaeology area of interest includes a portion of archaeological site 21HE0316 that was originally recorded in 2000 and that was previously subjected to Phase I-II investigations and was determined eligible for listing in the NRHP in 2004. Site 21HE0316 is a precontact site associated with the Woodland Period; it contains lithic and ceramic artifacts and fire-cracked rock and is interpreted to be a habitation site featuring two activity areas, both characterized by concentrations of lithic artifacts indicating tool manufacture and maintenance. Phase I archaeological survey associated with the Proposed Action identified additional archaeological resources that represent an extension to the southwest of Site 21HE0316. A Memorandum of Understanding is in the process of being executed between the VA (as the Depositor) and Minnesota Historical Society (as the Repository) for the curation of the artifacts found during the survey. VA has determined the newly identified portion of the site as similarly eligible for listing in the NRHP under Criterion D.

The architectural resources area of interest includes the entire FSNC property. FSNC was listed in the NRHP in 2016 (NRHP Ref # 16000060) under Criterion A. FSNC's significance rests in its position as one of seven national cemeteries established between World War I and World War II, specifically in the years 1934-1939, and its period of significance ranges from 1937-Present.

3.3.2 Environmental Consequences

3.3.2.1 Proposed Action

Project design has commenced, and the VA is committed to ensuring that the design will not alter the integrity or significance of the historic properties within the APE.

There are 89 contributing resources (e.g., 4 buildings, 14 structures, and 71 objects) listed in the NRHP nomination for FSNC. These properties were considered eligible immediately upon use due to the NRHP policy on National Cemeteries (NPS, 2011). As the significance of national cemeteries, and the individual resources in national cemeteries, is drawn from *"the presence of the remains of military personnel who have served the country throughout its history,"* VA understands that all proposed new development will become contributing resources to the FSNC once built. The NRHP policy recognizes that *"national cemeteries continue to expand"* and are *"properties considered ever-changing and recognized for their continuing exceptional importance."* It also recognizes that *"It is anticipated that most cemeteries will represent multiple layers of expansion with new sections being acquired and developed for use periodically as available grave sites are depleted."* Further, it notes that *"This policy means that recently developed areas are to be included with the boundaries of the district and recently constructed resources are to be recognized as contributing resources."* As a result, the Proposed Action – which will construct, repair, and renovate the exact types of resources through which the property derives its historic significance – does not trigger the criteria of adverse effect. In fact, the addition of new burial spaces will serve to enhance both the significance and integrity of the FSNC historic property.

The NRHP policy also states that *"Generally national cemeteries are significant under Criterion A for their association with significant events related to the nation's military history and the role of the Department of Veterans Affairs. Those having artistic or architectural significance as designed landscapes or for the design of memorials, monuments, or historic buildings, may also be documented under Criterion C."* While it bears noting that the VA is committed to ensuring that the proposed expansion, development, and repairs will be similar in design, materials, and scale to the existing resources in the cemetery and thus will not diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association, the VA also recognizes that the 2016 NRHP nomination states that FSNC is eligible for the NRHP solely under Criterion A and not under C, as the built environment exhibits a variety of architectural styles and materials.

Therefore, in accordance with 36 CFR § 800.5(b), the VA proposed a Finding of No Adverse Effect with the following two conditions:

1. Design Review. VA will submit design plans to the SHPO at progressive design intervals (i.e., approximately 30%, 60%, and 90%) to ensure consistency with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines. Further:

- Submissions will come from one VA point of contact and will include copies of the agency's November 22, 2022 letter for reference, as well as copies of the SHPO concurrence letter.

- Submissions may be for the overall Proposed Action, a single component of the Proposed Action, or multiple components of the Proposed Action, and the VA will specify how submissions fit within the overall Proposed Action.
- Submissions will include photographs/descriptions of current conditions, justification for proposed changes, and discussion on how the proposed work meets SOI Standards.
- The VA will extend invitations to the SHPO for design meetings if deemed appropriate by the VA or upon request by the SHPO.
- Submissions that include demolition will include a detailed discussion on how/why the demolition will not alter the characteristics of the historic cemetery that qualify it for listing in the NRHP.
- If the VA and SHPO cannot reach agreement that the submission has been designed in accordance with the SOI Standards, the VA will consult further to resolve the adverse effect of the submission pursuant to 36 CFR § 800.6.

2. Avoidance of Site 21HE0316. The VA will impose a 50-foot buffer around the boundary of the site in design plans to avoid disturbance of the site. The boundary of the site will be staked in the cemetery itself as an extra precaution.

On December 14, 2022, the SHPO concurred with the VA's finding that the Proposed Action will have **no adverse effect** on historic properties provided that the above conditions are implemented as proposed (see **Appendix B Section 106 Correspondence**).

3.3.2.2 No Action Alternative

Under the No Action Alternative, no ground disturbance would occur and potential to excavate an artifact is not present. Existing conditions would be maintained, and no construction would occur within the FSNC property. **No impacts** are anticipated.

3.4 Hydrology and Water Quality

3.4.1 Affected Environment

3.4.1.1 Surface Water

The project is located within the Upper Mississippi Region major watershed which extends from the headwaters of the Mississippi River at Lake Itasca to the mouth of the Ohio River at Cairo, Illinois. The Upper Mississippi Region includes 1,200 miles of the Upper Mississippi and Illinois Rivers and the navigable portions of the Minnesota, St. Croix, Black, and Kaskaskia Rivers. Human activities and land use in the Upper Mississippi Region have increased sediment and nutrient problems in the Upper Mississippi River (WDNR, 2022).

The FSNC is located within the Minnesota Basin 6-digit Hydrologic Unit Code (HUC) (HUC 070200) (DNR, 2022). The Minnesota River flows from its headwaters at Big Stone Lake to its confluence with the Mississippi River, a total distance of 330 miles. The Minnesota River drains approximately 16,900 square miles of land, 90 percent of which is used for agricultural purposes

(LMRWD, 2022). The Minnesota River is currently on the MPCA's list of impaired waters. Downstream of the project area, the Minnesota River is impaired for aquatic consumption due to mercury and polychlorinated biphenyls (PCB), and for aquatic life due to dissolved oxygen and turbidity (MPCA, 2022b).

The National Wetlands Inventory (NWI) mapping identifies freshwater ponds in and adjacent to FSNC. These freshwater ponds include two ponds within the cemetery parcel boundary (the South Pond and Minneapolis-Saint Paul International Airport (MSP) Pond #1), and three ponds adjacent to the east of FSNC (MSP Pond #2, the MnDOT Almaz Pond, and a small freshwater pond on airport property adjacent to a surface parking lot next to Post Road (see **Figure 3-1**). In addition, the NWI mapping identifies a stream (likely a drainage channel) that links MSP Pond #2 to MSP property on the north side of Post Road.

According to NWI mapping, no streams are present within the cemetery parcel boundary. As discussed in the **Waters of the U.S. Technical Report and Addendum** in **Appendix D-6**, a field survey of the 60-acre cemetery expansion area identified three ephemeral channels in the northern section (see Figure 3-1). All three channels lack a base flow, consistent ordinary high-water mark (OHWM), and direct connection to the Minnesota River and are therefore considered non-jurisdictional stormwater conveyance channels by USACE pursuant to Section 404 of the Clean Water Act (CWA) (see Appendix D-6).

As indicated in the **Hydrology Report** in **Appendix D-7**, the cemetery expansion area drains into MSP Ponds #1 and #2 and the MnDOT Almaz Pond (see Figure 3-1). All three ponds discharge into upflow outlet weirs that lead to a junction box that flows under State Highway 5 and into the Minnesota River via two 10-foot tunnels and one 6-foot tunnel. The Minnesota River flows into the Mississippi River approximately 3.3 miles downstream from the outfall of the three tunnels. The Mississippi River, at the confluence with the Minnesota River, is listed as impaired for aquatic consumption due to mercury, aluminum, perfluorooctane sulfanate, and PCB; for aquatic life due to total suspended solids (TSS) and nutrients; and aquatic recreation due to fecal coliform (MPCA, 2022b).

The South Pond is maintained as a stormwater impoundment within the developed portion of the cemetery. According to an analysis of hydrologic conditions at the pond (see **Appendix D-8 South Pond Analysis Report**), water levels within the pond are approximately four feet below normal water surface level due to leaks in the clay lining of the pond. Low water levels are impeding the functioning of the floating aerators, resulting in low oxygen levels in the pond. In addition, nutrients, like phosphorus and nitrogen, which are brought into the pond via stormwater runoff, act as fertilizer for algae blooms in the pond, compounding the stagnation problem.

3.4.1.2 Groundwater

The lower Minnesota River lies within an artesian basin containing glacial sediment and bedrock aquifers with large groundwater reserves. The Minnesota-Saint Paul Metropolitan Area uses groundwater for domestic, municipal, industrial, and agricultural water supplies (LMRWD, 2022).

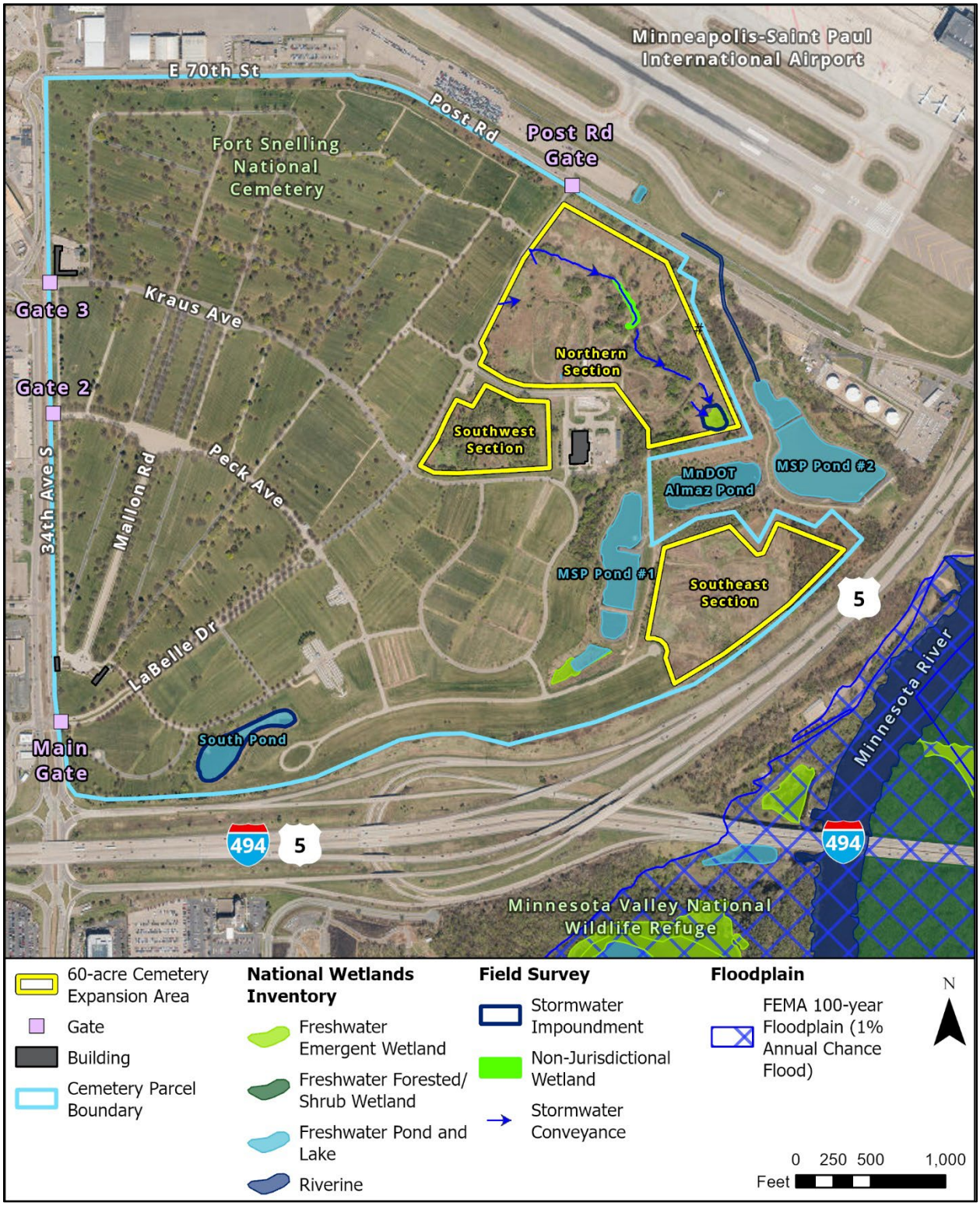

Figure 3-1. Water Resources

Petroleum compounds, solvents, fertilizers and other manufactured products, as well as naturally occurring radioactive compounds and other contaminants, have been found in various portions of the region's aquifers (Metropolitan Council, 2013).

3.4.2 Environmental Consequences

3.4.2.1 Proposed Action Alternative

The Proposed Action includes relining the perimeter of the South Pond to maintain higher water levels and improve the functioning of the pond aerators. This would result in **moderate, long-term, beneficial, direct impacts** on water quality within the pond by increasing dissolved oxygen levels and discouraging the growth of algae in the pond.

Both **short** and **long-term minor, adverse, indirect impacts** are anticipated on hydrology and water quality, in association with the construction and operation of the cemetery improvements; however, none are significant and impacts would be reduced by the implementation of best management practices (BMPs).

During construction, approximately 51 acres of soils would be disturbed (see Figure 2-2), potentially increasing the opportunity for sediment to leave the construction site and entering surface waters and potentially increasing sediment loading and decreasing water quality within the Minnesota River. In compliance with National Pollutant Discharge Elimination System (NPDES) requirements, a Stormwater Pollution Prevention Plan (SWPPP) identifying the project's stormwater management BMPs will be submitted to the MPCA. The Proposed Action would also meet standards for erosion control recommended by the Lower Minnesota River Watershed District (LMRWD). The Proposed Action would involve land-disturbing activities of one acre or more and would therefore require a LMRWD Rule B: Erosion and Sediment Control Permit. Upon completion of construction activities, all disturbed areas would be covered either with impervious surface or native grasses, removing the potential impact associated with sediment loading.

Upon completion of project construction, there would be an increase in impervious cover in connection with the new roads, buildings, parking lot, and burial areas that would increase surface water runoff volumes and velocities generated during a rain event. The Proposed Action would involve new impervious surfaces greater than one acre and would therefore require a LMRWD Rule D: Stormwater Management Permit. It is anticipated that the incremental increase in stormwater runoff would be retained by existing stormwater management ponds, which are regularly maintained. VA will coordinate with the LMRWD, MPCA and MAC during final design to confirm whether the existing ponds have sufficient capacity to accept additional runoff or if additional stormwater treatment measures would be required. The design of the proposed improvements will also consider alternative methods of managing hydrology, including use of permeable pavement or porous pavers, if practicable.

As discussed in Section 3.7.1, FSNC stores and uses chemicals for general maintenance, such as petroleum products, cleaning agents, and paints as well as chemicals for lawn and landscaping

maintenance, including pesticides, herbicides, and fertilizer. The proposed improvements within the cemetery expansion area would result in an incremental increase in the use of the same chemicals that are currently stored and used onsite. The Minnesota Department of Agriculture (MDA) is statutorily responsible for the management of pesticides and fertilizer other than manure to protect water resources (LMRWD, 2022). FSNC will continue to store, use, and dispose of maintenance and landscaping chemicals in accordance with MDA requirements. With implementation of BMPs for the storage, use, and disposal of such chemicals, potential adverse impacts to surface and ground water quality would be minimized.

Irrigation of the new burial sections and administration building grounds within the cemetery expansion area would require the construction of an additional irrigation well and an incremental increase in the use of groundwater at FSNC. Groundwater extraction during construction and operation of the proposed cemetery improvements would be conducted in accordance with Minnesota Department of Natural Resources (DNR) requirements. DNR requires a permit for surface or groundwater appropriation that exceeds 10,000 gallons of water per day or 1.0 million gallons per year (LMRWD, 2022). VA will coordinate with DNR to obtain an amendment to the existing water appropriation permit for FSNC to include the additional irrigation well and increased volume of groundwater appropriation. No significant short- or long-term impacts to groundwater quantity are anticipated for the Proposed Action.

3.4.2.2 No Action Alternative

Under the No Action Alternative, there would be no improvements to the South Pond, no additional impervious surfaces or soil disturbance, and no increase in the use of chemicals or groundwater; therefore, there would be **no impact** to surface or groundwater quality or quantity.

3.5 Floodplains and Wetlands

3.5.1 Affected Environment

3.5.1.1 Floodplains

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FEMA Flood Map Service Center, msc.fema.gov/portal), FSNC is within an Area of Minimal Flood Hazard (Zone X). The nearest FEMA-designated 100-year floodplain is located along the Minnesota River (see Figure 3-1).

3.5.1.2 Wetlands

The U.S. Army Corps of Engineers (USACE) defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” Wetlands generally include swamps, marshes, bogs, and similar ground conditions.

NWI mapping identifies two freshwater emergent wetlands within the cemetery parcel boundary (see Figure 3-1). One wetland is located at the southern tip of MSP Pond #1. The other wetland was identified at the location of a stormwater impoundment in the northern section of the cemetery expansion area. While this stormwater impoundment functions as a wetland, stormwater control features constructed to convey, treat, or store stormwater that are created in dry land are excluded from the definition of Waters of the U.S. (WOTUS) under the CWA Section 404 regulations (EPA, 2021).

As discussed in the **Waters of the U.S. Technical Report and Addendum** in **Appendix D-6**, a field survey of potential WOTUS, including wetlands, was conducted within the project area, including the 60-acre cemetery expansion area, by a qualified wetland scientist in May 2022 and September 2023 following the methodology within the 1987 USACE *Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0)*. The May 2022 field survey identified a 0.17-acre forested wetland within an ephemeral drainage system through the northern section (see Figure 3-1). The vegetation within this wetland is dominated by cottonwood (*Populus deltoides*) and box elder (*Acer negundo*) trees. Because the wetland is relatively small and is inundated briefly, it has low functional values for terrestrial and aquatic species. The forested wetland is not a jurisdictional wetland under Section 404 of the CWA due to the lack of a direct connection with other known or established WOTUS, such as the Minnesota River.

Field surveys conducted in September 2023 identified wetland characteristics (wetland vegetation, wetland hydrology, and hydric soils) within the South Pond. The area is considered non-jurisdictional, however, because it is isolated and was designed to be a stormwater retention pond (exempt for the Clean Water Act). VA received an approved jurisdictional determination (AJD) from the USACE pursuant to CWA Section 404 on February 9, 2024. The AJD determined that all features within the project area are not WOTUS subject to USACE jurisdiction.

3.5.2 Environmental Consequences

3.5.2.1 Proposed Action Alternative

The Proposed Action would not occur within a FEMA-designed 100-year floodplain because none exist within the project area.

The proposed improvements would be located outside of wetland areas; therefore, the Proposed Action would have **no impact** on wetlands within the FSNC.

3.5.2.2 No Action Alternative

The No Action Alternative would have **no impact** on floodplains or wetlands.

3.6 Wildlife and Habitat

3.6.1 Affected Environment

Most land within FSNC is devoted to gravesite or cemetery use and primarily consists of well-manicured turf grasses (i.e., mowed frequently) and numerous mature ornamental trees that are landscaped in keeping with the overall design of the cemetery. Field surveys were conducted in May and June of 2022 and September 2023 within the project area, including the 60-acre cemetery expansion area, to identify habitats (see **Appendix D-9 Biological Survey (Threatened and Endangered Species) Technical Report and Addendum**).

As summarized in **Table 3-1** and illustrated in **Figure 3-2**, the three sections of the cemetery expansion area have their own unique combination of habitats. The northern section contains a mix of habitats that include immature and mature upland forest, open fields, and old fields. Developed or disturbed areas include roads, parking lots, barren soil, mulch stockpiles, and storage areas. The southwest section is comprised primarily of the remnants of a large soil stockpile that was used for cemetery operations. A young stand of trees has established on the stockpile, with larger trees surrounding it and old field habitat within the central portion of the section. The southeast section primarily consists of open field habitat that is well maintained and is currently used for soil and mulch stockpiling. Some portions of the open fields are experiencing natural succession to old field habitat with encroaching small woody trees and shrubs. Numerous invasive plant species are present throughout the cemetery expansion area, including leafy spurge (*Euphorbia escula*), bull thistle (*Cirsium vulgare*), and crownvetch (*Securigera varia*), which dominate some of the habitats.

Table 3-1. Cemetery Expansion Area Habitat Summary (Acreage)

Habitat Type	Northern Section	Southwest Section	Southeast Section
Mature Forest	7.0[1]	0.7	2.0
Immature Forest	5.3	4.7	0.0
Old Field[2]	7.0	2.1	0.8
Open Field[3]	6.9	0.0	8.1
Developed/Disturbed[4]	8.0	0.8	6.2
Total Acreage:	**34.3**	**8.3**	**17.1**

Source: Parsons, 2022

Notes:

1. The northern section includes riparian forest species but because they are relatively small in size, they did not warrant splitting from the mature forest category.
2. Consists of field habitats with a mixture of encroaching woody species and herbaceous vegetation, primarily perennial species.
3. Consists of field habitat dominated by herbaceous vegetation, primarily annual species. Without active management (e.g., mowing, tilling, or prescribed fire), this habitat would naturally transition to old field to immature forest to mature forest.
4. Associated with operations at FSNC and considered negligible for habitat and species analysis.

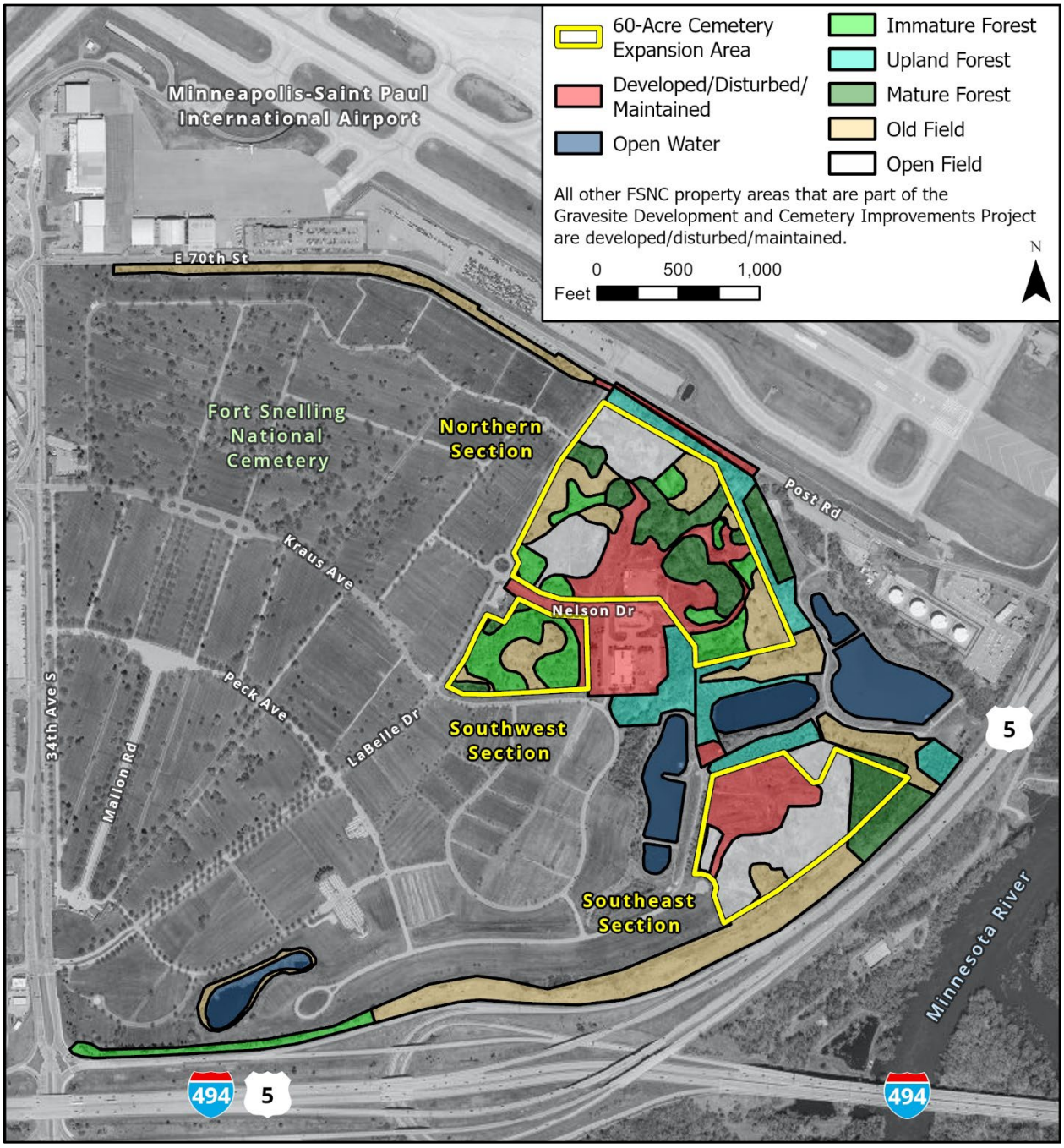

Figure 3-2. Habitat within FSNC Property

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) project planning tool was used to obtain a list of federally listed species considered endangered or threatened, and candidates for such listing that may occur within the cemetery expansion area (see Appendix D-9*)*. Additionally, DNR was contacted to obtain a list of state-listed species and to identify resource concerns for the Proposed Action. **Table 3-2** indicates whether the project area provides potential habitat for federally listed species based on resource agency input, information on species habitat requirements, and habitat conditions observed during field surveys at FSNC in May and June of 2022 and September 2023.

Table 3-2. Federally Listed Species Potentially Occurring in the Project Area

Species	Status*	Habitat	Potential for Habitat
Northern long-eared bat *Myotis septentrionalis*	E	Caves and cave-like structures (hibernacula), forests, trees (roosting and foraging).	Potential summer roosting habitat is present.
Tricolored bat *Perimyotis subflavus*	E	Caves and cave-like structures (hibernacula), forests, trees (roosting and foraging).	Potential summer roosting habitat is present.
Higgins eye (pearlymussel) *Lampsilis higginsii*	E	Large rivers with deep water and moderate currents.	No large rivers are present within FSNC. This species may be present within the Minnesota River, downstream of the project area.
Rusty patched bumble bee *Bombus affinis*	E	A variety of habitats (e.g., prairies, woodlands, marshes, agricultural landscapes, residential parks and gardens) with diverse and abundant flowers for foraging and loose soil with rodent burrows for nesting.	DNR identified FSNC as a High Potential Zone (July 13, 2022). Potential summer nesting and foraging (fields) and overwintering habitat (forest) is present but marginal due to extensive presence of invasive species.
Monarch butterfly *Danaus plexippus*	C	Abundance of milkweed (*Asclepias* spp.) for breeding populations; abundance of nectar-producing flowering plants for breeding and migrating populations.	A few milkweed plants are present, but the habitat is of overall low-quality due to low density of milkweed and extensive presence of invasive species.

Notes:

*Status: E = Endangered and C = Candidate

Northern long-eared bats (NLEB) hibernate in caves or mines during the winter. During their active season, from approximately April to October, they typically roost underneath bark, in cavities, or in crevices of both live and dead trees. They may also roost in manmade structures, such as buildings and bridges. Pup rearing occurs in June and July. The predominant threat to NLEB is white-nose syndrome, a disease that has spread rapidly throughout the species' range in the United States.

Trees within the developed and undeveloped portions of FSNC provide suitable summer roosting habitat for NLEB. According to DNR, the NLEB has been documented in the vicinity of the project

area; however, there are no known NLEB hibernacula within a quarter mile of FSNC and no maternity roosts within 150 feet of FSNC (see Appendix D-9).

Tricolored bat is one of the smallest bats native to North America and as its name suggests, this bat species is distinguished by its unique tricolored fur that appears dark at the base, lighter in the middle, and dark at the tip. Like the NLEB, they are found in caves and mines in the winter, and in forested habitats in the spring, summer, and fall. Due to white-nose syndrome, 90 to 100 percent declines have occurred among some winter colonies that were impacted by the disease, which has spread rapidly across most of the tricolored bat range.

Trees within the developed and undeveloped portions of FSNC provide suitable summer roosting habitat for tricolored bat. The tricolored bat has been found to occur in caves and mines in southeastern Minnesota; however, no maternity colonies have yet been identified within the state (DNR, 2023a).

Higgins eye is a freshwater mussel that prefers larger rivers and are usually found in deep waters with moderate currents. The current range of this species includes the upper Mississippi River, the St. Croix River between Minnesota and Wisconsin, the Wisconsin River in Wisconsin, and the lower Rock River between Illinois and Iowa. As described in Section 3.4.2, streams within FSNC are exclusively ephemeral drainage channels, which would not provide habitat for the Higgins eye. Higgins eye may be present in the Minnesota River, downstream of FSNC.

Rusty patched bumble bees use underground nests in upland grasslands, shrublands, and forest edges, and forage where nectar and pollen are available from April through October. From October through April, the species overwinters under tree litter in upland forests and woodlands. According to DNR, the project area is within a Rusty Patched Bumble Bee High Potential Zone (see Appendix D-9). No rusty patched bumble bees were observed during the field surveys in May and June 2022; however, there is potential for the species to be present at FSNC for both summer nesting and foraging, and overwintering habitat.

Monarch butterflies are native to North and South America but have since spread to many other locations where milkweed and suitable temperatures exist, including Australia, New Zealand, and portions of the Iberian Peninsula. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant and require nectar-producing flowers for foraging. In the fall, Minnesota populations of monarchs begin migrating to their overwintering sites in Mexico (DNR, 2023b).

A few interspersed milkweed plants were observed in the cemetery expansion area during field surveys in May and June of 2022. Potential habitat for the monarch butterfly at FSNC is considered low quality due to the low density of milkweed plants and the extensive presence of invasive plant species.

The Official Species list provided by USFWS (see Appendix D-9) identified **18 bird species protected under the Migratory Bird Treaty Act** that may occur within the project area. These bird species include the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila*

chrysaetos), which are also protected by the Bald and Golden Eagle Protection Act. Golden eagles are only found in the Minneapolis-Saint Paul area during migration, whereas bald eagles may be present year round, breeding in the area between early December and late August. Bald eagles nest in large trees, usually in old-growth or mature forests within proximity to water. Bald eagles are known to nest along the Minnesota River in Bloomington and within a number of parks within Hennepin County (Saint Paul Audubon Society, 2022). Habitat conditions within FSNC are marginal for nesting bald eagles due to the relatively small size of trees within the forested areas. No eagle nests were observed during field surveys in May and June of 2022 and September 2023.

According to DNR, three bat species that are listed as **state species of concern** have been documented in the vicinity of FSNC. These include the NLEB, the little brown bat (*Myotis lucifugus*), and the big brown bat (*Eptesicus fuscus*). Like the NLEB, the little brown bat and the big brown bat hibernate in caves or mines during the winter and are active from April to October. Also similar to the NLEB, these two bat species roost underneath bark, in cavities, or in crevices of live and dead trees and in human structures, such as bridges and buildings.

3.6.2 Environmental Consequences

3.6.2.1 Proposed Action Alternative

The construction of the proposed improvements within the cemetery expansion area would result in permanent conversion of approximately 9 acres of natural habitats (i.e., areas other than developed/disturbed/maintained) to cemetery uses. A landscaping plan will be prepared for the cemetery expansion area and will include planting of non-invasive trees and other plants consistent with NCA National Shrine Commitment Operational Standards and Measures (VA, 2009). The Contractor will be required to follow standard practices for minimizing the spread of invasive plants, such as washing construction equipment and vehicles before entering or leaving the site.

The remaining elements of the Proposed Action are all within the active cemetery area of FSNC and other than the presence of a new maintenance building, a new administration building, and a new parking lot, would not substantially change the existing urban park-like habitat. Some trenching would be required to connect new buildings to utilities. Areas affected by trenching or temporary excavations for utilities would be restored and replanted immediately following installations. Construction staging areas will be located within developed, disturbed, or maintained areas within FSNC.

The FAA communicated concern that the Proposed Action could attract wildlife that would be hazardous to airport operations at the MSP if stormwater treatment ponds are proposed (see **Appendix A Agency Correspondence**). Of particular concern would be the attraction of waterfowl that may create hazardous conditions to flight operations. No new stormwater treatment ponds are included in the proposed improvements; therefore, there would be no increased risk of aircraft-waterfowl collisions as a result of the Proposed Action.

In compliance with Endangered Species Act (ESA) Section 7 requirements, a Biological Analysis (BA) was submitted to the USFWS on March 9, 2023. The BA evaluates the potential effects of the Proposed Action on the species listed in Table 3-2. The following discussions summarize the impact analyses and determination of effects from the BA. The USFWS provided concurrence with each of the effects determinations via email on March 22, 2023. Additional coordination with the USFWS was conducted in October 2023 to address modifications to the area of disturbance for the Proposed Action. On October 20, 2023, the USFWS concurred that the modifications would not alter the determination of effects for the listed species (see Appendix A).

NLEB and Tricolored bat. The Proposed Action may result in **minor, long-term, adverse, direct impacts** to potential summer roosting and foraging habitat for the NLEB and tricolored bat from tree removal. To avoid potential impacts to roosting NLEB and tricolored bats, the VA will not allow tree clearing between April 1 and October 31. With implementation of this time of year restriction, the VA has determined that a "may affect, not likely to adversely affect determination" regarding the NLEB and tricolored bat under Section 7 of the ESA would be appropriate for the Proposed Action.

Higgins eye. While habitat for Higgins eye is not present within FSNC, there is potential for the Proposed Action to indirectly affect potential habitat for this species downstream within the Minnesota River. As discussed in Section 3.4, the Proposed Action could potentially result in increased transport of sediments and chemical pollutants to the Minnesota River via stormwater runoff during and after construction of the proposed improvements. During construction, soil and erosion control BMPs would be required (see Section 3.4.2.1). Operationally, FSNC would minimize any potential indirect impacts to water quality within the Minnesota River through the construction of additional drainage and stormwater treatment facilities, if required, in coordination with the LMRWD and MPCA, and through implementation of BMPs for chemical storage, use, and disposal. With implementation of construction and operational BMPs, **no impact** to the Higgens eye is anticipated.

Rusty patched bumble bee and monarch butterfly. The cemetery expansion area may provide low quality habitat for the rusty patched bumble bee and the monarch butterfly. The conversion of natural habitats to cemetery use and the use of herbicides and insecticides within the cemetery expansion area have a low potential for **minor, long-term, adverse, direct impacts** to these species. Due to the low quality of habitat conditions and the lack of observations of these species during field surveys, the VA has determined that a "may affect, not likely to adversely affect" determination regarding the rusty patched bumble bee and monarch butterfly under Section 7 of the ESA would be appropriate for the Proposed Action.

Tree removal and vegetation clearing for construction of the proposed improvements would result in **minor, long-term, adverse, direct impacts** on nesting and foraging habitat for migratory birds. To minimize impacts to nesting migratory birds, USFWS recommends removal of forested habitat outside the nesting season, or conducting nest surveys prior to clearing to avoid injury to eggs or

nestlings. Implementation of the time of year restrictions on tree clearing for the NLEB and tricolored bats would reduce impacts to migratory birds during the nesting season.

The Proposed Action may result in **minor, long-term, adverse, direct impacts** to potential summer roosting and foraging habitat for the state-listed bat species, including the little brown bat and big brown bat. The above time of year restrictions on tree clearing for the NLEB and tricolored bat would avoid potential impacts to roosting little brown bats and big brown bats.

3.6.2.2 No Action Alternative

Under the No Action Alternative, existing habitats within FSNC would remain the same. **No impact** to threatened and endangered species or migratory birds would occur.

3.7 Solid and Hazardous Materials

3.7.1 Affected Environment

A Phase I Environmental Site Assessment (Phase I ESA) was conducted for FSNC in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 (see **Appendix D-4**). The purpose of a Phase I ESA is to identify Recognized Environmental Conditions (REC) that could affect the development of the Proposed Action.

RECs include the presence or likely presence of any hazardous substance or petroleum products on or near the subject site that show conditions indicative of a past or current release to the environment or pose a material threat of a future release to the environment. No RECs were identified in the Phase I ESA.

A controlled REC, or CREC, is a past release of a hazardous substance or petroleum product from a site that was addressed to the satisfaction of the applicable regulatory authority. Any contamination allowed to remain in place would be subject to the implementation of required controls, such as limiting or restricting the use of the CREC site. The Phase I ESA identified the following CRECs (see **Figure 3-3**):

- Twin Cities Air Force Reserve Base (Small Arms Range Landfill) – This site is located southeast of and downgradient from FSNC. It was used as a landfill from approximately 1963 to 1972. The site's military operations resulted in the use, storage, and disposal of hazardous substances that included contaminated fuels, spent solvents, cleaners, and paint wastes containing trivalent chromium, lead, zinc, and 1,2-trans-dichloroethylene. The controls implemented for this CREC include monitored natural attenuation, site maintenance, access restrictions, groundwater and surface water monitoring, and deed restrictions limiting future development of the site in the event the property is relinquished by the U.S. Air Force.

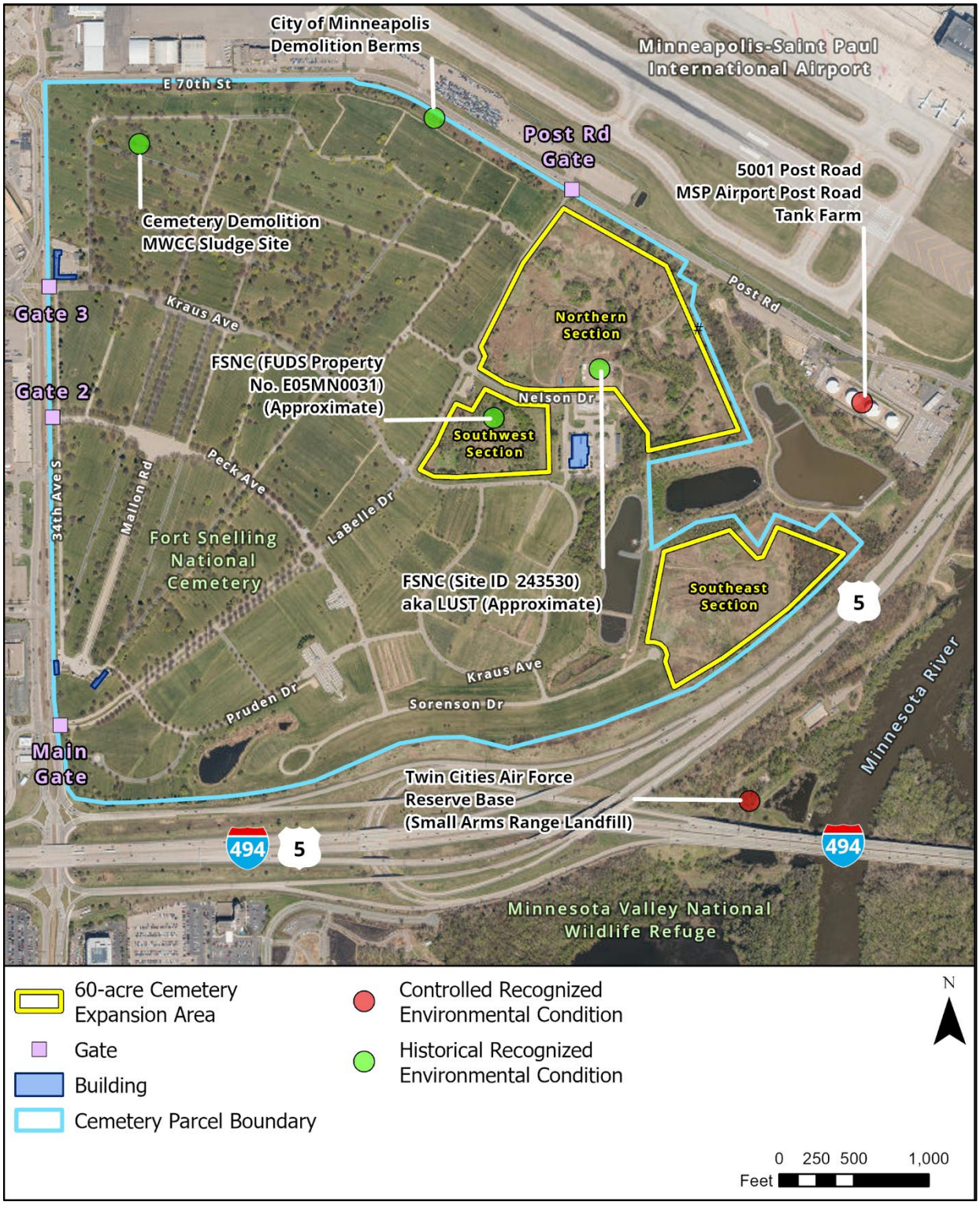

Figure 3-3. Controlled and Historical Recognized Environmental Conditions

- 5001 Post Road MSP Airport Post Road Tank Farm – This facility is located along northeastern boundary of the FSNC and contains both aboveground and underground storage tanks (ASTs and USTs). The facility was subject to investigations and remediation due to a past release. The remediation includes on-going groundwater monitoring, and the incident case was closed in 2014.

An historical REC, or HREC, is a past release of a hazardous substance or petroleum product at a site that was addressed to the satisfaction of the applicable regulatory authority or has met the authority's unrestricted use criteria without subjecting the site to any required controls. The Phase I ESA identified the following HRECs (see Figure 3-3):

- Cemetery Demolition MWCC Sludge Site – The site (Site Assessment SA0007689), which is in the northwest corner of FSNC, was registered on January 1, 1987. The incident obtained regulatory closure on January 13, 2000. This site was identified in the Environmental Risk Information Services (ERIS) database as an unregulated landfill or dump.
- City of Minneapolis Demolition Berms – The site (Site Assessment - SA0007683), which is located along the north side of the northern section of the cemetery expansion area, was registered on January 1, 1987. The incident obtained regulatory closure on August 31, 1999. Like the HREC above, this site was identified in the ERIS database as a dump.
- FSNC (FUDS Property No. E05MN0031) – This is a landfill site that may be within the southwest section of the cemetery expansion area. It was used by the U.S. Air Force and the National Cemetery for several years and is believed to hold surplus barrels of dichloro-diphenyl-trichloroethane and lead arsenate rodent poisons. Subsequent landfill tests indicated no soil contamination.
- FSNC (Site ID 243530, Leaking Underground Storage Tank (LUST)) – A release of petroleum (type unknown) was discovered at this site, which may be within the northern section of the cemetery expansion area, on October 26, 1993, and the incident case was closed on January 6, 1994. The ERIS database identified this site as a MPCA remediation leak site.

Site reconnaissance within FSNC observed the storage and use of two USTs that are used for fueling on-site equipment; drum tanks in Building 3002 storing chemicals and other fluids used on-site; and general maintenance products, such as anti-freeze, lubricants, gear and hydraulic oil, brake cleaner, spray paint, and other similar products. Furthermore, various chemicals used for lawn and landscaping maintenance were also present. No evidence of spills or leaks were observed in association with any of the containers.

The Administration Building, PIC, and Building 3002 (see Figure 2-1) were subject to a visual inspection for the potential existence of asbestos-containing materials (ACM), lead-based paint (LBP), PCB, mercury, and other hazardous materials; as well as analysis of representative samples of suspect ACMs and limited LBP testing (see **Appendix D-10 Pre-Renovation Hazardous**

Building Materials Inspection). The results of the building inspection and analysis included the following:

- ACM – Silver paint associated with the wall panel (brown) in the pump room of the PIC contains 4.75% chrysotile, which is classified as a friable ACM material. The paint was observed to be in good condition and maintaining the paint in good condition should prevent potential exposure to asbestos. None of the inspected materials from the buildings were classified as Category I or II non-friable ACM.
- LBP – None was detected on the surfaces tested as part of the inspection.
- PCBs – Suspected in capacitors, light ballasts, and transformers in the buildings.
- Mercury – Suspected in the batteries (smoke detectors, emergency lighting, and security system), electrical systems (electrical panels, load meters, supply relays, and control switches), heating systems (boiler controls, unit heater controls, thermostats, and flame sensors), and lighting (fluorescent lamps, explosion proof lighting, high-intensity discharge) in the buildings.
- Chlorofluorocarbons and hydrochlorofluorocarbons – Suspected in refrigerants including the heating, ventilation, and air conditioning (HVAC) units, air-conditioning units, and drinking water fountains in the buildings.

3.7.2 Environmental Consequences

3.7.2.1 Proposed Action Alternative

The Phase I ESA identified two HRECs – a LUST site and a landfill site – in the northern and southwest sections of the cemetery expansion area, respectively. The LUST site was a remediation leak site that was closed in 1994, and the landfill site is believed to hold surplus barrels of dichloro-diphenyl-trichloroethane and lead arsenate rodent poisons; however, landfill tests indicate no soil contamination. The LUST site is northwest of the proposed new Administration Building and additional irrigation well and north of the Vehicle Storage and Maintenance Buildings complex. Additional investigations may be required if ground disturbance for construction of these facilities extends to the location of the LUST site to confirm that potential contamination from the LUST site has not migrated into the soil or groundwater. Any hazardous materials discovered during construction of the Proposed Action would be removed and disposed of in compliance with all applicable federal, state, and local regulations.

During the proposed structural rehabilitation of the existing Administration Building and PIC, consideration should be given to the findings from the building inspection summarized above. No LBP was discovered; however, the locations of materials potentially containing ACM, PCBs, mercury, and chlorofluorocarbons/hydrochlorofluorocarbons have been identified, and prior to, during, and after construction, all applicable federal, state, and local regulations should be complied with by the contractor for their handling.

Construction of the cemetery expansion would generate minimal quantities of solid wastes, creating a **minor, short-term, adverse, direct impact**. Solid wastes that would be generated may include concrete, scrap wire, and packing materials. Excavated soils would be reutilized onsite in accordance with site design specifications as well as stored within the new soil storage areas for use in cemetery operations. Contractors would be directed to recycle materials to the maximum extent possible, thereby reducing the amount of debris disposed of in landfills. Materials not suitable for recycling would be taken to a landfill permitted to handle construction debris wastes. The proper management and recycling or disposal of construction debris would be the responsibility of construction contractors.

Cemetery operations associated with the Proposed Action would generate similar amounts of solid waste as current operations. Future solid waste generation would be a minor contributor to overall solid waste generation in the area. Due to the available capacity of landfills within the area and the promotion of recycling wastes, **long-term, adverse, direct impacts** associated with solid waste generation would be **negligible**.

Pesticide application and road maintenance would be expanded to the new operational areas but would continue to be stored, used, and disposed of in accordance with MDA requirements.

3.7.2.2 No Action Alternative

Under the No Action Alternative, cemetery expansion would not occur; therefore, construction-related solid waste and hazardous material would not be exposed or generated.

3.8 Cumulative Effects

The CEQ regulations define cumulative effects as "…effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time" (40 CFR § 1508.1(g)(3)). The cumulative effects analysis considers the aggregate effects of the Proposed Action in combination with the effects of other actions taken before, during, or after the Proposed Action within the same geographic area.

Past, Present, and Reasonably Foreseeable Actions

Hennepin County. The area that is now Hennepin County was occupied by the Dakota, or Sioux, people for hundreds of years prior to European settlement in the seventeenth century. Following the Louisiana Purchase, the U.S. government purchased land from the Dakota Indians along the Mississippi River, from St. Anthony Falls to the Minnesota River, to build Fort Snelling, which was constructed in 1820. The Territorial Legislature of Minnesota established Hennepin County in 1862. Waterpower contributed to the growth of Minneapolis and Hennepin County. Water from rivers and streams provided power to grist mills and sawmills. By 1910, about 72 percent of the county's total area was comprised of farmland. By 1950, the city of Minneapolis was largely built out and lands to the south were developed to accommodate young families of the post-World War

II baby boom. During the 1950s and 1960s, suburban developments replaced much of the farmland in Hennepin County (Hennepin County, 2023). The county now has a population of more than 1.2 million. Growth within the County is guided by the Hennepin County 2040 Comprehensive Plan (Hennepin County, 2019).

FSNC. Construction of FSNC began in 1937 after Veterans' groups petitioned Congress to establish a new national cemetery in the Minneapolis-Saint Paul area. New Deal Works Progress Administration laborers developed 40 acres into burial sections and constructed a lodge, utility buildings, and the front gates. The overall cemetery size increased to approximately 436 acres by 1960, of which 137 acres were prepared for interments by 1972. Expansion continued in the 21st century to include additional in-ground gravesites and columbaria for cremated remains, as well as committal shelters (VA, 2023b).

MSP. Airport use at the current location of MSP was first established as "Speedway Field" in 1920 with a single landing strip for the purpose of providing airmail service. Passenger service was first provided in 1929 and was followed by massive expansion efforts in the early 1960s, including construction of the Lindberg Terminal (now Terminal 1), a maintenance base, and Northwest Airlines' world headquarters. With the arrival of international service in 1948, the airport received its current name of Minneapolis-Saint Paul International Airport (MSP, 2023). The MAC has issued a Draft 2040 Long-Term Plan for the MSP which sets the course for the airport's future growth and development. MSP is nearly completely developed and is geographically constrained; therefore, the planned improvements largely involve the reconstruction of existing facilities (MAC, 2023).

No substantial future urban development is anticipated within lands surrounding FSNC as these areas are either already developed or are protected open space within Fort Snelling State Park and Minnesota Valley National Wildlife Refuge.

Cumulative Effects

As discussed in Sections 3.2 through 3.7, the Proposed Action would result in negligible to minor adverse effects related to hydrology and water quality, wildlife and habitat, and hazardous materials and waste. Past actions described above have resulted in impacts to water quality as evidenced by the impaired condition of the Minnesota River; the loss of wildlife habitat, which has contributed to the decline of species listed as endangered in Table 3-2; and contamination of soils and groundwater from hazardous materials releases. With implementation of the BMPs and mitigation measures described in Section 5 of this EA, the contribution of the Proposed Action to these cumulative impacts would not be significant.

3.9 Potential for Generating Substantial Controversy

The VA has solicited input from various federal, state, and local government agencies concerning the Proposed Action. None of these agencies have expressed any concerns with the Proposed Action at this time. Additionally, comments received by the public on the Draft EA have been incorporated into this document. Given the nature and consistent land use (within existing VA

property) of the Proposed Action, it is anticipated that the Proposed Action would not generate substantial controversy.

4. AGENCY COORDINATION AND PUBLIC INVOLVEMENT

4.1 Agency Coordination

As per 38 CFR Part 26 and the VA's NEPA Interim Guidance for Projects, VA has consulted with federal, state, and local agencies and Native American tribes concerning the Proposed Action. Scoping letters soliciting input on the scope of the EA were sent to elected officials (U.S. and Minnesota Congressional representatives) and various stakeholders including, but not limited to, the agencies listed below. Consultation letters in accordance with Section 106 of the National Historic Preservation Act (NHPA) were also sent to the agencies marked with an asterisk in the list below. Additional information regarding the identification of key stakeholders for the Proposed Action can be found in **Appendix D-11 Stakeholders Report**. Notice of Availability (NOA) letters were sent to these same agencies and organizations to announce the availability of the Draft EA for review. Comments received from all parties have been considered and incorporated within this EA; communications received during the public scoping process are located in **Appendix A Agency Correspondence**.

- U.S. Department of the Army, Corps of Engineers, Saint Paul District Office
- U.S. Fish and Wildlife Service, Bloomington, Minnesota Ecological Services Field Office
- Federal Aviation Administration, Great Lakes Region
- U.S. Environmental Protection Agency, Region 5
- Federal Emergency Management Agency, Region 5
- Federal Highway Administration, Minnesota Division
- Apache Tribe of Oklahoma*
- Cheyenne and Arapaho Tribes, Oklahoma*
- Flandreau Santee Sioux Tribe of South Dakota*
- Fort Belknap Indian Community of the Fort Belknap Reservation of Montana*
- Iowa Tribe of Kansas and Nebraska*
- Lower Sioux Indian Community of Minnesota*
- Menominee Indian Tribe of Wisconsin*
- Prairie Island Indian Community of Minnesota*
- Santee Sioux Nation, Nebraska*
- Shakopee Mdewakanton Sioux Community*
- Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota*
- Spirit Lake Tribe, North Dakota*
- Upper Sioux Community of Minnesota*
- Minnesota State Historic Preservation Office*
- Minnesota Office of the State Archaeologist*
- Minnesota Indian Affairs Council*
- Minnesota Historical Society*
- Minnesota Pollution Control Agency

- Minnesota Department of Natural Resources
- Minnesota Board of Water and Soil Resources
- Minnesota Department of Veterans Affairs*
- Minnesota Department of Transportation
- Lower Minnesota River Watershed District
- Minnesota Valley National Wildlife Refuge
- Fort Snelling State Park
- Metropolitan Airports Commission, Minneapolis-Saint Paul International Airport*
- Minneapolis-Saint Paul International Airport Joint Air Reserve Station
- Hennepin County-Planning Department
- Metropolitan Council
- City of Bloomington Office of Mayor
- The American Legion Department of Minnesota*
- Minnesota Department of American Veterans Association*
- Veterans of Foreign Wars, Post 1296 Everett McClay Post*
- Minnesota Association County Veterans Service Officers*
- Minnesota Military Museum*
- Paralyzed Veterans of America- Minnesota Chapter*
- Friends of Camp Coldwater*

This agency coordination fulfills EO 12372 (superseded by EO 12416 and subsequently supplemented by EO 13132), which require federal agencies to cooperate with and consider federal, state, and local views in implementing a proposal. Federal agencies are required to consult with federally recognized Native American tribes in accordance with NEPA, NHPA, the Native American Graves Protection and Repatriation Act (NAGPRA), and EO 13175, Consultation and Coordination with Indian Tribal Governments. As part of this NEPA process, VA consulted with the 13 federally recognized tribes listed above, in accordance with applicable regulations.

4.2 National Historic Preservation Act Section 106 Consultation

On October 12, 2022, VA initiated NHPA Section 106 consultation with the agencies marked with an asterisk above. The Section 106 consultation letters included a description of VA's proposed undertaking (Proposed Action), definition of the APE, identification of historic properties (the results of the **Cultural Resources Literature Review, Archaeological Assessment, and Phase I Archaeological Survey Report, Appendix D-5**), and VA's finding of effects on historic properties (no adverse effect with conditions).

The Minnesota SHPO concurred with VA's findings and No Adverse Effect determination on December 14, 2022.

Written Section 106 correspondence with the consulting parties is provided in **Appendix B Section 106 Correspondence**.

4.3 Public Involvement

Public participation opportunities with respect to the EA, as well as decision making on the Proposed Action, are also guided by 38 CFR Part 26. A Notice of Public Scoping was published in the Star Tribune for two days, and an NOA to announce the availability of the Draft EA for public review was also published in the Star Tribune for two days. The public notice records are included within **Appendix C Public Notices**.

VA published and distributed the Draft EA for a 30-day public comment period as announced by a NOA published in the Star Tribune on June 9 and 10, 2024. Review copies of the Draft EA were made available online at https://www.cfm.va.gov/environmental/index.asp and at the Oxboro Library at 8801 Portland Avenue South in Bloomington, Minnesota. VA received comments from USACE, EPA, FAA, LMRWD and the Shakopee Mdewakanton Sioux Community, all of which are addressed in this Final EA. **Table 4-1** below provides a brief summary of the comments received on the Draft EA and the location within the EA where the comment has been addressed, where applicable. For further information regarding public correspondence on the Draft EA, see **Appendix A-4 Draft Environmental Assessment Correspondence**.

Table 4-1. Summary of Public Comments Received on the Draft EA

Agency/Tribe/Stakeholder	Comment	Section in EA
USACE	Requested clarification regarding whether the Proposed Action would have impacts on jurisdictional waters.	Section 3.5.1.2 Wetlands
EPA	Requested clarification regarding existing internment options available at FSNC.	Section 1.2 Purpose and Need
	Requested that technical studies information be provided.	Appendix D Technical Reports
	Requested additional information on tree removal and planting.	Section 3.2 Resources Eliminated from Further Analysis (Aesthetics) Section 3.6 Wildlife and Habitat
	Recommended best management practices for construction to minimize air emissions, stormwater runoff, and spread of invasive plants.	Section 3.2 Resources Eliminated from Further Analysis (Air Quality) Section 3.4 Hydrology and Water Quality Section 3.6 Wildlife and Habitat Section 5 Mitigation Measures
FAA	Indicated that proposed structures will require an OE/AAA submittal to FAA.	Section 3.2 Resources Eliminated from Further Analysis (Aviation)
LMRWD	Provided information regarding stormwater management and permit requirements.	Section 3.4 Hydrology and Water Quality Section 5 Mitigation Measures
Shakopee Mdewakanton Sioux Community	Requested sharing of archaeology information with Native American tribes.	No EA revisions required. Archaeological information was shared with all NHPA Section 106 consulting parties.

5. MITIGATION MEASURES

Mitigation measures include those actions intended to reduce, avoid, or compensate for potential adverse effects to the human or natural environment. Based on the findings of this Final EA, the Proposed Action would result in potential short-term and/or long-term adverse impacts to hydrology and water quality, wildlife and habitat, and solid and hazardous materials. All of these potential impacts are less than significant and would be further reduced through careful implementation of general BMPs; management, minimization, and avoidance measures; and compliance with the regulatory requirements identified in **Appendix D-12 Regulatory Requirements**. Mitigation measures for each resource discussed in Section 3 are noted below.

Cultural Resources: The VA has committed to the following design reviews to ensure the Proposed Action's conformance with SOI Standards:

- The VA will submit design plans for the Proposed Action to the SHPO at progressive design intervals (approximately 30%, 60% and 90%) to ensure conformance with SOI Standards. VA will also share these plans with MNHS, as requested.
- Submissions will come from one VA point of contact and will include copies of the agency's November 22, 2022 letter for reference, as well as copies of the SHPO concurrence letter.
- Submissions may be for the overall Proposed Action, a single component of the Proposed Action, or multiple components of the Proposed Action, and the VA will specify how submissions fit within the overall Proposed Action.
- Submissions will include photographs/descriptions of current conditions, justification for proposed changes, and discussion on how the proposed work meets SOI Standards.
- The VA will extend invitations to the SHPO for design meetings if deemed appropriate by the VA or upon request by the SHPO.
- Submissions that include demolition will include a detailed discussion on how/why the demolition will not alter the characteristics of the historic cemetery that qualify it for listing in the NRHP.
- If the VA and SHPO cannot reach agreement that the submission has been designed in accordance with the SOI Standards, the VA will consult further to resolve the adverse effect of the submission pursuant to 36 CFR § 800.6.

To avoid disturbance of archaeological site 21HE0316, the VA will impose a 50-foot buffer around the boundary of the site in the design plans. The boundary of the site will be staked in the cemetery itself as an extra precaution.

Finally, the VA will follow the regulations at 36 CFR § 800.13 for any post-review discoveries and will ensure that the SHPO and the Shakopee Mdewakanton Sioux Community are notified within 48 hours if any previously unidentified historic properties are discovered or if unanticipated effects on historic properties are found. For any such discoveries, VA will request SHPO and

Shakopee Mdewakanton Sioux Community's recommendations regarding eligibility and proposed actions.

Hydrology and Water Quality. A SWPPP identifying the project's stormwater management BMPs will be submitted to the MPCA. The Proposed Action would also meet standards for erosion control recommended by the LMRWD. The Proposed Action would involve land-disturbing activities of one acre or more and would therefore require a LMRWD Rule B: Erosion and Sediment Control Permit. Upon completion of construction activities, all disturbed areas would be covered either with impervious surface or native grasses, removing the potential impact associated with sediment loading.

The Proposed Action would involve new impervious surfaces greater than one acre and would therefore require a LMRWD Rule D: Stormwater Management Permit. VA will coordinate with LMRWD, MPCA, and MAC during final design to confirm whether the existing stormwater management ponds have sufficient capacity to accept additional runoff or if additional stormwater treatment measures would be required. The design of the proposed improvements will also consider alternative methods of managing hydrology, including use of permeable pavement or porous pavers, if practicable.

FSNC will continue to store, use, and dispose of maintenance and landscaping chemicals in accordance with MDA requirements.

Groundwater extraction during construction and operation of the proposed cemetery improvements would be conducted in accordance with DNR requirements.

Wildlife and Habitat. To avoid potential impacts to roosting NLEB and tricolored bats, the VA will not allow tree clearing between April 1 and October 31.

Construction staging areas will be located within developed, disturbed, or maintained areas within FSNC.

A landscaping plan will be prepared for the cemetery expansion area and will include planting of non-invasive trees and other plants consistent with NCA National Shrine Commitment Operational Standards and Measures (VA, 2009).

The Contractor will be required to follow standard practices for minimizing the spread of invasive plants, such as washing construction equipment before entering or leaving the site.

Solid and Hazardous Materials. The VA will comply with applicable federal and state laws governing the use, generation, storage, transportation, and disposal of solid waste and hazardous materials.

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