FINDING OF NO SIGNIFICANT IMPACT
U.S. DEPARTMENT OF VETERANS AFFAIRS
FORT SCOTT NATIONAL CEMETERY
LAND ACQUISTION
FORT SCOTT, BOURBON COUNTY, KANSAS

BACKGROUND

The U.S. Department of Veterans Affairs (VA) has prepared a Final EA to analyze the potential environmental impacts associated with the Proposed Action: acquisition of approximately 10-acres of land adjacent to the Fort Scott National Cemetery (FSNC) located at 900 East National Avenue, Fort Scott, Bourbon County, Kansas. VA National Cemetery Administration (NCA) operates the existing FSNC. The attached EA is incorporated by reference into this Finding of No Significant Impact (FONSI).

The purpose of the Proposed Action is to acquire approximately 10-acres of land adjacent to the existing FSNC in order to provide additional interment capacity to serve the projected burial needs of Veterans in the region. The Proposed Action would allow VA to continue to provide interment options for eligible Veterans in the region.

The need for the Proposed Action is to acquire the necessary land to expand the cemetery to provide the additional interment capacity needed at FSNC in order to preserve continuous, uninterrupted interment options for the veterans in and around Fort Scott, Kansas. The Proposed Action would provide VA the land necessary for future additional capacity to meet its burial objectives for eligible Veterans in the region.

DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The Proposed Action Alternative would include the acquisition of approximately 10-acres of land directly adjacent to the northwest of the existing FSNC (See Figure 2. Site Location Map). The proposed land to be acquired consists of five separate parcels; bound to the south by East National Avenue and FSNC, the west by South Margrave Street, the north by private property, and the east by FSNC. The land is currently of mixed use, primarily grassy pasture, with patches of forested areas and four structures. Two of the structures are residential buildings, and the remaining are a large shed and a smaller shed. Once the existing FSNC is nearing interment capacity, the acquired land would be utilized for expansion to meet interment needs for the region.

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

No Action Alternative

Under the No Action Alternative, the Proposed Action Alternative would not be implemented. Veterans and their families in the region would continue to use the FSNC until internment options are no longer available. In the future, VA would likely seek other land to expand the FSNC but may not be able to acquire the land contiguous with or near the existing FSNC. With the No Action Alternative, the VA would not be able to continue offering interment options to the veterans and families within the service area after current burial options are full.

SUMMARY OF ENVIRONMENTAL ANALYSIS

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

Table 1. Summary of Resource Area Impacts

Resource Area	Proposed Action Alternative	No Action Alternative
Aesthetics	• No impacts from acquisition. • Temporary, less than significant adverse impacts during future cemetery expansion.	• No Impacts.
Air Quality	• No impacts from acquisition. • Temporary, less than significant, adverse impacts during future cemetery expansion construction.	• No Impacts.
Cultural Resources	• No Impacts.	• No Impacts.
Geology, Topography, and Soils	• No Impacts from acquisition.	• No Impacts.
Hydrology and Water Quality	• No Impacts from acquisition.	• No Impacts.
Wildlife and Habitat	• No Impacts from acquisition.	• No Impacts.
Noise	• No impacts from acquisition. • Temporary, less than significant adverse impacts during future cemetery expansion. • Marginal adverse impacts from traffic, site maintenance, and burial gun salutes similar to existing conditions at existing FSNC.	• No Impacts.
Land Use	• No Impacts.	• No Impacts.
Floodplains, Wetlands, Coastal Zone Management	• No impacts from acquisition.	• No Impacts.
Socioeconomics	• No impacts from acquisition. • Positive beneficial impact to regional economy via design, construction, and maintenance jobs.	• No Impacts.
Community Services	• No Impacts.	• No Impacts.
Solid Waste and Hazardous Materials	• No impacts from acquisition. • Less than significant adverse impacts related to lead and asbestos abatement, and disposal of solid and hazardous waste onsite during future demolition and construction activities related to cemetery expansion.	• No Impacts.

Transportation and Parking	• No impacts from acquisition. • Temporary, less than significant adverse impacts during future cemetery expansion as vehicles and equipment go to and from the site.	• No Impacts.
Utilities	• No Impacts.	• No Impacts.
Reasonably Foreseeable Effects and Future Actions	• No Impacts.	• No Impacts.

AGENCY AND PUBLIC COMMENT

VA consulted the federal, state, local, tribal, and elected officials listed in Section 5.0 Public Involvement of the Final EA as part of an initial scoping process for the Final EA. A scoping notice was also posted to the VA website and published in the *Fort Scott Tribune* on October 26 and 30, 2024. A Draft EA was prepared, and a Notice of Availability (NOA) sent out to the listed stakeholders. The Draft EA and NOA were also posted to the VA website and a legal notice published in the *Fort Scott Tribune* on September 3 and 6, 2025. Hard copies of the Draft EA were made available at the Fort Scott Public Library and Fort Scott National Cemetery. Comments received during the scoping and Draft EA comment period can be found in Section 5.0 Public Involvement in the Final EA and were utilized to prepare the Final EA.

Copies of correspondence received during the initial scoping period and Draft EA comment period are included in Appendix B of the Final EA. Comments were received from the United States Fish and Wildlife Service, United States Army Corp of Engineers, Cherokee Nation, and Kansas Historical Society. Stakeholder information and comments have been incorporated into the Final EA, where and as appropriate. Additional details can be found in Section 5.0 Public Involvement of the Final EA and copies of relevant correspondence can be found in Appendix B. Agency Correspondence and Consultation of the Final EA.

FINDING OF NO SIGNIFICANT IMPACT

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

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

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

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

Attachment A. Mitigation Measures and Monitoring

ATTACHMENT A. MITIGATION MEASURES AND MONITORING

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

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

Best Management Practices and Minimization Measures for the Proposed Action	
Affected Environment Area	**BMPs/Minimization Measures**
Aesthetics	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • use vegetative buffers to enhance viewscape. • Utilize VA Design Guidelines and match to the best extent possible existing exterior facades onsite during future construction activities.
Air Quality	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Use appropriate dust suppression methods (such as the use of water, dust, palliative, covers, suspension of earth moving in high wind conditions) during onsite construction activities. • Stabilize the disturbed area through re-vegetation or mulching if the area would be inactive for several weeks or longer. • Implement measures to reduce DPM emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls. • Comply with any applicable ND DEQ and US EPA / KDHE regulations. Utilize the EPA Construction Emission Control Checklist. • Comply with NCA Construction Air Quality Requirements.
Cultural Resources	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • If buried archaeological resources are discovered during construction, cease operation, and contact SHPO/Consulting Parties.
Geology and Soils	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the National Pollution Discharge Elimination System (NPDES) permitting process. • Implement effective controls per a site-specific Stormwater Pollution Prevention Plan (SWPPP). • The NPDES permit would require stormwater runoff and erosion management using BMPs, such as earth berms, vegetative buffers and filter strips, and spill prevention and management techniques. • The construction contractor would implement the sedimentation and erosion control measures specified in the NPDES permit and the SWPPP.

Hydrology and Water Quality	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Control soil erosion and sedimentation impacts during construction by complying with the NPDES permit and the SWPPP. • Improvements would be designed in accordance with the requirements of EO 13514/EISA Section 438 with respect to stormwater runoff quantity and characteristics. • Ensure the design of the cemetery includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving waters and/or offsite areas. Obtain appropriate permits for off-site stormwater discharges.
Wildlife and Habitat	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Native species should be used to the extent practicable when revegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species. • Proper cleaning of construction equipment should be done to the extent practicable, to prevent the spread of non-native/invasive species. • Avoid impacts to water resources to the best extent possible. Utilize BMPs to minimize erosion and sedimentation. • Tree clearing must occur between October 1 and March 31 to minimize impacts to listed bat species. • To the best extent possible, conserve trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20. • If a potential or known hibernaculum is found, contact USFWS and the Kansas Department of Wildlife and Parks. • If trees are to be removed for future construction activities, further consultation with USFWS and the Kansas Department of Wildlife and Park will need to be done under Section 7 of the Endangered Species Act.
Noise	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Post signage at the entry points of the Site providing current construction information, including schedule and activity. Limit, to the extent possible, construction and associated heavy truck traffic to occur between 8:00 a.m. and 6:00 p.m. on Monday through Friday, or during normal, weekday, work hours. • Locate stationary operating equipment as far away from sensitive receptors as possible. • Select material transportation routes as far away from sensitive receptors as possible. • Shut down noise-generating heavy equipment when it is not needed and maintain equipment per manufacturer's recommendations to minimize noise generation. • Encourage construction personnel to operate equipment in the quietest manner practicable (e.g., speed restrictions, retarder brake restrictions, engine speed restrictions, etc.).
Land Use	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Land use is currently zoned as residential use. Contact City of Fort Scott for any necessary permitting or steps.

Floodplains, Wetlands, and Coastal Zone Management	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Utilize proper erosion and sediment controls around water resources to avoid impacts to onsite resources and downstream resources.
Socioeconomics	• None Required.
Community Services	• None Required.
Solid and Hazardous Waste	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Comply with VA Standard Operating Procedures and applicable Federal and State laws governing the use, generation, storage, transportation, and disposal of solid and hazardous materials. • Create an Environmental Construction Contingency Plan and a Lead and Asbestos Abatement Plan prior to construction. • All hazardous waste removal should be handled by a licensed contractor and disposed of following all federal, state, and local regulations
Transportation and Parking	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Ensure demolition and construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours. • Ensure debris and/or soil is not deposited on local roadways during the demolition and construction activities.
Utilities	• No BMPs/Minimization Measures for acquisition of the Site. For any future construction and operation activities: • Contact applicable utility providers as needed if utility work or larger uses are proposed.