
**FINDING OF NO SIGNIFICANT IMPACT (FONSI)
DEPARTMENT OF VETERANS AFFAIRS
PROPOSED LAND ACQUISITION FOR THE EXPANSION OF THE
BLACK HILLS NATIONAL CEMETERY
MEADE COUNTY, SOUTH DAKOTA**

Introduction

A Final Environmental Assessment (EA), included herein by reference, was prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Department of Veterans Affairs' (VA's) Proposed Action to acquire approximately 181 acres of land located contiguous to the north and west of Black Hills National Cemetery (BHNC) in Meade County, South Dakota for the future expansion of the cemetery. Preparation of the EA is required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 *et seq.*), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*).

VA intends to acquire the Site, already owned by the Federal Government and managed by the Department of Interior Bureau of Land Management (BLM), in early 2019 and hold it until such date when the expansion of the BHNC becomes necessary. At that time, and as part of the cemetery design process, VA will perform a supplemental NEPA analysis to reanalyze and reevaluate the potential effects of the construction and operation of the expanded cemetery at the Site. VA will incorporate the avoidance, management, and minimization measures identified in the Final EA into that future design process and supplemental NEPA analysis to minimize potential adverse environmental effects.

The purpose of the Proposed Action is to expand the BHNC to provide a National Cemetery of sufficient size and capacity to serve the projected interment needs of Veterans in western South Dakota for the next 100 years after the current BHNC burial space is depleted.

A larger, expanded BHNC is needed to continue providing national shrine burial benefits to the regional Veteran community. VA estimates space remaining for burials at the BHNC will be fully depleted by 2035. The nearest National Cemetery to BHNC that is accepting new burials is Fort McPherson National Cemetery, located more than 270 miles from BHNC in Maxwell, Nebraska.

1. Description of the Proposed Action and Alternatives

Proposed Action

VA's Proposed Action is to acquire land adjacent to the existing BHNC for the future expansion of the cemetery. The future BHNC expansion would provide VA additional capacity to continue providing national shrine burial benefits to the regional Veterans community.

VA estimates adequate space remains for burials at the BHNC through approximately 2035. VA would acquire the Site in early 2019. The Site would remain unimproved land after VA's acquisition until such a time that expansion of the BHNC is necessary. It is anticipated that

cemetery expansion design and initial development would begin in approximately 5 to 10 years. Design details of the proposed BHNC expansion do not exist at this time; however, future grave site expansion on to the Site would be designed to be similar in appearance to the existing national shrine grounds of BHNC, located adjacent to the Site.

Alternatives Considered

VA considers adjacent/contiguous property to be the first and best option for cemetery expansion as it is the most cost effective and operationally efficient and reduces way finding confusion for visitors. Approximately 181 acres of land adjacent to the north and west of the BHNC, owned by the Federal Government and under control of BLM, has been offered to VA through a no-cost transfer for the cemetery expansion. VA reviewed the other land adjacent to and surrounding the BHNC and found that the BLM-offered land was the only potentially feasible adjacent land available for future cemetery expansion.

The EA examined in-depth two alternatives, the Preferred Action Alternative and the No Action Alternative, defined as follows:

- **Preferred Action Alternative:** VA would acquire approximately 181 acres of unimproved land adjacent to north and west of the BHNC that is owned by the Federal Government and under BLM control, for future expansion of the BHNC. After acquisition, the Site would remain unimproved until such a date when the expansion of the BHNC becomes necessary. It is anticipated that VA would start construction activities on the expanded BHNC in approximately 2030. The northeastern, relatively level, grassy portion of the Site (approximately 100 acres) would be developed with the expanded cemetery. The southwestern, steeply sloping portion of the Site, would not be altered by VA.
- **No Action Alternative:** Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in the western South Dakota area would continue to use the BHNC until space is no longer available. In the future, VA would likely seek other land to expand the BHNC, but may not be able to acquire land contiguous with or near the existing BHNC. The Site likely would remain unimproved land with periodic grazing under BLM control.

The Preferred Action Alternative effectively provides additional land necessary to meet the regional cemetery requirements of VA. The No Action Alternative would not enable VA to provide adequate cemetery facilities in the western South Dakota region. However, the No Action Alternative was assessed in the EA to provide a comparative baseline analysis, as required under the CEQ Regulations.

2. Environmental Analysis

Environmental Consequences

Preferred Action Alternative

Based on the analyses contained in the Final EA, the Preferred Action Alternative would result potential adverse impacts to aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, wildlife and habitat, noise, wetlands, community services, solid and hazardous materials, transportation and utilities. These potential impacts are less-than-significant

and would be further reduced through careful implementation of the best management practices (BMPs), management and minimization measures, and compliance with regulatory requirements as identified in the Final EA.

The Site has been unimproved land associated with the former Fort Meade Military Reservation since 1878. The central portion of the Fort Meade Military Reservation was entered into the National Register of Historic Places (NRHP) as the Fort Meade Historic District (FMHD) in 1973. Since that time, BLM and the South Dakota State Historic Preservation Office (SHPO) have recognized the importance of the entire Fort Meade Military Reservation and have determined the NRHP Nomination for the FMHD should be updated to reflect the expanded boundaries. The Site is located in the recommended expanded FMHD boundaries.

The initial transfer of the Site from BLM to VA would have no adverse effects on cultural resources. The SHPO concurred with this determination. The future expansion of the BHNC could have direct and indirect impacts on prehistoric and historic cultural resources at the Site that have been identified, but remain unevaluated as to eligibility for listing on the NRHP, including Native American archaeological sites/features, historic roads, and a small sandstone quarry. The Native American archaeological sites/features may be individually or cumulatively eligible for listing on the NRHP as Traditional Cultural Properties (TCPs), and the historic roads and quarry may be eligible for listing on the NRHP as contributing elements to the FMHD.

Prior to completing the expanded cemetery design, a Tribal Survey and a ground-disturbing, archaeological investigation of the Site would be conducted in consultation with the Native American Tribes and SHPO. VA would formally determine the eligibility of the prehistoric and historic features for listing on the NRHP and would determine the potential adverse effects of the proposed cemetery expansion development in consultation with the Tribes and SHPO. If prehistoric and historic features eligible for listing on the NRHP are identified and would be adversely affected by the proposed BHNC expansion, VA would enter into a Memorandum of Agreement (MOA) with the Tribes, SHPO, Advisory Council on Historic Preservation (ACHP), and other interested parties under Section 106 of the National Historic Preservation Act (NHPA) to mitigate the adverse effects.

The Preferred Action Alternative provides VA additional capacity to continue to provide national shrine burial benefits to the regional Veteran community, contiguous with the existing BHNC, a significant beneficial socioeconomic effect.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in the western South Dakota area would continue to use the BHNC until space is no longer available. In the future, VA would likely seek other land to expand the BHNC, but may not be able to acquire land contiguous or near with the existing BHNC. The Site likely would remain unimproved land with periodic grazing under BLM control.

Cumulative Impacts

The EA also examined the potential cumulative effects of implementing each of the considered alternatives. This analysis finds that the Preferred Action Alternative, with the implementation of the management and minimization measures specified in the Final EA, would not result in significant adverse cumulative impacts to onsite or regional natural or cultural resources, and would maintain the socioeconomic environment of the area through long-term provision of

required cemetery facilities for regional Veterans. The No Action Alternative would not produce these potential beneficial socioeconomic gains.

Management and Minimization Measures

Prior to completing the expanded cemetery design, a Tribal Survey and a ground-disturbing, archaeological investigation of the Site would be conducted in consultation with the Native American Tribes and SHPO. VA would formally determine the eligibility of the prehistoric and historic features for listing on the NRHP and would determine the potential adverse effects of the proposed cemetery expansion development in consultation with the Tribes and SHPO. If prehistoric and historic features eligible for listing on the NRHP are identified and would be adversely affected by the proposed BHNC expansion, VA would enter into a MOA with the Tribes, SHPO, ACHP and other interested parties under Section 106 of the NHPA to mitigate the potential adverse effects. It is anticipated that the primary mitigation measure would be the avoidance of the prehistoric and historic resources during the expanded cemetery design, although further exploration for data inventory and recovery/curation, and/or archaeological monitoring during excavation work associated with the cemetery construction may also be considered. With the completion of these NHPA mitigation measures, cultural resources impacts would be less-than-significant.

In addition, VA would implement the management measures and minimization measures summarized in the attached table (Appendix A) to minimize and maintain adverse effects at less-than-significant levels.

3. Regulations

The Proposed Action will not violate the NEPA, the CEQ Regulations, 38 CFR Part 26, or other Federal, State, or local environmental regulations. This will be achieved by implementing the BMPs, management and minimization measures, and regulatory compliance measures described above and included in the attached table (Appendix A).

4. Commitment to Implementation

VA affirms its commitment to implement the BMPs, management measures, and minimization measures identified in the Final EA and this FONSI in accordance with the NEPA, the CEQ Regulations, and 38 CFR Part 26. Implementation is dependent on funding. VA will ensure that adequate funds are requested in future years' budget(s) to achieve the goals and objectives set forth in the Final EA and this FONSI, and to fund the commitments described above.

5. Agency and Public Involvement

VA has consulted with appropriate Federal, State, and local regulatory agencies, and federally recognized Native American Tribes identified as having possible ancestral ties to the Meade County, South Dakota area. This consultation is documented in the Final EA. Concerns expressed by pertinent regulatory agencies and Tribes have been addressed in the Final EA.

VA published and distributed the Draft EA for a 30-day public comment period as announced by a Notice of Availability (NOA) published in the Rapid City Journal, a local newspaper of general circulation, on December 2, 3 and 4, 2018. A copy of the Draft EA was available for public review

at the Sturgis Public Library and on the VA National Cemetery Administration website (www.cem.va.gov/cem/EA.asp). VA received no public comments regarding the Draft EA.

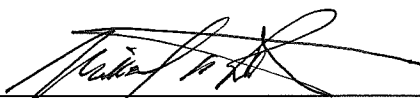
6. Finding of No Significant Impact

After careful review of the Final EA, VA has concluded that implementation of the Preferred Action Alternative would not have a significant impact on the quality of the human or natural environment, provided VA implements the BMPs, management and minimization measures, and regulatory compliance measures identified in the Final EA. VA will implement these measures. As part of the cemetery design process, VA will perform a supplemental NEPA analysis to reanalyze and reevaluate the potential effects of the construction and operation of the expanded cemetery at the Site. VA will incorporate the avoidance, management, and minimization measures identified in the Final EA into that future design process and supplemental NEPA analysis to minimize potential adverse environmental effects.

Therefore, per the NEPA, the CEQ Regulations, and 38 CFR Part 26, I am signing this FONSI. This analysis fulfills the requirements of the NEPA and the CEQ Regulations. An Environmental Impact Statement will not be prepared.

January 17, 2019

Date



Mr. Michael T. Roth
Director, Design & Construction Service
National Cemetery Administration
Department of Veterans Affairs

Date

Mr. Joshua de Leon
Executive Director, NCA Midwest District
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Department of Veterans Affairs

