ENVIRONMENTAL ASSESSMENT
OF THE PROPOSED
ACQUISITION, DEVELOPMENT AND OPERATION OF THE
NATIONAL VETERANS
BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING

DEPARTMENT OF VETERANS AFFAIRS
425 I STREET, NW
WASHINGTON, DC 20001

PREPARED BY:
TTL Associates, Inc.
MARCH 29, 2016
ENVIRONMENTAL ASSESSMENT

ABSTRACT

LEAD AGENCY: Department of Veterans Affairs (VA)

COOPERATING AGENCIES: None

TITLE OF PROPOSED ACTION: Proposed National Veterans Burial Ground

AFFECTED JURISDICTION: Cheyenne, Laramie County, Wyoming

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PROONENTS: Department of Veterans Affairs (VA)

DOCUMENT DESIGNATION: Draft Environmental Assessment (Draft EA)

ABSTRACT: This Draft Environmental Assessment (Draft EA) evaluates the Proposed Action of the Department of Veterans Affairs (VA) to acquire, develop, operate, and maintain an approximately five-acre site near the City of Cheyenne, Laramie County, Wyoming as a new National Veterans Burial Ground (rural National Veterans Cemetery). This EA discusses two alternatives: (1) Preferred Action Alternative – Acquire approximately five acres of grassy, unimproved land owned by the City of Cheyenne that is associated with the City's High Plains Arboretum in Cheyenne, Laramie County, Wyoming, to develop, operate, and maintain as a new National Veterans Burial Ground; and (2) the No Action Alternative. This Draft EA evaluates possible effects to aesthetics; air quality; cultural resources; geology and soils; hydrology and water quality; wildlife and habitat; noise; land use; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; and environmental justice. The EA concludes there would be no significant adverse impact, either individually or cumulatively, to the local environment or quality of life associated with implementing the Preferred Action Alternative, provided the general best management practices and management and avoidance measures identified in this EA are implemented. Therefore, this EA concludes that a Finding of No Significant Impact (FONSI) is appropriate, and that an Environmental Impact Statement (EIS) is not required.
This Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Department of Veterans Affairs’ (VA’s) proposed selection and acquisition of approximately five acres of land located in Cheyenne, Laramie County, Wyoming, to develop, operate, and maintain as a new National Veterans Burial Ground. As a Federal action, preparation of this EA is required by 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). This EA has also been prepared in accordance with the VA NEPA Interim Guidance for Projects dated September 30, 2010.

PROPOSED ACTION

VA’s Proposed Action is to acquire approximately five acres of land located near the City of Cheyenne in Laramie County, Wyoming to develop, operate, and maintain as a new National Veterans Burial Ground. The proposed cemetery would provide additional capacity, as well as improved access to Veterans and their families (i.e., reduced travel time to a National Cemetery), and would help balance the currently unequal geographic distribution of National Cemeteries within the region.

The proposed National Veterans Burial Ground would be open to the public every day throughout the year. VA estimates that the cemetery would receive approximately 20 visitors per day. VA anticipates approximately 2 to 3 funeral processions per week, typically averaging 5 to 30 cars per procession.

PURPOSE AND NEED

The purpose of the Proposed Action is to provide a National Veterans Burial Ground of sufficient size and capacity to serve the projected needs of Veterans in southeastern Wyoming for the next 100 or more years. The Proposed Action would provide burial facilities for eligible Veterans in southeastern Wyoming currently not served by a National Cemetery or State Veterans Cemetery.

A new National Cemetery is needed to better serve the needs of Veterans and their families in southeastern Wyoming. The new cemetery would provide additional burial capacity, as well as improved access to Veterans and their families and would help balance the current unequal geographic distribution of National Cemeteries in this region. There are currently no open National or State Veterans Cemeteries located within 100 miles of Cheyenne, Wyoming. In addition, the new National Veterans Burial Ground is needed for VA to comply with the Rural Veterans Burial Initiative (Rural Initiative).

VA has established three objectives that define outcomes for VA burial programs. One of these objectives is to ensure that burial needs of Veterans and eligible family members are met. The VA National Cemetery Administration (NCA) further defines this objective on the assumption that the burial needs of a Veteran are met if they have reasonable access to burial option, where reasonable access to a burial option is defined as “...a first interment option (whether for casketed remains or cremated remains, either in-ground or in columbaria) in a National or State Veterans Cemetery...available within 75 miles of the Veteran’s place of residence.” VA established a 75-mile service area standard because NCA data show that more than 80 percent of persons interred in...
National Cemeteries resided within 75 miles of the cemetery at the time of death. VA has also developed unserved Veteran population thresholds for eligibility to establish a new National Cemetery or a National Veterans Burial Ground.

In the independent *Evaluation of the VA Burial Benefits Program* (August 2008), NCA reviewed where it has been and reflected on future burial strategy to continue meeting the needs of our Nation’s Veterans. This evaluation also noted that there is a gap between the size of population centers served by a National Cemetery and State Veteran cemeteries. Hence, based upon that study, NCA established a new Veteran population threshold to increase access to a burial option where the unserved Veteran population is at least 80,000.

In addition and to account for areas where Veteran populations do not exceed the threshold for a National Cemetery, the NCA Performance Plan of the 2013 VA Budget established a *Rural Veterans Burial Initiative* program which is intended to establish a cemetery presence in rural areas where Veterans populations are less than 25,000 Veterans within a 75-mile radius. The goal is to build small National Veterans Burial Grounds in certain rural areas where the Veteran population has been identified by VA to be underserved. The Rural Initiative program targets states with no National Cemeteries open for first interments, and areas within those states that are not currently served by a State Veterans Cemetery or a National Cemetery in another state. NCA identified eight states (Idaho, Montana, Nevada, North Dakota, Maine, Utah, Wisconsin, and Wyoming) that met these criteria.

**Alternatives**

After identifying a need for a National Veterans Burial Ground in southeastern Wyoming, VA considered various alternatives for establishing a small National Cemetery in the region. VA published Solicitation for Federal Business Opportunity (FBO) VA101-13-R-0147, soliciting offers for a minimum of 3 acres of land lying no more than 0.25 mile from an existing cemetery in the Cheyenne, Laramie County, Wyoming area.

VA received several responses to this advertisement. Through a comprehensive screening process, VA narrowed the number of viable sites based on an analysis of site-specific attributes, including: topography and natural aesthetics, soil/geology, environmental issues, site configuration, availability of utilities, existing structures and obstructions, site adjacencies, aesthetic quality and zoning, proximity to catchment area, and accessibility. Through this additional analysis, VA initially identified two suitable sites that best met the screening criteria, including the High Plains Arboretum Site (City Cemetery Site) and the United States Department of Agriculture (USDA) High Plains Grassland Research Station Site.

After further evaluation and consultation between VA, the City of Cheyenne (the City), and the Wyoming Heritage Council (State Historic Preservation Office or SHPO) and the completion of an Initial Cultural Resources Impact Prediction for both prospective Sites, VA determined that USDA Grassland Research Station Site would very likely be considered part of the National Register of Historic Places (NRHP)-eligible USDA Grassland Research Station Historic District and the Proposed Action would likely have significant adverse effects on the Historic District. As such, the USDA Grassland Research Station Site was eliminated from further consideration, resulting in one remaining suitable site that best met the screening criteria, the High Plains Arboretum Site.

The High Plains Arboretum Site (Site) includes approximately five acres of unimproved grassy land in the southwestern portion of an approximately 2,192-acre tract of land owned by the City of Cheyenne that was formerly part of the USDA High Plains Grasslands Research Station (8408 Hildreth Road) and is currently associated with the City’s High Plains Arboretum. The Site is located approximately 660 feet north of the intersection of Hildreth Road and Polo Ranch Road/Experimental Farm Road (County Road 212) in Cheyenne, Laramie County, Wyoming.
This EA examines in-depth two alternatives, the Preferred Action Alternative and the No Action Alternative, defined as follows:

- **Preferred Action Alternative:** VA would acquire the approximately five acres of unimproved grassy land that is associated with the City’s High Plains Arboretum, in Cheyenne, Laramie County, Wyoming to develop, operate, and maintain as a new National Veterans Burial Ground. The City of Cheyenne plans to construct a public cemetery adjacent to the east of the Site and would potentially share resources (i.e., visitor center, parking lot, maintenance activities, etc. with VA).

- **No Action Alternative:** VA would not implement the Proposed Action (would not establish a new National Veterans Burial Ground in Laramie County, Wyoming). Veterans and their families residing in southeastern Wyoming continue to be underserved by a National Cemetery or State Veterans Cemetery and would continue to be required to travel a substantial distance to a National or State Veterans Cemetery. The distribution of National Cemeteries throughout the region would continue to be unbalanced and VA would not be in compliance with the requirements of the Rural Initiative program.

The Preferred Action Alternative effectively provides the option that most closely meets the requirements of the VA. The No Action Alternative would not enable the VA to provide adequate, long-term National cemetery facilities in southeastern Wyoming or comply with the requirements of the Rural Initiative program. However, the No Action Alternative is assessed in this EA to provide a comparative baseline analysis, as required under the CEQ Regulations.

**Affected Environment**

The approximately five-acre Preferred Action Alternative Site is a portion of an approximately 2,192-acre parcel of land owned by the City of Cheyenne. The Site was leased to the USDA (by the City of Cheyenne) from 1928 to 2007 and was used as unimproved agricultural research land and grazing land as part of the High Plains Grasslands Research Station. The Site has been grassy vacant land associated with the City’s High Plains Arboretum since 2007.

The areas located to the north, east, and south of the Site are unimproved grassy land that were formerly part of the USDA High Plains Grasslands Research Station and have been a part of the High Plains Arboretum since 2007. An unpaved access road from Hildreth Road runs north-south along the eastern boundary of the Site and an unpaved section of Hildreth Road runs north-south along the western boundary of the Site. The area located to the west across Hildreth Road is unimproved grassy land.

**Environmental Consequences**

Both considered alternatives are evaluated in this EA to determine their potential direct, indirect, and cumulative effect(s) on the physical, environmental, cultural, and socioeconomic aspects of the affected site and its region of influence (ROI). Technical areas evaluated include:

- Aesthetics
- Air Quality
- Cultural Resources
- Geology, Topography, and Soils
- Hydrology and Water Quality
- Wildlife and Habitat
- Noise
- Land Use
- Floodplains, Wetlands, and Coastal Zone Management
- Socioeconomics
- Community Services
- Solid and Hazardous Materials
- Transportation and Parking
- Utilities
- Environmental Justice
- Cumulative Impacts
- Potential for Generating Substantial Controversy
The Preferred Action Alternative would result in the impacts identified throughout Section 3 of this EA. These include potential less-than-significant adverse impacts to aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, wildlife and habitat, noise, solid and hazardous materials, transportation, and utilities. All of these impacts would be further reduced through careful implementation of the general Best Management Practices (BMPs), avoidance and management measures, and compliance with regulatory requirements as identified throughout Section 3; BMPs and management measures are summarized in Section 5.

Under the No Action Alternative, the Proposed Action would not be implemented and Veterans in southeastern Wyoming would continue to reside greater than 75 miles from the nearest National or State Veterans Cemetery. No positive impacts attributable to the Preferred Action Alternative would occur, and a significant adverse effect to the socioeconomic environment would occur. Specifically, Veterans and their families would have to travel a substantial distance to National or State Veterans Cemetery. In addition, VA would not comply with the Rural Initiatives program.

The EA also examines the potential cumulative effects of implementing each of the considered alternatives. This analysis finds that implementation of the Preferred Action Alternative, with the implementation of BMPs and the management measures specified in this EA, would not result in significant adverse cumulative impacts to onsite or regional natural or cultural resources, and would maintain or enhance the socioeconomic environment of the area through long-term provision of required cemetery facilities in the region. The No Action Alternative would not produce these potential positive socioeconomic gains from VA. No significant cumulative effects are identified.

AGENCY AND PUBLIC INVOLVEMENT

VA consulted with the following agencies during the preparation of this EA: the US Fish and Wildlife Service (USFWS); US Environmental Protection Agency (USEPA); US Army Corps of Engineers (USACE); United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS); Wyoming Association of Conservation Districts (WACD); Wyoming Department of Agriculture (WDA); Wyoming Department of Environmental Quality (WDEQ); Wyoming Department of Transportation (WYDOT); Wyoming Game & Fish Department (WGFD); Wyoming State Engineer’s Office (WSEO); Wyoming State Forestry Division (WSFD); Wyoming Water Development Commission (WWDC); Laramie County Planning and Development Office (LCPDO); Laramie County Public Works (LCPW); Cheyenne Metropolitan Planning Organization (CMPO); Cheyenne Bureau of Public Utilities (CBPU); Cheyenne Engineering Department (CED); Cheyenne Parks and Recreation Department (CPRD); Cheyenne Planning Services Department (CPSD); and Cheyenne Public Works Department (CPW).

VA received responses from the following agencies regarding the Proposed Action. The following summarizes that input, which VA used to focus this EA’s analysis:

- The U.S. Fish and Wildlife Service (USFWS), Cheyenne Ecological Services Field Office stated that available information pertaining to threatened and endangered species is available in the Species List and Project Reviews application on their internet website. According to the USFWS Information for Planning and Conservation (IPaC) database, three Federally-listed endangered animal species, two Federally-listed threatened animal species, and three Federally-listed threatened plant species could potentially be located in the Site vicinity. However, all of the species identified by the USFWS IPaC database require an active stream and associated habitats (i.e., riparian and/or floodplains), bodies of water, and/or intact uncultivated areas as part of their habitat requirements. Based on the long use of the Site and adjoining areas to the north, east, and south for horticultural research and grazing, and the absence of surface water features in the vicinity of the Site, it is unlikely that the species identified on the USFWS IPaC database occur at the Site or in the immediate Site vicinity, or would be impacted by the Preferred Action Alternative.
The USFWS also recommended that VA review the Proposed Action relative to its responsibilities under the Migratory Bird Treaty Act and take steps to conserve and protect Species of Greatest Conservation Need, species not on or proposed for listing on the Threatened and Endangered Species List but were either formerly on the list or may be proposed for the list in the future. USFWS identified one such species as possibly being located in the Site area (black-tailed prairie dog). Based on the habitat requirements for the black-tailed prairie dog (actively grazed land) and site observations, it is unlikely that this species is present at the Site or would be impacted by the Preferred Action Alternative.

- The Wyoming State Engineer’s Office (WSEO) Ground Water Division stated that it identified 67 permitted water wells within an approximately two-mile radius of the Site. The WSEO also stated that the Site currently lies outside of the Order of the State Engineer, Laramie County Control Area (LCCA) and is currently not subject to the groundwater resource requirements of the LCCA. The WSEO noted that the LCCA is currently being considered for expansion and the Site may be included in the future expanded boundaries of the LCCA. The WSEO indicated the Site is underlain by Quaternary alluvial and terrace deposits consisting of gravel, sand, silt, and clay. The underlying Ogallala Formation is the most utilized aquifer of the High Plains aquifer system of Laramie County. The WSEO indicated that the estimated depth to shallow groundwater in the vicinity of the Site is approximately 15 feet below ground surface (bgs) and the High Plains aquifer system ranges from 100 to 299 feet thick.

- The Wyoming Department of Environmental Quality (WDEQ)-Land Quality Division (LQD) stated the nearest mine administered by the LQD is one to two miles west of the Site and is moving toward reclamation. The LQD noted that High Plains Arboretum and the USDA High Plains Grasslands Research Station are open spaces valued by Cheyenne and Laramie County residents. The LQD indicated the threatened Colorado Butterfly plant may be present in the Site area; however, the LQD further stated that this species does not do well in extensively grazed grassland and may not be present on the Site. The LQD indicated it has no concerns with the Site.

- The Wyoming Game and Fish Department (WGFD) stated that the Site lies within the pronghorn antelope crucial winter range. The WGFD recommended that any proposed fencing be designed to wildlife friendly standards so that the pronghorn can still utilize the area and pass back and forth. The WGFD indicated there are no aquatic concerns related to the Proposed Action.

- The Cheyenne Board of Public Utilities (CBPU) – Cheyenne Water and Sewer Department stated that the CBPU holds the water rights to the Site. The CBPU holds a water conveyance to enlargement of the City’s pipelines which are located in the Hildreth Road right-of-way (ROW). The CBPU stated that finalization of the water right is pending upon County Commissioners approach and filing, which was anticipated to be completed in February 2016. The water right is to be applied to irrigation, stock and domestic purposes and the water right area includes the Site. The CBPU also indicated the Site is located in close proximity to the Crow Creek Watershed and potential leachate from the proposed cemetery could increase the nutrient load to the area’s water sources. CBPU noted that protection of the area’s water sources should be considered.

Received agency information and comments have been incorporated and addressed in this EA. Copies of relevant correspondence can be found in Appendix A. Input provided by the Wyoming Heritage Council (SHPO) as part of VA’s National Historic Preservation Act Section 106 consultation has also been incorporated and addressed in this EA.

For Federal proposed actions, Federal agencies are required to consult with federally recognized Native American Tribes in accordance with the NEPA, the National Historic Preservation Act (NHPA), the Native American Graves Protection and Repatriation Act (NAGPRA), and Executive Order (EO) 13175. VA identified four Native American Tribes as having possible ancestral ties to the Site area.
and invited each Tribe to provide input regarding the Proposed Action (Appendix B). These Tribes included: Shoshone Tribe of the Wind River Reservation; Crow Tribe of Indians; Northern Arapaho Tribe; and Northern Cheyenne Tribe. As of the date of this Draft EA, no response has been received from the Tribes (VA 2016).

VA, as the Federal proponent of this Proposed Action, will publish and distribute the Draft EA for a 30-day public comment period as announced by a Notice of Availability (NOA) to be published in the Wyoming Tribune Eagle. A copy of the Draft EA will also be made available for public review at the Laramie County Library in Cheyenne, Wyoming. VA will also make a copy of the Draft EA available for download via a link on the VA internet website (http://www.cem.va.gov/EA.asp). VA will respond to provided public comments within the Final EA and will issue a Finding of No Significant Impact (FONSI), presuming there are no substantive public comments that would warrant further analysis.

CONCLUSIONS

The Preferred Action Alternative would result in the effects identified throughout Section 3 of this EA. These include potential less-than-significant adverse impacts to aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, wildlife and habitat, noise, coastal zones, solid and hazardous materials, and transportation. All of these potential impacts would be further reduced through careful implementation of general BMPs, management and avoidance measures, and compliance with regulatory requirements.

The analysis performed in this EA concludes there would be no significant adverse impact, either individually or cumulatively, to the local environment or quality of life associated with implementation of the Preferred Action Alternative, provided the management and avoidance measures described in this EA are implemented. This EA's analysis determines, therefore, that an Environmental Impact Statement (EIS) is unnecessary for the Preferred Action Alternative, and that a FONSI is appropriate.
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SECTION 1: INTRODUCTION

1.1 Introduction

This Section provides the reader with necessary introductory and background information concerning the Proposed Action for proper analytical context; identifies the purpose of and need for the Proposed Action; describes the Federal decision to be made concerning the Proposed Action; and identifies relevant environmental documents. Section 4 provides a summary of public and agency involvement (and key issues and concerns identified). Section 11 identifies Federal, State, and local regulations applicable to the Proposed Action.

This Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with the Department of Veterans Affairs’ (VA’s), a Federal executive agency, Proposed Action. VA’s Proposed Action is to acquire approximately five acres of land located near the City of Cheyenne in Laramie County, Wyoming to develop, operate, and maintain as a new National Veterans Burial Ground. The Proposed Action would be implemented in accordance with the National Cemetery Administration (NCA) Rural Veterans Burial Initiative (Rural Initiative) Program, which is intended to establish a cemetery presence in rural areas where unserved Veterans populations are less than 25,000 Veterans within a 75-mile radius. The Rural Initiative Program targets states with no National Cemeteries; no regional State Veterans Cemeteries; and no reasonably accessible National Cemeteries in adjacent states.

Preparation of this 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] Parts 1500-1508), and 38 CFR Part 26 (Environmental Effects of the Department of Veterans Affairs Actions). This EA also has been prepared in accordance with VA’s NEPA Interim Guidance for Projects (VA 2010).

In accordance with the above regulations, this EA: allows for public input into the Federal decision-making process; provides Federal decision-makers with an understanding of potential environmental effects of their decisions, before making these decisions; identifies measures the Federal decision-maker could implement to reduce potential environmental effects; and documents the NEPA process.

This EA examines in-depth two alternatives, the Preferred Action Alternative and the No Action Alternative as defined below:

- **Preferred Action Alternative:** Acquire approximately five acres of unimproved grassy land owned by the City of Cheyenne (the City) that is associated with the City’s High Plains Arboretum in Cheyenne, Laramie County, Wyoming, to develop, operate, and maintain as a new National Veterans Burial Ground. The Preferred Action Alternative Site location and features are depicted on Figures 1 through 3.

- **No Action Alternative:** Do not implement the Proposed Action as identified (do not establish a new National Veterans Burial Ground near the City of Cheyenne in Laramie County, Wyoming) and continue to operate only the existing National Cemeteries in the region.
1.2 Background

VA is proposing to acquire approximately five acres of unimproved grassy land included in the southwestern portion of an approximately 2,192-acre tract of land owned by the City of Cheyenne in Laramie County, Wyoming, to develop, operate, and maintain as a new National Veterans Burial Ground. The proposed National Veterans Burial Ground would provide additional burial capacity, as well as improved access to Veterans and their families (i.e. reduced travel time to a National Cemetery, and would balance the current unequal geographic distribution of National Cemeteries in the region. The five-acre Site was part of the USDA High Plains Grasslands Research Station from 1928 to 2007 and has been part of the City’s High Plains Arboretum since 2007. The City plans to construct a cemetery adjacent to the east of the Site and would potentially share resources (i.e., visitor center, parking lot, maintenance activities, etc.) with VA.

Currently there are no design plans for this proposed National Veterans Burial Ground. VA would follow the VA’s NCA Facilities Design Guide (VA 2008, or its successor) in developing the proposed cemetery, which would include preplaced crypts, columbarium niches, and in-ground burial sections. VA would acquire the Site in early 2016 and would initiate design/construction later in 2016.

The proposed National Veterans Burial Ground would be open to the public every day throughout the year. VA estimates that the cemetery would receive approximately 20 visitors per day. VA anticipates approximately 2 to 3 funeral processions per week, averaging 20 cars per procession.

1.3 Purpose and Need

The purpose of the Proposed Action is to provide a National Veterans Burial Ground of sufficient size and capacity to serve the projected needs of Veterans in southeastern Wyoming for the next 100 or more years. The Proposed Action would provide burial facilities for eligible Veterans in southeastern Wyoming region not served by a National Cemetery or State Veterans Cemetery.

A new National cemetery is needed to better serve the needs of Veterans and their families in southeastern Wyoming. The new cemetery would provide additional burial capacity, as well as improved access to Veterans and their families (i.e., reduced travel time to a National Cemetery), and would improve the balance the current unequal geographic distribution of National Cemeteries in this region. There are currently no open National or State Veterans Cemeteries located within 100 miles of Cheyenne, Wyoming. In addition, the new National Veterans Burial Ground is needed for VA to comply with the Rural Initiative program.

VA has established three objectives that define outcomes for VA burial programs. One of these objectives is to ensure that burial needs of Veterans and eligible family members are met. NCA further defines this objective on the assumption that the burial needs of a Veteran are met if they have reasonable access to burial option, where reasonable access to a burial option is defined as “...a first interment option (whether for casketed remains or cremated remains, either in-ground or in columbaria) in a National or State Veterans Cemetery...available within 75 miles of the Veteran’s place of residence.” VA established a 75-mile service area standard because NCA data show that more than 80 percent of persons interred in National Cemeteries resided within 75 miles of the cemetery at the time of death. VA has also developed unserved Veteran population thresholds for eligibility to establish a new National Cemetery or a National Veterans Burial Ground.

In the independent Evaluation of the VA Burial Benefits Program (August 2008), NCA reviewed where it has been and reflected on future burial strategy to continue meeting the needs of our Nation’s Veterans. This evaluation also noted that there is a gap between the size of
population centers served by a National Cemetery and State Veteran cemeteries. Hence, based upon that study, NCA established a new Veteran population threshold to increase access to a burial option where the unserved Veteran population is at least 80,000.

In addition and to account for areas where Veteran populations do not exceed the threshold for a National Cemetery, the NCA Performance Plan of the 2013 VA Budget established a Rural Veterans Burial Initiative program which is intended to establish a cemetery presence in rural areas where Veterans populations are less than 25,000 Veterans within a 75-mile radius. The goal is to build small National Veterans Burial Grounds in certain rural areas where the Veteran population has been identified by VA to be underserved. The Rural Initiative program targets states with no National Cemeteries open for first interments, and areas within those states that are not currently served by a State Veterans Cemetery or a National Cemetery in another state. NCA identified eight states (Idaho, Montana, Nevada, North Dakota, Maine, Utah, Wisconsin, and Wyoming) that met these criteria.

1.4 Decision-Making

This EA has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with VA’s proposed acquisition, development, operation, and maintenance of a Site near the City of Cheyenne, Laramie County, Wyoming as a new National Veterans Burial Ground.

VA, as a Federal agency, is required to incorporate environmental considerations into their decision-making process for the actions they propose to undertake. This is done in accordance with the regulations identified in Section 1.1.

In accordance with the NEPA regulations described above, this EA: allows for public input into the Federal decision-making process; provides Federal decision-makers with an understanding of potential environmental effects of their decisions, before making these decisions; identifies measures the Federal decision-maker could implement to reduce potential adverse environmental effects; and documents the NEPA process.

Ultimately, VA will decide, in part based on the analysis presented in this EA and after having taken potential physical, environmental, cultural, and socioeconomic effects into account, whether VA should implement the Proposed Action, and, as appropriate, carry out management and avoidance measures to reduce effects to the environment.
FIGURE 1
SITE REGIONAL LOCATION MAP
ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL VETERANS BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING

PREPARED FOR
U.S. DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, D.C.

TTL PROJECT NO.
11854.02
FIGURE 2
SITE VICINITY TOPOGRAPHIC MAP

ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL VETERANS BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING

PREPARED FOR
U.S. DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, D.C.

TTL PROJECT NO.
11854.02

DRAFT ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL VETERANS BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING
MARCH 2016
1.5 Related Environmental Documents

Related environmental documents include:


SECTION 2: DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

2.1 Introduction

This Section provides the reader with necessary information regarding the Proposed Action and its alternatives, including those that VA initially considered, but eliminated, and the reasons for eliminating them. The screening criteria and process developed and applied by VA to hone the number of reasonable alternatives are described, providing the reader with an understanding of VA’s rationale in ultimately retaining for analysis the five-acre City of Cheyenne owned site associated with the City’s High Plains Grasslands Arboretum (Preferred Action Alternative Site), that best meets VA’s purpose of and need for the Proposed Action.

2.2 Proposed Action

VA’s Proposed Action is to acquire approximately five acres of unimproved land near the City of Cheyenne in Laramie County, Wyoming to develop, operate, and maintain as a new National Veterans Burial Ground. The proposed cemetery would provide additional capacity, as well as improved access to Veterans and their families (i.e., reduced travel time to a National Cemetery) and would help balance the currently unequal geographic distribution of National Cemeteries within the region.

The proposed National Veterans Burial Ground would be open to the public every day throughout the year. VA estimates that the cemetery would receive approximately 20 visitors per day. VA anticipates approximately 2 to 3 funeral processions per week, typically averaging 5 to 30 cars per procession.

Currently there are no specific design plans for this proposed National Veterans Burial Ground. VA would follow the VA’s NCA Facilities Design Guide (VA 2008, or its successor) in developing the proposed cemetery.

Based on the NCA Guide (VA 2008), the Rural Initiatives program (VA 2012), and preliminary conceptual design data, the proposed National Veterans Burial Ground would, at minimum, include the following components:

- Provide a full range of burial options and control the operation and maintenance to the same "national shrine" standards as VA-run National Cemeteries.
- Planned areas for burial elements to include approximately double-depth, 3-foot by 8-foot pre-placed crypt casket burial sites.
- Columbarium niches in columbarium wall.
- In-ground 4-foot by 4-foot cremain sites.
- Private vault/oversized casket 4-foot by 10-foot casket burial sites.
- A gateway entrance sign, US and POW flag poles, and a memorial donation area.
The initial development of the proposed National Veterans Burial Ground would include approximately 500 casket burial sites and 1,000 cremation burial sites (both in-ground cremation sites and columbarium niches).

Prior to construction, VA would obtain all required applicable permits for the proposed cemetery from appropriate government authorities.

2.3 Alternatives Analysis

The NEPA, CEQ Regulations, and 38 CFR Part 26 require that all reasonable alternatives to be rigorously explored and objectively evaluated. Alternatives that are eliminated from detailed study must be identified along with a brief discussion of the reasons for eliminating them. For purposes of analysis, an alternative was considered “reasonable” only if it would enable VA to accomplish the primary mission of providing a suitable cemetery site that meets the purpose of and need for the Proposed Action, including availability at a price consistent with the fair market value based on an independent appraisal, or donation. “Unreasonable” alternatives would not enable VA to meet the purpose of and need for the Proposed Action.

2.3.1 Alternatives Development

After identifying a need for a National Veterans Burial Ground in southeastern Wyoming, VA considered various alternatives for establishing a small National Cemetery in the region. VA published Solicitation for Federal Business Opportunity (FBO) VA101-13-R-0147 in 2013 soliciting offers for a minimum of 3 acres of land lying no more than 0.25 mile from an existing cemetery in the Cheyenne, Laramie County, Wyoming area.

VA received several responses to this advertisement. Through a comprehensive screening process, VA narrowed the number of viable sites based on an analysis of site-specific attributes, including: topography and natural aesthetics, soil/geology, environmental issues, site configuration, availability of utilities, existing structures and obstructions, site adjacencies, aesthetic quality and zoning, proximity to catchment area, and accessibility.

The following are the Site Evaluation Factor Guidelines (screening criteria) which describe the factors (under four broad headings) that the VA applied to score and rank each site. VA completed this process based on the information that was available at the time of the evaluation:

- **Environmental (Natural) Conditions**
  - Topography and Natural Aesthetics -
  - Soil/Geology -
  - Environmental Issues -

- **Man-made Conditions**
  - Site Configuration -
  - Availability of Utilities -
  - Existing Structures and Obstructions -

- **Compatibility of the Surrounding Area**
  - Site Adjacencies -
  - Aesthetic Quality and Zoning -
  - Proximity to Catchment Area -
• **Accessibility**
  
  - Major Highways, Connecting Roadways, and Familiarity -
  - Vehicular Ingress/Egress -

Through this additional analysis, VA initially identified two suitable sites that best met all of the screening criteria, including the High Plains Arboretum Site (City Cemetery Site) and the United States Department of Agriculture (USDA) High Plains Grassland Research Station Site.

After further evaluation and consultation between VA, the City, and the Wyoming Heritage Council (State Historic Preservation Office or SHPO) and the completion of an Initial Cultural Resources Impact Prediction (ICRIP) for both prospective sites in November 2014, VA determined that USDA Grassland Research Station Site would very likely be considered part of the National Register of Historic Places (NRHP)-eligible USDA Grassland Research Station Historic District and the Proposed Action would likely have significant adverse effects on the Historic District. As such, the USDA Grassland Research Station Site was eliminated from further consideration, resulting in one remaining suitable site that best met all of the screening criteria, the High Plains Arboretum Site.

The High Plains Arboretum Site (Site) includes approximately five acres of unimproved grassy land in the southwestern portion of an approximately 2,192-acre tract of land owned by the City of Cheyenne that was formerly part of the USDA High Plains Grasslands Research Station (8408 Hildreth Road) and is currently associated with the City’s High Plains Arboretum. The Site is located approximately 660 feet north of the intersection of Hildreth Road and Polo Ranch Road/Experimental Farm Road (County Road 212) in Cheyenne, Laramie County, Wyoming.

**2.3.2 Evaluated Alternatives**

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

**Preferred Action Alternative**

VA would acquire approximately five acres of unimproved grassy land that is associated with the City’s High Plain Arboretum in Cheyenne, Laramie County, Wyoming to develop, operate, and maintain as a new National Veterans Burial Ground. The Preferred Action Alternative would be implemented as described in Section 2.2. The City plans to construct a public cemetery adjacent to the east of the Site and would potentially share resources (i.e., visitor center, parking lot, maintenance activities, etc. with VA).

The Preferred Action Alternative effectively provides a suitable combination of land, location, and existing access and meets the purpose of and need for the Proposed Action.

**No Action Alternative**

Under the No Action Alternative, the Proposed Action (the acquisition of land and the development and operation of a new National Veterans Burial Ground in southeastern Wyoming) would not be implemented. Veterans and their families residing in southeastern Wyoming would continue to be underserved by a National Cemetery or State Veterans Cemetery and would continue to be required to travel a substantial distance to a National or State Veterans Cemetery. The distribution of National Cemeteries throughout the region would continue to be unequal and VA would not be in compliance with the requirements of the Rural Initiative program.
While the No Action Alternative would not satisfy the purpose of or need for the Proposed Action, this alternative was retained to provide a comparative baseline against which to analyze the effects of the Proposed Action, as required under the CEQ Regulations (40 CFR Part 1502.14). The No Action Alternative reflects the status quo and serves as a benchmark against which the effects of the Proposed Action can be evaluated.

2.3.3 Alternatives Eliminated From Detailed Consideration

VA initially considered the USDA Grassland Research Station Site for the development of the new cemetery. However, after further evaluation and consultation between VA, the City, and SHPO and the completion of the ICRIP, VA determined that USDA Grassland Research Station Site would very likely be considered part of the NRHP-eligible USDA Grassland Research Station Historic District and the Proposed Action would likely have significant adverse effects on the Historic District. As such, the USDA Grassland Research Station Site was eliminated from further consideration.

As described in Sections 2.3.1 and 2.3.2, VA eliminated additional offered sites through a screening process. Each of the other considered sites did not meet the required screening criteria as well as the five-acre Preferred Action Alternative Site. As such, these other sites were eliminated from further consideration.
SECTION 3: AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

3.1 Introduction

This Section describes the baseline (existing) physical, environmental, cultural, and socioeconomic conditions at the proposed National Veterans Burial Ground site located approximately 660 feet north of the intersection of Hildreth Road and Polo Ranch Road/Experimental Farm Road (County Road 212) in Cheyenne, Laramie County, Wyoming (the Preferred Action Alternative Site) and its general vicinity (i.e., the Proposed Action’s Region of Influence (ROI)), with emphasis on those resources potentially affected by the Proposed Action. Appendix C provides photographs, with captions, of the Site and its surroundings. Under each resource area, the potential direct and indirect effects of implementing the Preferred Action Alternative and the No Action Alternative are identified. Potential cumulative impacts are discussed in Section 3.17.

In this EA, impacts are identified as either significant, less than significant (i.e., common impacts that would not be of the context or intensity to be considered significant under the NEPA or CEQ Regulations), or no impact. As used in this EA, the terms “effects” and “impacts” are synonymous. Where appropriate and clearly discernible, each impact is identified as either adverse or positive.

The CEQ Regulations specify that in determining the significance of effects, consideration must be given to both “context” and “intensity” (40 CFR 1508.27):

- **Context** refers to the significance of an effect to society as a whole (human and national), to an affected region, to affected interests, or to just the locality. In other words, the context measures how far the effect would be “felt.”

- **Intensity** refers to the magnitude or severity of the effect, whether it is beneficial or adverse. Intensity refers to the “punch strength” of the effect within the context involved.

In this EA, the significance of potential direct, indirect, and cumulative effects has been determined through a systematic evaluation of each considered alternative in terms of its effects on each individual environmental resource component.

Resource areas considered in this EA are as follows:

- Aesthetics
- Air Quality
- Cultural Resources
- Geology, Topography, and Soils
- Hydrology and Water Quality
- Wildlife and Habitat
- Noise
- Land Use
- Floodplains, Wetlands, and Coastal Zone Management
- Socioeconomics
- Community Services
- Solid and Hazardous Materials
- Transportation and Parking
- Utilities
- Environmental Justice
3.2 Aesthetics

The approximately five-acre Site is situated in a rural, grassy area approximately 660 feet north of the intersection of Hildreth Road and Polo Ranch Road/Experimental Farm Road (County Road 212) and approximately one mile west of the intersection of Hildreth Road and Round Top Road (State Highway 222) in an unincorporated area near the City of Cheyenne, Laramie County, Wyoming (see Figures 1, 2, and 3). The Site is located approximately 3 miles west of the City of Cheyenne, Wyoming. The City currently owns the Site and surrounding land to the north, south, and east. The Site is a portion of an approximately 2,192-acre parcel of land owned by the City. The Site was leased to the USDA (by the City) from 1928 to 2007 and was used as unimproved agricultural research land and grazing land as part of the USDA High Plains Grasslands Research Station. The Site has been grassy vacant land associated with the City’s High Plains Arboretum since 2007. A small tree nursery (two rows of conifers less than 12 inches tall) is located in the western portion of the Site.

The areas located to the north, east, and south of the Site are unimproved grassy land that were formerly part of the USDA High Plains Grasslands Research Station and have been a part of the High Plains Arboretum since 2007. An unpaved access road from Hildreth Road adjoins the Site to the east and an unimproved section of Hildreth Road runs north-south along the western Site boundary. The area located to the west of the Site across Hildreth Road is unimproved grassy land. The surrounding land uses are depicted on Figure 3.

The Site is currently located in an unincorporated area of Laramie County; however, the Site is owned by the City of Cheyenne. Aesthetics at the Site would likely be managed by the City of Cheyenne through the Cheyenne Unified Development Code.

Currently there are no specific design plans for the proposed National Veterans Burial Ground. VA plans to develop the cemetery, with preplaced crypts, a columbarium wall, in-ground cremain burial sections, and casket burial sites. The cemetery would include a gateway entrance sign and flagpole. No regularly occupied buildings are planned for the cemetery. Refer to Section 2.2 for additional details.

3.2.1 Effects of the Preferred Action Alternative

Development and operation of the Site as a National Veterans Burial Ground would produce minor visual changes. The Site is currently unimproved grassy land. Development and operation of the Site by VA as a National Veterans Burial Ground would create a grassy, landscaped atmosphere suitable to its proposed use. The cemetery development would not create an abrupt change to the landscape. In addition, the proposed VA cemetery development would be consistent with the City’s planned public cemetery adjoining to the east of the Site.

Cemetery development would be designed to comply, to the extent practicable, with the Cheyenne Unified Development Code. By complying with these ordinances and given the low visual impact of the cemetery development, aesthetics impacts would be less-than-significant.

3.2.2 Effects of the No Action Alternative

Under the No Action Alternative, no development or changes to the Site by the VA would occur. The Site would likely remain undeveloped for the foreseeable future and no aesthetics impacts would result.
3.2.3 Mitigation/Management Measures

No project-specific mitigation measures are required. The proposed cemetery development would comply, to the extent practicable, with the Cheyenne Unified Development Code. Compliance with these local established regulations would ensure that aesthetics effects are maintained at acceptable levels.

3.3 Air Quality

3.3.1 Regulatory Background

**Ambient Air Quality**

The ambient air quality in an area can be characterized in terms of whether or not it complies with the primary and secondary National Ambient Air Quality Standards (NAAQS). The Clean Air Act, as amended (CAA and CAAA) requires the US Environmental Protection Agency (USEPA) to set NAAQS for pollutants considered harmful to public health and the environment. NAAQS are provided for principal pollutants, called “criteria pollutants”, which include carbon monoxide, lead, nitrogen oxides, particulate matter, and sulfur dioxide.

Areas are designated by the USEPA as *attainment*, *non-attainment*, *maintenance* (formerly non-attainment), or *unclassified* (no monitoring data), based on compliance with the NAAQS standards. According to the USEPA Green Book, Laramie County, Wyoming is currently designated as a full attainment area (USEPA Green Book, January 2016).

**Greenhouse Gases and Climate Change**

Gases that trap heat in the atmosphere are often called greenhouse gases (GHG). Some greenhouse gases, such as carbon dioxide occur naturally and are emitted to the atmosphere through natural processes and human activities. Other greenhouse gases (e.g., fluorinated gases) are created and emitted solely through human activities.

Gases in the atmosphere can contribute to the greenhouse effect both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other greenhouse gases, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the earth. It is now well established that rising global atmospheric GHG emission concentrations are significantly affecting the Earth’s climate. Based primarily on scientific assessments, the USEPA has issued a finding that the changes in our climate caused by increased concentrations of atmospheric GHG emissions endanger public health and welfare.

The USEPA requirements for Mandatory Reporting of Greenhouse Gases Rule (74 FR 56260), which requires reporting of greenhouse gas data and other relevant information from large sources and suppliers in the United States, are designed to collect accurate and timely GHG data to inform future policy decisions. EOs 13423 and 13514 require Federal agencies to reduce GHG emissions.

**Operating Permits**

Given current land use of the Site (i.e., unimproved grassy land), no sources of regulated air emissions exist.
**State and Local Regulations**

The Wyoming Department of Environmental Quality (WDEQ) implements air quality programs under the Wyoming Environmental Quality Act, WS 35-11-101 et seq. (Chapters 1-14).

The City of Cheyenne and Laramie County do not maintain specific air quality regulations. Air quality issues in the Site area are overseen by the WDEQ.

**Conformity with State Implementation Plans**

The General Conformity Provision of the CAA of 1970 (42 USC 7401 et seq.; 40 CFR Parts 50-87) Section 176(c), including the USEPA’s implementation mechanism, the General Conformity Rule (40 CFR Part 51, Subpart W), prohibits the Federal government from conducting, supporting, or approving any actions that do not conform to a USEPA-approved State Implementation Plan (SIP). A SIP is a state's self-authored blueprint for achieving and maintaining compliance with the goals of the CAA. Federal agencies prepare written Conformity Determinations for Federal actions in or affecting NAAQS non-attainment areas or maintenance areas when the total direct and indirect emissions of non-attainment pollutants (or their precursors) exceed specified thresholds. Conformity with the SIP is demonstrated if project emissions fall below threshold values.

According to the USEPA, Laramie County is currently designated as a full attainment area (USEPA Green Book, January 2016).

**3.3.2 Sensitive Receptors**

Sensitive air quality receptors in the vicinity of the Site are limited and include residences associated with the USDA High Plains Grasslands Research Station located approximately 500 feet north of the Site. No other sensitive air quality receptors were identified within 0.5-mile of the Site.

**3.3.3 Effects of the Preferred Action Alternative**

Development and operation of the Site by VA as a National Veterans Burial Ground would produce minimal air quality effects, discussed below.

Air emissions generated from the proposed VA cemetery would be expected to have less-than-significant direct and indirect, short- and long-term adverse impacts to the existing air quality environment around the Site. Impacts would include short-term and long-term increased air emission levels as a result of: 1) Construction activities and 2) Operation of the proposed National Veterans Burial Ground.

Construction-related emissions are generally short-term, but may still have adverse impacts on air quality, primarily due to the production of dust. Dust can result from a variety of activities, including excavation, grading, and vehicle travel on paved and unpaved surfaces. Dust from construction can lead to adverse health effects and nuisance concerns, such as reduced visibility on nearby roadways. The amount of dust is dependent on the intensity of the activity, soil type and conditions, wind speed, and dust suppression activities used. Dust control measures (BMPs) significantly reduce dust emissions from construction. Implementation of BMPs, discussed below, would further minimize these anticipated less-than-significant adverse, short-term impacts.

Over the long-term, the Proposed Action would result in site visits by Veterans and their families, including additional vehicle miles traveled to and from the National Veterans Burial Ground. A net minor long-term increase in local vehicle miles (and associated emissions) is
anticipated, as visitors would travel to the Site. However, overall vehicle emissions would decrease because regional Veterans and their families would not be required to travel greater distances to other National Cemeteries.

The Preferred Action Alternative is located in a full attainment area; as such, a Record of Non-Applicability (RONA) under the Clean Air Act of 1990 would not be required or applicable.

3.3.4 Effects of the No Action Alternative

Under the No Action Alternative, no direct significant air quality impacts by VA would result. The additional driving required by area Veterans to visit more distant National Cemeteries, which would contribute to increased regional air emissions, would be a less-than-significant long-term adverse impact under the No Action Alternative. The likely continued unimproved use of the Site would have no air quality impacts.

3.3.5 Mitigation/Management Measures

No project-specific mitigation measures are required. Implementing BMPs to reduce fugitive dust emissions during cemetery construction would further minimize the potential impacts on local air quality. To minimize the potential for adverse, short-term air quality impacts, VA would implement the following typical dust control BMPs, as applicable, and in accordance with State requirements:

- Comply with the Wyoming Department of Environmental Quality Air Statutes.
- Comply with Federal requirements pertaining to greenhouse gases and implement a site design that minimizes greenhouse gas emissions.
- Use appropriate dust suppression methods during onsite construction activities. Dust minimization concepts:
  - Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.
  - Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.
  - Cover haul trucks with tarps.
  - Stabilize disturbed areas through re-vegetation or mulching if the area would be inactive for several weeks or longer.
  - Visually monitor all construction activities regularly, particularly during extended periods of dry weather, and implement dust control measures when appropriate.

These dust-reducing BMPs would be briefed to the construction contractors. The onsite managers would be responsible for addressing air quality issues if they arise. Implementation of these BMPs would reduce the potential for short-term adverse air quality impacts to acceptable levels.

In addition, VA would secure any required, individual minor air emissions permits from the WDEQ, as appropriate and prior to construction activities at the proposed National Veterans Burial Ground.
3.4 Cultural Resources

Cultural resources are the physical evidence of our heritage. Cultural resources include: historic properties as defined in the National Historic Preservation Act (NHPA), cultural items as defined in the Native American Graves Protection and Repatriation Act (NAGPRA), archeological resources as defined in the Archaeological Resources Protection Act (ARPA), sacred sites as defined in EO 13007 to which access is provided under the American Indian Religious Freedom Act (AIRFA), and collections as defined in 36 CFR Part 79, Curation of Federally Owned and Administered Collections. Requirements set forth in NEPA, NHPA, ARPA, NAGPRA, AIRFA, 36 CFR Part 79, EO 13007, and Presidential Memorandum on Government-to-Government Relations with Native American Tribal Governments define the basis of VA’s compliance responsibilities for management of cultural resources. Regulations applicable to VA’s management of cultural resources include those promulgated by the Advisory Council on Historic Preservation (ACHP) and the National Park Service (NPS).

3.4.1 Architectural and Archaeological Resources

A review of the National Register of Historic Places (NRHP) did not identify any currently listed properties in the vicinity of the Site.

On behalf of VA, R. Christopher Goodwin & Associates, Inc. (RC Goodwin) prepared an Initial Cultural Resource Impact Prediction (ICRIP) report for the Site and the other initially considered site (USDA Grassland Research Station Site) in November 2014 (Appendix D).

The ICRIP stated that both prospective sites were part of the Cheyenne Horticultural Field Station, now the USDA Grasslands Research Station. This facility includes 20 previously recorded structures, which all appear to contribute to a NRHP-eligible Historic District; however, its eligibility for the NRHP had not been formally documented. Informally, the Wyoming Heritage Council (SHPO) and the USDA Grasslands Research Station facility managers have consulted together in the past on changes to the structures, essentially agreeing that the buildings are historic. The USDA Grasslands Research Station historic structures encircle the initially considered USDA Grassland Research Station Site. RC Goodwin indicated that the development of a cemetery at that property would likely have an adverse effect on the Historic District. However, the Preferred Action Alternative Site, located south of the Historic District, has not historically contained structures, as it was the location of changing experimental grasslands fields. RC Goodwin indicated that the Preferred Action Alternative does not appear to have the potential to have adverse effects to the Historic District and recommended that VA consult with SHPO to seek its concurrence.

VA summarized the findings of the ICRIP in a consultation letter submitted to SHPO on April 9, 2015. On April 22, 2015, SHPO indicated that it reviewed the information provided by VA and concurred that the USDA High Plains Grassland Research Station is eligible for listing on the NRHP. SHPO indicated that the Preferred Action Alternative would have no adverse effect to the overall NRHP-eligible Historic District. SHPO identified two historic features at or near the Preferred Action Alternative Site. The first feature is part of a concrete-lined irrigation system constructed by the Civilian Conservation Corps in the 1930s. This feature is located along the western border of the Site and per SHPO, could easily be avoided when constructing the National Veterans Burial Ground. SHPO stated that a no adverse effect finding would be contingent upon the avoidance of the concrete-lined irrigation system. The second historic feature is a partially-buried irrigation system that extends from the nearby off-site greenhouse to what was formerly a nursery testing plot. SHPO stated that the partially-buried nursery plot irrigation system lacks its original integrity and removal or alteration of the remaining pieces of the irrigation system would have no adverse effect to the historic landscape as a whole. Additionally, SHPO stated that the Round Top Water Storage and Treatment Facility (NRHP-listed, located approximately 3,200 feet northeast of the Site) is located within the
indirect Area of Potential Effect (APE) of the Proposed Action; however, it is fully shielded from view by the USDA Grasslands Research Station facilities.

SHPO requested that VA make a final decision regarding the location of the National Veterans Burial Ground and then consult with SHPO to complete the Section 106 process. SHPO indicated VA is required to make a formal decision of effect.

VA submitted a letter to SHPO on July 9, 2015 indicating that VA had decided to focus on the Preferred Action Alternative site for the proposed National Veterans Burial Ground and that it was VA’s tentative determination that the Proposed Action would have no adverse effect on historic properties. The letter stated that VA would ensure that, in planning and constructing of the National Veterans Burial Ground, the concrete-lined irrigation feature along the west edge of the Site would be preserved in place and incorporated into the National Veterans Burial Ground’s landscaping. VA stated this conclusion would be reflected in all plans and specifications for the cemetery construction.

3.4.2 Native American Consultation/Coordination

For all Federal proposed actions, Federal agencies are required to consult with federally recognized Native American Tribes in accordance with the NEPA, the NHPA, the NAGPRA, and EO 13175. VA consulted with four federally recognized Native American tribes as part of this NEPA process, in accordance with 36 CFR Part 800.2 and EO 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000. These tribes, identified as having possible ancestral ties to the area by the Native American Consultation Database (NACD), were invited by VA to participate in the EA process as Sovereign Nations per EO 13175. VA sent a coordination and consultation letter to each of these tribes in August 2015. All correspondence was conducted by certified letters. The tribes consulted include: Shoshone Tribe of the Wind River Reservation; Crow Tribe of Indians; Northern Arapaho Tribe; and Northern Cheyenne Tribe. A sample letter sent to the tribes and their responses are included in Appendix B. As of the date of this EA, no responses have been received from the consulted tribes (VA 2016).

3.4.3 Effects of the Preferred Action Alternative

The USDA Grasslands Research Station was identified as an NRHP-eligible historic district. This historic structures associated with the historic district are all located north of the Site. As confirmed by the SHPO, the Preferred Action Alternative would not have a significant adverse effect on the historic district. VA would preserve the concrete-lined irrigation system located along the western boundary of the Site as recommended by SHPO; thereby preventing significant impacts to this historic structure.

3.4.4 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. The Site would likely remain unimproved and no cultural resources impacts would occur.

3.4.5 Mitigation/Management Measures

No mitigation measures are required. VA would ensure in designing and constructing the National Veterans Burial Ground that the concrete-lined irrigation system located along the western boundary of the Site would be preserved in place and incorporated into the cemetery landscaping. VA would incorporate this requirement in all plans and specifications for the cemetery construction. Implementing these avoidance measures during construction would prevent potential impacts to local cultural resources.
In addition, should human remains or other cultural items as defined by NAGPRA be discovered during project construction, the construction contractor would immediately cease work until VA, a qualified archaeologist, and SHPO are contacted to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).

3.5 Geology and Soils

The Round Top Lake, Wyoming United States Geological Survey (USGS) Topographic Quadrangle (dated 2015) indicates that surficial topography at the Site [elevation approximately 6,245 feet above mean sea level (amsl)] slopes to the southeast towards Crow Creek (elevation approximately 6,170 feet amsl), located approximately 2,000 feet south of the Site. The Site is located in a northwest-southeast trending valley between Round Top (elevation 6,400 feet amsl) to the north and a 6,400 feet amsl hill to the south. The nearest surface water body is a small, dry retention pond located approximately 460 feet northeast of the Site. Round Top Lake/Round Top Reservoir are located approximately 3,200 feet northeast of the site. A preliminary ALTA/ASCM Land Title Survey completed for the site in January 2016 by Inberg-Miller Engineers indicates that the Site is relatively level, with elevations ranging from approximately 6,238 to 6,242 feet amsl.

According to the Wyoming State Geological Survey (WGS), the City of Cheyenne is located in the Denver-Cheyenne Basin of the High Plains Subdivision of the Great Plains Physiographic Province and is characterized by nearly horizontal strata of Late Tertiary age.

According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey, the Site contains three soil types identified as Albinas loam, 0 to 6 percent slopes (northern and central portions), Altvan loam, 0 to 6 percent slopes (northeastern corner), and Evanston loam, 0 to 6 percent slopes (central and southern portions). These soils are characterized as well drained soils with moderately high to high permeability and a water table greater than 80 inches below ground surface (bgs). Site soils are shown on Figure 4.

Mr. Todd Feezer of the City of Cheyenne Parks and Recreation Department indicated that 10 feet deep soil borings were conducted at the Site and the proposed City Cemetery site (easterly adjacent property) in early 2014 to assess if the soil and water table conditions were suitable for a cemetery. Soils at the site were reported to consist of topsoil from the ground surface to 2 feet bgs, clay from 2 to 3 feet bgs, gravel from 3 to 4 feet bgs, and clay from 4 to 10 feet bgs.

3.5.1 Prime and Unique Farmland Soils

Prime and Unique Farmlands are regulated in accordance with the Farmland Protection Policy Act (FPPA) (7 USC 4201, et seq.) to ensure preservation of agricultural lands that are of statewide or local importance. Soils designated as prime farmland are capable of producing high yields of various crops when managed using modern farming methods. Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. Unique farmlands are also capable of sustaining high crop yields and have special combinations of favorable soil and climate characteristics that support specific high-value foods or crops.

According to the USDA NRCS Web Soil Survey, the Albinas and Altvan Site soils are characterized as prime farmland, if irrigated. The Evanston Site soils are not characterized as prime farmland.
FIGURE 4
SOILS MAP

ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL VETERANS BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING

PREPARED FOR
U.S. DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, D.C.

TTL PROJECT NO. 11854.02

DRAFT ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL VETERANS BURIAL GROUND
CHEYENNE, LARAMIE COUNTY, WYOMING
MARCH 2016
3.5.2 Soil Erosion and Stormwater Management

The National Pollution Discharge Elimination System (NPDES) permit process was initiated by the Federal Water Pollution Control Act amendments of 1972. The purpose of the program is to control the discharge of pollutants into surface waters by imposing effluent limitations to protect the environment. Authority to administer this program was delegated to the State of Wyoming by the USEPA in January of 1975. Currently, authority for NPDES permit issuance rests with the WDEQ Water Quality Division. The wastewater discharge law requires that a license (NPDES Permit) be obtained for the discharge of pollutants to a stream, river, wetland, or lake of the state, or to the ocean. The NPDES program is intended to control direct discharge into the surface waters of the State by imposing effluent limits and other conditions necessary to meet State and Federal requirements. Construction projects that propose to disturb one to five acres of the ground surface must obtain and comply with the WDEQ NPDES Small Construction General Permit and construction projects that propose to disturb five or more acres of the ground surface must obtain and comply with the WDEQ NPDES Large Construction General Permit.

3.5.3 Effects of the Preferred Action Alternative

The development and operation of a National Veterans Burial Ground on the Site would produce less-than-significant geology and soils effects, as discussed below.

No significant changes to topography or drainage are expected at the Site due to the development of a National Veterans Burial Ground. The cemetery development would be designed in concert with the natural, nearly level site topography. No significant cutting or filling is anticipated.

Less-than-significant impacts to geology would be anticipated. No active significant faults are known to extend through the Site's subsurface geology. As such, no impacts associated with seismic hazards are identified. No significant impacts to mineral resources are anticipated, as the proposed cemetery would not involve the commercial extraction of mineral resources, nor affect mineral resources considered important on a local, State, national, or global basis.

The Proposed Action would irreversibly convert approximately 2.5 acres of prime farmland (if irrigated) soils into nonagricultural use. As such, the Proposed Action is subject to the FPPA requirements. VA would be required to complete, in conjunction with the NRCS, a Farmland Conversion Impact Rating (Form AD-1006) for the Preferred Action Alternative. This process evaluates the relative value of the Site as farmland compared to other farmland in the area and assesses the site by examining the Site, surrounding areas, and the programs and policies of the State or local government agency. Based on the characteristics of the Site and surrounding area and the small amount of farmland soils that would be converted, the Preferred Action Alternative is anticipated to have a less-than-significant adverse impact on important farmland soils.

During construction of the National Veterans Burial Ground, less-than-significant, direct and indirect, short-term soil erosion and sedimentation (E&S) impacts would be possible. Construction activities would remove the current vegetative cover, disturb the soil surface, and compact the soil. The soil would then be susceptible to erosion by wind and surface runoff.

Exposure of the soils during construction has the potential to result in offsite discharges of sediment-laden runoff. However, such potential adverse E&S effects would be prevented through utilization of appropriate BMPs and adherence to the terms of the WDEQ NPDES Stormwater Discharge General Permit Associated with Construction Activity (General Permit). Permit standards would be adhered to during all construction activities.
No long-term E&S impacts would be anticipated due to the nature of the Proposed Action. No long-term soil erosion impacts would occur as a result of increased impervious surfaces onsite; there would be limited impervious surfaces associated with the cemetery development and long-term soil erosion impact would be managed by maintaining stormwater features as part of future development of the Site as a National Veterans Burial Ground. On-site stormwater retention will be included in the cemetery design.

3.5.4 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. The Site would likely remain unimproved and no impacts to soils, topography, or geology would occur.

3.5.5 Mitigation/Management Measures

No project-specific mitigation measures are required. To satisfy the requirements of FPPA, VA would complete Form AD-1006, Farmland Conversion Impact Rating, and submit the completed form to the local NRCS office.

Implementing BMPs to reduce E&S impacts during construction would further minimize the potential impacts on local soils and water quality. VA would develop, submit to WDEQ, and have approved, an NPDES permit application. 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 following as appropriate and necessary to protect surface water quality, as part of the NPDES permit:

- Install and monitor erosion-prevention measures (BMPs), such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.

- Retain on-site vegetation to the maximum extent possible.

- Plant and maintain soil-stabilizing vegetation on disturbed areas.

- Use native vegetation to re-vegetate disturbed soils.

The construction contractor would obtain all required permits before any proposed construction activities commence and would adhere to permit conditions during all onsite construction activities.

If measures in the NPDES permit and BMPs are correctly utilized for site development, direct soil erosion and resulting indirect sedimentation impacts would be minimized to less-than-significant levels. Successful implementation of these measures would ensure that the Proposed Action is in compliance with State and Federal water quality standards and minimizes both the short- and long-term potential for erosion and sedimentation. Implementation of these measures would maintain identified impacts at less-than-significant levels by properly controlling and limiting soil erosion and sedimentation impacts.
3.6 Hydrology and Water Quality

3.6.1 Surface Waters

The Site is located in the Crow Creek Watershed, part of the South Platte River Basin. The Round Top Lake, Wyoming USGS Topographic Quadrangle indicates that the nearest surface water body is Crow Creek, located approximately 2,000 feet south of the Site. Crow Creek flows generally southeast. No evidence of natural surface waters was observed on the Site or adjoining properties. An overgrown, inactive concrete irrigation channel is located along the western Site boundary.

3.6.2 Groundwater

According to the Groundwater Atlas of the United States, the Site vicinity is underlain by the Central Midwest regional aquifer system and contains three subregional systems, only one of which, the Great Plains aquifer system, extends into the Site area. The Great Plains aquifer system consists of two sandstone aquifers separated by a shale confining unit, all of which are in Lower Cretaceous rocks. The aquifer system is overlain by a thick sequence of Upper Cretaceous shale beds that are part of several geologic formations but which function together as a single confining unit, which is called the Great Plains confining system. The Site vicinity is underlain by the Ogallala aquifer and the underlying White River aquifer, characterized by late Miocene to early Pliocene-aged coarse sedimentary rocks and fine-grained sandstone with interbedded beds of tuff and bentonite, and discontinuous lenses of arkose and conglomerate, respectively.

As part of the preparations for the easterly adjoining City of Cheyenne cemetery, four shallow groundwater piezometers were installed at the Site and the easterly adjoining property to assess the suitability of the area for a cemetery. Groundwater levels in the Site piezometer ranged from 7.3 to 7.4 feet bgs during March through June 2014. According to water well information from the US Geological Survey, network wells located in the Site region are set in the Ogallala Formation and depth to water ranges from 48 to 87 feet bgs.

The Wyoming State Engineer’s Office (WSEO) indicated the Site is underlain by Quaternary alluvial and terrace deposits consisting of gravel, sand, silt, and clay. The underlying Ogallala Formation is the most utilized aquifer of the High Plains aquifer system of Laramie County. WSEO indicated that the estimated depth to shallow groundwater in the vicinity of the Site is approximately 15 feet bgs and the High Plains aquifer system ranges from 100 to 299 feet thick.

The WSEO stated that it identified 67 permitted water wells within an approximately two-mile radius of the Site, site including 19 for domestic use (i.e., the use of water in three single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less); four for miscellaneous use (i.e., any use of water not defined under definitions such as stock-watering pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc.); two for stock use (i.e., normal livestock use at four tanks or less within one mile of well or spring); one for miscellaneous use and stock use; and 41 for monitor or observation (i.e., these wells appear to have been installed in the 1990s to monitor potential contaminants associated with the F.E. Warren Air Force Base).

The WSEO stated that the Site currently lies outside of the Order of the State Engineer, Laramie County Control Area (LCCA) and is currently not subject to the groundwater resource requirements of the LCCA. The WSEO noted that the LCCA is currently being considered for expansion and the Site may be included in the future, expanded boundaries of the LCCA.

The Cheyenne Board of Public Utilities (CBPU) – Cheyenne Water and Sewer Department stated that the CBPU holds the water rights to the Site. The CBPU holds a water conveyance
to enlargement of the City’s pipelines which are located in the Hildreth Road right-of-way (ROW). The CBPU stated that finalization of the water right is pending upon County Commissioners approach and filing, which was anticipated to be completed in February 2016. The water right is to be applied to irrigation, stock and domestic purposes and the water right area includes the Site. The CBPU also indicated the Site is located in close proximity to the Crow Creek Watershed and potential leachate from the proposed cemetery could increase the nutrient load to the area’s water sources. CBPU noted that protection of the area’s water sources should be considered.

### 3.6.3 Effects of the Preferred Action Alternative

Construction and operation of the National Veterans Burial Ground on the Site would produce less-than-significant hydrology and water quality effects, as discussed below.

Construction-related surface water impacts associated with the Preferred Action Alternative (associated with soil erosion and sedimentation) would be low as no significant grading of the Site is anticipated and there are no surface water resources at the Site or surrounding area.

VA would implement the BMPs described in Section 3.5.5 and 3.6.5 to control construction-related impacts of soil erosion and sedimentation, and would provide proper onsite stormwater management.

Based on the piezometers installed at the Site, groundwater occurs at approximately 7.5 feet bgs, and may be encountered during deeper site construction activities, such as excavations for crypts. Appropriate groundwater engineering controls would be utilized during construction to ensure no long-term adverse effects to groundwater. As such, constructed-related groundwater impacts are anticipated to be less-than-significant.

No significant long-term groundwater impacts are anticipated as a result of the Proposed Action. Based on standard modern burial practices, it is unlikely that embalming fluid or other decomposition byproducts would be released into the soil and/or groundwater. The standard NCA design incorporates (for full casket burials) sub-surface concrete crypts, an entire section of which would be installed during site construction. Using this technique, the caskets are not buried directly in the soil, but are rather set in a pre-placed concrete crypt (established turf and soil temporarily removed, crypt lid removed, casket placed, followed by the reverse process to complete). Modern embalming fluids are markedly less toxic as the primary active ingredients are no longer arsenic based. Additionally, as selection of either cremain interment or columbaria placement increase, the potential for soil or groundwater contamination commensurately decreases as no embalming fluids are used.

In addition, NCA’s modern cemetery development practices include the use of native grasses and other vegetation species, to the extent possible, thereby reducing the need for irrigation. In addition, fertilization rates are carefully monitored to avoid excess nutrient leaching.

As part of the Proposed Action, VA would use the City of Cheyenne municipal water system for irrigation and other accessory uses that may be required. As such, an on-site water supply well would not be required and groundwater impacts would be minimal.

### 3.6.4 Effects of the No Action Alternative

Under the No Action Alternative, no impacts to hydrology or water quality by VA would occur. The Site would likely remain unimproved and no hydrology or water quality impacts would be anticipated.
3.6.5 Mitigation/Management Measures

No project-specific mitigations measures are required. To minimize potential adverse impacts to water resources, VA would implement the following BMPs:

- Ensure the Site includes sufficient on-site stormwater management so as to not adversely affect the water quantity/quality in receiving waters and/or offsite areas.

- Implement BMPs to reduce soil erosion and sedimentation impacts as described in Section 3.5.5.

Implementation of these BMPs would ensure identified water resources impacts are maintained as less-than-significant levels.

3.7 Wildlife and Habitat

3.7.1 Vegetation and Wildlife

The original natural vegetation communities, comprised of native grasses, are not likely present on the Site. The Site was used for horticultural research for various non-native plant species, later for grazing research, and is currently vacant grassy land associated with the High Plains Arboretum. A small tree nursery (two rows of conifers less than 12 inches tall) is located in the western portion of the Site. Areas immediately adjacent to north, east, and south of the Site are also unimproved grassy land owned by the City of Cheyenne. The area to the west of the Site across Hildreth Road is unimproved grassy land. Area vegetation is typical of rural High Plains areas in Wyoming. Such vegetation communities support wildlife species associated with grassy rural areas in Wyoming.

3.7.2 Threatened and Endangered Species

As part of the preparation of this EA, the U.S. Fish and Wildlife Service (USFWS), Wyoming Department of Environmental Quality (WDEQ), and Wyoming Game & Fish Department (WGFD) were contacted to identify the potential presence of State or Federally-listed threatened or endangered species on or in the vicinity of the Site. The following provides a summary of the information provided by these agencies (please see Appendix A for these agencies’ complete responses):

- The USFWS, Cheyenne Ecological Services Field Office stated that available information pertaining to threatened and endangered species is available in the Species List and Project Reviews application on their internet website. According to the USFWS Information for Planning and Conservation (IPaC) database, three Federally-listed endangered animal species, two Federally-listed threatened animal species, and three Federally-listed threatened plant species could potentially be located in the Site vicinity. However, all of the species identified by the USFWS IPaC database require an active stream and associated habitats (i.e., riparian and/or floodplains), bodies of water, and/or intact uncultivated areas as part of their habitat requirements. Based on the long use of the Site and adjoining areas to the north, east, and south for horticultural research and grazing, and the absence of surface water features in the vicinity of the Site, it is unlikely that the species identified on the USFWS IPaC database occur at the Site or in the immediate Site vicinity, or would be impacted by the Preferred Action Alternative.

- The USFWS also recommended that VA review the Proposed Action relative to its responsibilities under the Migratory Bird Treaty Act and take steps to conserve and protect Species of Greatest Conservation Need, species not on or proposed for listing
on the Threatened and Endangered Species List, but were either formerly on the list or may be proposed for the list in the future. USFWS identified one such species as possibly being located in the Site area (black-tailed prairie dog). Based on the habitat requirements for the black-tailed prairie dog (actively grazed land) and Site observations, it is unlikely that this species is present at the Site or would be impacted by the Preferred Action Alternative.

- The WDEQ-Land Quality Division (LQD) indicated the threatened Colorado Butterfly plant may be present in the Site area; however, the LQD further stated that this species does not do well in extensively grazed grassland and may not be present on the Site. The LQD indicated it has no concerns with the Site.

- The WGFD stated that the Site lies within the pronghorn antelope crucial winter range. The WGFD recommended that any proposed fencing be designed to wildlife friendly standards so that the pronghorn can still utilize the area and pass back and forth. The WGFD indicated there are no aquatic concerns related to the Proposed Action.

Based on the information received from the consulted agencies and the Site conditions and features, no Federal or State-listed threatened and/or endangered species or critical habitat for such species are likely to occur at the Site or adjacent areas.

### 3.7.3 Effects of the Preferred Action Alternative

Development and operation of a National Veterans Burial Ground on the Site is not likely to have significant biological resources effects. The Site is previously disturbed grassy land. No Federal or State-listed threatened and/or endangered species or critical habitat for such species was identified for the Site or adjacent areas.

### 3.7.4 Effects of the No Action Alternative

Under the No Action Alternative, no impacts to vegetation or wildlife habitat by VA would occur.

### 3.7.5 Mitigation/Management Measures

No project-specific mitigation measures are required. VA would implement the following BMPs to reduce biological resources impacts during construction and operation:

- Construction activities would be timed to avoid migratory birds on the Site and protected under the Migratory Bird Treaty Act. This Act prohibits the taking of migratory birds, their nests, and eggs. Land clearing at the Site would be conducted outside the migratory bird nesting season of March through June so that nests are not disturbed. If it is not practical to clear the site outside of this timeframe, a qualified biologist would survey the Site prior to clearing to ensure that no active nests are disturbed.

- Native species or High Plains Arboretum approved species should be used to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species.

- Wildlife friendly fencing should be used where appropriate.

Implementation of these BMPs would ensure biological resources impacts are maintained at less-than-significant levels.
3.8 Noise

The existing noise environment around the Site is dominated by vehicle traffic along Hildreth Road and helicopter noise from the nearby F.E. Warren Air Force Base (AFB). No other notable noise-generating sources are present in the immediate vicinity of the Site. As such, the Site’s noise environment can be characterized as that typical of a rural area.

The City of Cheyenne does not maintain noise regulations.

3.8.1 Effects of the Preferred Action Alternative

Construction and operation of a new National Veterans Burial Ground on the Site would produce less-than-significant noise effects, as discussed below.

Based on the proposed use of the Site as a cemetery, no long-term noise impacts would be anticipated. Noise generated from the Proposed Action would have short-term impacts to the existing noise environment due to construction activities onsite associated with the cemetery. Noise generating sources during construction activities would be associated primarily with standard construction equipment and construction equipment transportation. These increased noise levels could directly affect the neighboring area, including the residential units associated with the USDA High Plains Grassland Research Station located approximately 500 feet north of the Site; however, these increased noise levels would be less-than-significant and short term.

Construction activities generate noise by their very nature and are highly variable, depending on the type, number, and operating schedules of equipment. Construction projects are usually executed in stages, each having its own combination of equipment and noise characteristics and magnitudes. Construction activities are expected to be typical of other similar construction projects and would include mobilization, site preparation, excavation, placing foundations, utility development, heavy equipment movement, and paving roadways and parking areas.

The most prevalent noise source at typical construction sites is the internal combustion engine. General construction equipment using engines includes, but is not limited to: heavy, medium, and light equipment such as excavators; roller compactors; front-end loaders; bulldozers; graders; backhoes; dump trucks; water trucks; concrete trucks; pump trucks; utility trucks; and lube, oil, and fuel trucks.

Peak noise levels vary at a given location based on line of sight, topography, vegetation, and atmospheric conditions. In addition, peak noise levels would be variable and intermittent because each piece of equipment would only be operated when needed. However, peak construction noise levels would be considerably higher than existing noise levels. Relatively high peak noise levels in the range of 93 to 108 dBA (decibels, A-weighted scale) would occur within the active construction site, decreasing with distance from the construction areas. Table 1 presents peak noise levels that could be expected from a range of construction equipment during proposed construction activities.

Combined peak noise levels, or worst-case noise levels when several loud pieces of equipment are used in a small area at the same time as described in Table 1, are expected to occur
rarely, if ever, during the project. However, under these circumstances, peak noise levels could exceed 90 dBA within 200 feet of the construction area, depending on equipment being used.

Although noise levels would be quite loud in the immediate area, the intermittent nature of peak construction noise levels would not create the steady noise level conditions for an extended duration that could lead to hearing damage. Construction workers would follow standard Federal Occupational Safety and Health Administration (OSHA) requirements to prevent hearing damage.

Areas that could be most affected by noise from construction include those closest to the construction footprint, including the residential units associated with the USDA High Plains Grassland Research Station located approximately 500 feet north of the Site. Indoor noise levels would be expected to be 15-25 decibels lower than outdoor levels.

Indirect impacts include noise from workers commuting and material transport. Area traffic volumes and noise levels would increase slightly as construction employees commute to and from work at the project area, and service vehicles (including trucks of various sizes) transit to and from the Site. Because trucks are present during most phases of construction and leave and enter the Site via local thoroughfares, truck noises tend to impact more people over a wider area. These effects are not considered significant because they would be temporary, during daytime hours and similar to existing traffic noise levels in the area.

Table 1. Peak Noise Levels Expected from Typical Construction Equipment

<table>
<thead>
<tr>
<th>Source</th>
<th>Peak Noise Level (dBA, attenuated)</th>
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<tbody>
<tr>
<td></td>
<td>Distance from Source (feet)</td>
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<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Heavy Truck</td>
<td>95</td>
</tr>
<tr>
<td>Dump Truck</td>
<td>108</td>
</tr>
<tr>
<td>Concrete Mixer</td>
<td>108</td>
</tr>
<tr>
<td>Jack-hammer</td>
<td>108</td>
</tr>
<tr>
<td>Scraper</td>
<td>93</td>
</tr>
<tr>
<td>Bulldozer</td>
<td>107</td>
</tr>
<tr>
<td>Generator</td>
<td>96</td>
</tr>
<tr>
<td>Crane</td>
<td>104</td>
</tr>
<tr>
<td>Loader</td>
<td>104</td>
</tr>
<tr>
<td>Grader</td>
<td>108</td>
</tr>
<tr>
<td>Pile driver</td>
<td>105</td>
</tr>
<tr>
<td>Forklift</td>
<td>100</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Worst-Case Combined Peak Noise Level (Bulldozer, Jackhammer, Scraper)</th>
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<tbody>
<tr>
<td>Combined Peak Noise Level</td>
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<td>----------------------------</td>
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Source: Tipler 1976

Proposed operational activities at the National Veterans Burial Ground would include vehicle traffic to and from the cemetery, use of powered equipment for grave site preparation, maintenance, and upkeep, and period ceremonial rifle discharges. These activities would not produce excessive noise, and would not produce an adverse noise impact on surrounding land uses. The facility would be a relatively quiet cemetery.

3.8.2 Effects of the No Action Alternative

Under the No Action Alternative, the noise environment surrounding the Site would not change. No significant noise impacts presently occur at the Site.
3.8.3 Mitigation/Management Measures

No project-specific mitigation measures are required. Implementing BMPs to reduce noise generated during construction would further minimize the potential impacts on the local noise environment. To minimize the potential for adverse, short-term noise impacts, the construction contractor would implement the following typical noise control BMPs, as applicable. These measures would be briefed to the contractor at the construction kick-off meeting, and daily at tailgate safety meetings. The onsite construction manager would be responsible to immediately address noise issues, if they arise.

- Via written notification, coordinate proposed construction activities in advance with nearby sensitive receptors (i.e., residential properties to the north of the Site). Via written notification, let local sensitive receptors know what operations would be occurring at what times, including when they would start and when they would finish each day. Post signage, updated daily, 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. This measure would reduce noise impacts during sensitive night-time 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.

- 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.).

Implementation of these BMPs would maintain short-term noise impacts at less-than-significant levels for nearby sensitive receptors.

3.9 Land Use

The Site has been unimproved agricultural research land and grazing land since at least 1911. The Site is included in the southwestern portion of an approximately 2,192-acre parcel owned by the City of Cheyenne. The Site was leased by the City to the USDA and used as part of the USDA Cheyenne Horticultural Field Station from 1928 to 1974 and USDA High Plains Grassland Research Station from 1974 to 2007. Since 2007, the site has been grassy vacant land associated with the City’s High Plains Arboretum. The WDEQ LQD noted that the High Plains Arboretum and the USDA High Plains Grasslands Research Station are open spaces valued by Cheyenne and Laramie County residents.

The areas located to the north, east, and south of the Site are unimproved grassy land that were also part of the USDA research and grazing land. The area located to the west across an unpaved section of Hildreth Road is unimproved grassy land. The surrounding land uses are depicted on Figure 3.
The Site is located in an unincorporated area of Laramie County; however, the Site is currently owned by the City of Cheyenne. Therefore, the land use planning for the Site and the northerly, easterly and southerly surrounding properties is managed by the City of Cheyenne. These areas are all currently zoned Public by the Laramie County Planning and Development Office (LCPDO) Laramie County Land Use Regulations adopted February 15, 2011.

3.9.1 Effects of the Preferred Action Alternative

The Public district zoning designation by the LCPDO is primarily for governmental buildings and government-sponsored uses where the activities conducted are directed to providing services to the public. It includes educational facilities and recreational areas. Cemeteries are included in the Public district zoning designation. In addition, the City has created a master plan for the High Plains Arboretum that includes public arboretum areas east of the Site, a visitor center and parking area northeast of the Site, a City-owned public cemetery adjacent to the east of the Site, cemetery offices and a committal shelter adjacent to the north of the Site, and the use of the Site by VA for a small National Cemetery. The development of the National Veterans Burial Ground at the Site would be consistent with the City’s master plan and the planned use of the surrounding area. No adverse land use effects would occur with the Preferred Action Alternative.

Short-term dust and noise from construction have the potential to adversely affect adjacent offsite areas and land uses, notably the nearby sensitive receptors. Potential air quality and noise effects to offsite land uses are discussed in Sections 3.3 and 3.8. BMPs would be used to reduce construction dust and noise emissions to the extent possible. Implementation of these BMPs would result in a short-term, less-than-significant effects to adjacent land uses. No significant long-term noise or dust effects are anticipated.

3.9.2 Effects of the No Action Alternative

Under the No Action Alternative, no land use impacts due to VA’s Proposed Action would occur. The Site would likely continue to be undeveloped grassy land.

3.9.3 Mitigation/Management Measures

No project-specific mitigation or management measures are required.

3.10 Wetlands, Floodplains, and Coastal Zone Management

3.10.1 Wetlands

This section discusses wetlands at or near the Site and surface waters (streams) as they pertain to wetlands. Additional information regarding surface waters is provided in Section 3.6.

Information provided by the USFWS Online Wetland Mapper indicates that no mapped wetlands are located on or near the Site. No wetlands or other surface water features were identified at the Site or surrounding properties during the Site reconnaissance or from the resources consulted as part of this EA.

3.10.2 Floodplains

According to available Federal Emergency Management Act (FEMA) floodplain mapping, the Site and vicinity are currently identified as Zone X, areas outside the 100-year or 500-year floodplains.
3.10.3 Coastal Zone

The Coastal Zone Management Act (CZMA) was promulgated to control nonpoint pollution sources that affect coastal water quality. The CZMA of 1990, as amended (16 USC 1451 et seq.) encourages States to preserve, protect, develop, and where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. The State of Wyoming does not contain or border a coastal zone or Great Lake and is, therefore, not included in the CZMA.

3.10.4 Effects of the Preferred Action Alternative

No wetlands were identified on or adjacent to the Site and the Site is not located in a 100-year or 500-year floodplain or coastal zone. No impacts to wetlands, floodplains or coastal zones would occur with the Preferred Action Alternative.

3.10.5 Effects of the No Action Alternative

No impacts to wetlands, floodplains, or coastal zones resources would occur.

3.10.6 Mitigation/Management Measures

No project-specific mitigation or management measures are required.

3.11 Socioeconomics

The following subsections identify and describe the socioeconomic environment of Laramie County, Wyoming. Presented data provide an understanding of the socioeconomic factors that have developed the area. Socioeconomic areas of discussion include the local demographics of the area, regional and local economy, and local housing. Data used in preparing this section were collected from the 2010 Census of Population and Housing (US Census Bureau), subsequent US Census Bureau data, and the US Department of Commerce Bureau of Economic Analysis (BEA).

3.11.1 Demographics

The Site is located in an unincorporated area of Laramie County near the City of Cheyenne, Laramie County, Wyoming. Laramie County’s population in 2014 was estimated to be 96,389 citizens. The estimated population total for Wyoming was 584,153 residents in 2014. Population totals for the Laramie County and the State of Wyoming have increased steadily since 1990 (see Table 2).

<table>
<thead>
<tr>
<th>Area</th>
<th>1990</th>
<th>2000</th>
<th>2014 estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wyoming</td>
<td>453,588</td>
<td>493,782</td>
<td>584,153</td>
</tr>
<tr>
<td>Laramie County</td>
<td>73,142</td>
<td>81,607</td>
<td>96,389</td>
</tr>
</tbody>
</table>

Sources: US Census Bureau, Profile of General Demographic Characteristics - 2014 estimate.

Baseline information identified that Laramie County and the State of Wyoming have similarly low minority populations (Table 3).
Table 3. Regional Population by Race and Ethnicity

<table>
<thead>
<tr>
<th>Area</th>
<th>All Individuals</th>
<th>White (%)</th>
<th>African-American (%)</th>
<th>American Indian and Alaska Native (%)</th>
<th>Asian or Pacific Islander (%)</th>
<th>Other Race (%)</th>
<th>Hispanic or Latino* (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wyoming</td>
<td>563,626</td>
<td>90.7</td>
<td>0.8</td>
<td>2.4</td>
<td>0.9</td>
<td>3.0</td>
<td>8.9</td>
</tr>
<tr>
<td>Laramie County</td>
<td>91,738</td>
<td>88.5</td>
<td>2.5</td>
<td>1.0</td>
<td>1.3</td>
<td>3.8</td>
<td>13.1</td>
</tr>
</tbody>
</table>

Note: The six percentages reported by the US Census Bureau for each geographic region may total more than 100% because individuals may report more than one race. Source: US Census Bureau, Census, Profile of General Demographic Characteristics, 2010.

According to the 2009-2013 US Census statistics, Laramie County has a similar percentage of high school graduates and persons with bachelor’s degrees as the State of Wyoming. Educational attainment data are presented in Table 4.

Table 4. Educational Attainment: Laramie County and Wyoming

<table>
<thead>
<tr>
<th>Educational Attainment</th>
<th>Laramie County (%)</th>
<th>Wyoming (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High school graduate (incl. equivalency)</td>
<td>93.3</td>
<td>92.4</td>
</tr>
<tr>
<td>Bachelor's degree or higher</td>
<td>25.1</td>
<td>24.7</td>
</tr>
</tbody>
</table>

Source: US Census Bureau, Census, Profile of General Demographic Characteristics.

3.11.2 Employment and Income

The region’s employment is primarily centered on educational services, healthcare and social assistance (21.5%), public administration (14.1%), retail trade (13.2%), arts, entertainment, and recreation, and accommodation and food services (8.8%), construction (7.6%), professional, scientific, and management, and administrative and waste management services (7.3%), transportation and warehousing, and utilities (6.8%), finance and insurance, and real estate and rental and leasing (4.8%), manufacturing (4.5%), other services (4.5%), agriculture, forestry, fishing and hunting, and mining (3%), information (2.6%), and wholesale trade (1.3%).

Incomes, poverty level and unemployment rates are similar in Laramie County and Wyoming as a whole, as presented in Table 5.

Table 5. Regional Income

<table>
<thead>
<tr>
<th>Area</th>
<th>Number of Households</th>
<th>Median Household Income ($)</th>
<th>Per Capita Income ($)</th>
<th>Population Below Poverty Level (%)</th>
<th>Unemployment Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wyoming</td>
<td>222,846</td>
<td>57,406</td>
<td>28,902</td>
<td>11.5</td>
<td>4.1</td>
</tr>
<tr>
<td>Laramie County</td>
<td>36,859</td>
<td>55,864</td>
<td>28,505</td>
<td>10.8</td>
<td>3.6</td>
</tr>
</tbody>
</table>

Source: US Census Bureau, Census, Profile of General Demographic Characteristics.
3.11.3 Commuting Patterns

Residents of Laramie County are largely dependent on personal automobiles for transportation to and from work. Local commuting times are approximately 15 minutes (one-way) due to the large area and low population density of the region. The City of Cheyenne has a city bus transit system; however, service is only available within the City limits. Public transportation is not available in Laramie County or the immediate Site area.

3.11.4 Housing

Rates of owner-occupied housing and median housing values in Laramie County and the State of Wyoming (see Table 6).

<table>
<thead>
<tr>
<th>Area</th>
<th>Total Housing Units</th>
<th>Occupied (%)</th>
<th>Owner-Occupied (%)</th>
<th>Median Value ($)</th>
<th>Renter-Occupied (%)</th>
<th>Median Contract Rent ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wyoming</td>
<td>263,040</td>
<td>84.7</td>
<td>70.1</td>
<td>185,900</td>
<td>29.9</td>
<td>764</td>
</tr>
<tr>
<td>Laramie County</td>
<td>40,582</td>
<td>90.8</td>
<td>68.2</td>
<td>181,700</td>
<td>31.8</td>
<td>760</td>
</tr>
</tbody>
</table>

Source: US Census Bureau, Census, Profile of General Demographic Characteristics.

3.11.5 Protection of Children

Because children may suffer disproportionately from environmental health risks and safety risks, EO 13045, Protection of Children From Environmental Health Risks and Safety Risks, was introduced in 1997 to prioritize the identification and assessment of environmental health risks and safety risks that may affect children and to ensure that Federal agencies’ policies, programs, activities, and standards address environmental risks and safety risks to children. This section identifies the distribution of children and locations where numbers of children may be proportionately high (e.g., schools, childcare centers, family housing, etc.) in areas potentially affected by the Proposed Action.

Children are not regularly present at the Site, which is unimproved land and contains no recreation areas. In addition, children are not regularly present on the neighboring properties. The percentage of the population under age 18 is similar within Laramie County and Wyoming (see Table 7).

<table>
<thead>
<tr>
<th>Area</th>
<th>Total Population (2013 estimate)</th>
<th>Population Under 18</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Wyoming</td>
<td>570,134</td>
<td>136,422</td>
</tr>
<tr>
<td>Laramie County</td>
<td>93,073</td>
<td>22,355</td>
</tr>
</tbody>
</table>

Source: US Census Bureau, Census, Profile of General Demographic Characteristics.

3.11.6 Effects of the Preferred Action Alternative

The land acquisition and development of the proposed National Veterans Burial Ground at the Site is anticipated to result in minor short-term, direct, positive socioeconomic impacts to local
employment and personal income. Development of the proposed National Veterans Burial Ground would provide temporary construction jobs in the private sector, thus providing some short-term socioeconomic benefit to the area. However, due to the intermittent and finite nature of this construction project, no long-term impacts to the construction labor force are anticipated. The Proposed Action would indirectly benefit the local economy through the spending of business and personal income generated from the construction and operation of the proposed facility, along these impacts would be minor and less-than-significant. The Proposed Action would result in long-term significant positive socioeconomic impacts by providing a regionally proximate National Cemetery to US Veterans.

No adverse health or safety risks to children are anticipated to result from operation of the National Veterans Burial Ground. In addition, children would only be present at the Site as visitors. Construction areas would be secured to prevent unauthorized access by children. The construction contractor would limit and control construction dust and noise as discussed in Sections 3.3 and 3.8, thereby minimizing adverse effects to children, if any, in the area.

3.11.7 Effects of the No Action Alternative

The No Action Alternative would result in no increased short- or long-term socioeconomic benefit due to VA’s action. Under this alternative, no new construction jobs would be created, and no additional incidental spending (e.g., at local restaurants, shops, and hotels) by an increased number of people potentially traveling to the National Veterans Burial Ground would occur.

Most importantly, the inability of VA to provide adequate regional burial sites commensurate with the need for these services would result in a significant adverse, long-term, impact to US Veterans. US Veterans would have to rely on regional cemeteries or travel a substantial distance (at least 115) miles to the nearest National Veterans Cemetery (Fort Logan National Cemetery in Denver, Colorado) or at least 130 miles to the nearest State Veterans Cemetery, the Oregon Trail State Veterans Cemetery in Evansville, Wyoming.

3.11.8 Mitigation/Management Measures

No project-specific mitigation or management measures are required.

3.12 Community Services

The Site is located within the Central Triad School District. The Central Triad School District consists of the western portion of the City of Cheyenne and Laramie County and includes eleven elementary schools (kindergarten through sixth grade), one junior high school (seventh and eighth grade), and two high schools. No public schools are located with one mile of the Site.

The Laramie County Sheriff’s Office provides police protection to the Site and its vicinity. The Laramie County Fire District #2 provides fire protection and emergency medical services to the Site and its vicinity. The Wyoming Department of Transportation (WYDOT) and Laramie County provide local road and bridge maintenance to the Site and its vicinity. No medical facilities are located within ten miles of the Site.

No public transportation is provided to the Site area.

There are no developed recreational facilities on or in the immediate vicinity of the Site.
3.12.1 Effects of the Preferred Action Alternative

Use of the Site as a National Veterans Burial Ground would have minimal community services effects. No significant additional load is expected to be placed on the fire or police departments as the result of the Proposed Action. Use of other public or community services as a result of the proposed National Veterans Burial Ground is not expected. As such, the Proposed Action is expected to have a negligible impact on local public services.

3.12.2 Effects of the No Action Alternative

Under the No Action Alternative, no community services effects would be anticipated. The Site would likely remain unimproved with no community services impacts.

3.12.3 Mitigation/Management Measures

No mitigation or management measures are required.

3.13 Solid and Hazardous Materials

Hazardous and toxic materials or substances are generally defined as materials or substances that pose a risk (i.e., through either physical or chemical reactions) to human health or the environment. Regulated hazardous substances are identified through a number of Federal laws and regulations. The most comprehensive list is contained in 40 CFR 302, and identifies quantities of these substances, when released to the environment, that require notification to a Federal agency. Hazardous wastes, defined in 40 CFR 261.3, are considered hazardous substances. Generally, hazardous wastes are discarded materials (e.g., solids or liquids) not otherwise excluded by 40 CFR 261.4 that exhibit a hazardous characteristic (i.e., ignitable, corrosive, reactive, or toxic), or are specifically identified within 40 CFR 261. Petroleum products are specifically exempted from 40 CFR 302, but some are also generally considered hazardous substances due to their physical characteristics (i.e., especially fuel products), and their ability to impair natural resources.

TTL conducted a Phase I Environmental Site Assessment (ESA) for the Site on behalf of VA in December 2014. The Phase I ESA identified no significant hazardous substance or petroleum handling or storage at the Site and no recognized environmental conditions (RECs) at the Site.

3.13.1 Effects of the Preferred Action Alternative

The Preferred Action Alternative could result in short-term, less-than-significant adverse impacts due to the increased presence and use of solid and hazardous materials during construction of the cemetery. During construction, a small increase in construction vehicle traffic would increase the possibility of a release of vehicle operating fluids (e.g., oil, diesel, gasoline, antifreeze, etc.) and maintenance materials. As such, a less-than-significant, direct, short-term adverse impact is possible. Implementation of standard construction BMPs would serve to ensure this impact is further minimized.

No significant adverse long-term impacts during operation are anticipated; long-term operational solid and hazardous materials would be managed in accordance with applicable Federal and State laws. The Preferred Action Alternative would not result in a substantial increase in the generation of solid or hazardous substances or wastes, increase the exposure of persons to hazardous or toxic substances, increase the presence of hazardous or toxic materials in the environment, or place substantial restrictions on property use due to hazardous waste, materials, or site remediation. As noted in Section 3.6.3, based on standard modern burial practices, it is unlikely that embalming fluid would be released into the soil or groundwater.
3.13.2 Effects of the No Action Alternative

Under the No Action Alternative, no actions by VA would occur. The Site would likely remain generally unimproved, and no significant solid and hazardous materials use or effects would be anticipated.

3.13.3 Mitigation/Management Measures

No project-specific mitigation measures are required. Construction effects associated with the development of the cemetery would be minimized through BMPs. During operation, the National Veterans Burial Ground would comply with applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials.

3.14 Transportation and Parking

Access to the Site is currently provided from an unpaved access road that extends south from Hildreth Road and is located along the eastern Site boundary.

Hildreth Road generally runs east to west from Round Top Road and loops at the USDA High Plains Grassland Research facility. Hildreth Road is a two-lane, paved road with minimal traffic. A portion of Hildreth Road extends south from the USDA Grassland Research Station and intersects Polo Ranch Road/Experimental Farm Road (County Road 212) approximately 660 feet south of the Site; however, this portion of Hildreth Road is unpaved and used only seasonally.

Hildreth Road and County Road 212 in the vicinity of the Site currently have estimated Level of Service\(^1\) (LOS) ratings of A or B due to their light use. No LOS information or traffic data was available from the Wyoming Department of Transportation (WYDOT), Laramie County, or the City of Cheyenne.

Traffic in the Site area is regulated by Laramie County. Under current conditions, local roads operate above acceptable LOS ratings mainly due to the rural nature of the Site vicinity.

3.14.1 Effects of the Preferred Action Alternative

Construction traffic associated with VA’s proposed cemetery construction, consisting of trucks, workers’ personal vehicles, and construction equipment, would temporarily increase traffic volumes in the local area, but would not likely cause significant delays. Hildreth Road and County Road 212 are not heavily used and operate at estimated LOS of A or B. Thus, only less-than-significant, short-term adverse impacts would be anticipated.

During operation, public roadways in the vicinity of the proposed National Veterans Burial Ground would not experience significant additional traffic as a result of the National Cemetery. VA estimates that the National Veterans Burial Ground would be used every day throughout the year by approximately 20 visitors. VA anticipates that there would be approximately 2 to 3 funeral processions per week (typically averaging 5 to 30 cars per procession). Based on the anticipated burial and visitation rates, VA estimates that the proposed National Veterans Burial Ground would generate about 40 vehicles (80 vehicle trips) per day on average.

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\(^1\) **Level of Service** – LOS represents a set of qualitative descriptions of a transportation system’s performance. The Federal Highway Administration Highway Capacity Manual defines levels of service for intersections and highway segments, with ratings that range from A (best) to F (worst). Generally, a LOS of D or higher is considered acceptable by transportation planning agencies.
Traffic associated with the National Veterans Burial Ground would likely be accommodated by Hildreth Road and County Road 212 and would likely occur outside of peak travel times.

Given the proposed operational use, traffic generated by the Proposed Action would occur throughout the day, every day. Visitors of the National Veterans Burial Ground would travel at various times during the day during daylight hours. No permanent staff would be present at the National Veterans Burial Ground. Contracted personnel would periodically travel to the site for general maintenance and operations.

No parking impacts are anticipated. Parking for the National Veterans Burial Ground would be a shared resource with the City of Cheyenne public cemetery and be designed to accommodate necessary parking requirements.

### 3.14.2 Effects of the No Action Alternative

Under the No Action Alternative, no actions by VA would occur. The existing traffic conditions in the Site area would remain.

### 3.14.3 Mitigation/Management Measures

No project-specific mitigation measures are required. Implementing BMPs to reduce transportation impacts would further minimize the potential impacts on local roadways. As part of the Preferred Action Alternative, transportation impacts would be maintained at acceptable levels through implementation of the following BMPs:

- VA would secure any required Laramie County permits for the Preferred Action Alternative. VA would coordinate with Laramie County, as necessary, if any roadway improvements are needed.

- VA would ensure debris and/or soil is not deposited on local roadways during the construction of the cemetery.

- VA would ensure construction activities associated with the cemetery construction do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.

Implementation of these BMPs would ensure transportation impacts are maintained at less-than-significant levels by properly controlling and limiting impacts to local traffic and transportation infrastructure during cemetery construction and operation.

### 3.15 Utilities

Municipal water is available to the Site vicinity and will be extended to the Site by the City of Cheyenne during the development of the City’s public cemetery. Municipal water would be used as part of the Preferred Action Alternative for irrigation purposes. Other uses for water as part of the Preferred Action Alternative are not anticipated.

Municipal sanitary sewer services are not available in the Site vicinity. Property owners rely on private septic systems. However, the Preferred Action Alternative is not likely to require an on-site septic system due to the nature of the National Veterans Burial Ground.

Natural gas service and electrical service is available in the Site vicinity and is provided by Cheyenne Light Fuel & Power. The electrical service in the Site vicinity is likely adequate for the Proposed Action. Natural gas service is not required for the Preferred Action Alternative.
Various companies provide telecommunication services to the Site vicinity. The Proposed Action would not require telecommunication services.

### 3.15.1 Effects of the Preferred Action Alternative

The only utilities necessary for the Proposed Action are water and electricity. The Preferred Action Alternative is anticipated to have minimal water and electrical service requirements; as such, water and electric utility impacts are anticipated to be less-than-significant.

### 3.15.2 Effects of the No Action Alternative

Under the No Action Alternative, no operations by VA would occur. No utility use at the Site would likely occur.

### 3.15.3 Mitigation/Management Measures

No project-specific mitigation or management measures are required.

### 3.16 Environmental Justice

In 1994, EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was issued to focus attention of Federal agencies on human health and environmental conditions in minority and low-income communities and to ensure that disproportionately high and adverse human health or environmental effects on these communities are identified and addressed. In order to provide a thorough environmental justice evaluation, this socioeconomics’ presentation gives particular attention to the distribution of race and poverty status in areas potentially affected by implementation of the Proposed Action. For purposes of this analysis, minority and low-income populations are defined as:

- **Minority Populations**: Persons of Hispanic origin of any race, African Americans, American Indians, Eskimos, Aleuts, Asians, or Pacific Islanders.
- **Low-Income Populations**: Persons living below the poverty level, based on a total annual income of $24,250 for a family of four persons as reported by the U.S. Department of Health and Human Services in January 2015.

The Site is not located in an area with a disproportionate concentration of minority citizens relative to the remainder of Wyoming (see Section 3.11 for data and discussion). According to the USEPA Environmental Justice Screening Tool, no concentrations of low income or minority populations were identified in the vicinity of the Site.

#### 3.16.1 Effects of the Preferred Action Alternative

Use of the Site as a National Veterans Burial Ground is not anticipated to have environmental justice effects. No specific concentrations of minority or low-income populations are located in the Site vicinity. No local groups are known to principally rely on fish or wildlife for subsistence. Consequently, no impacts to such disadvantaged segments of the population are anticipated.

The Proposed Action is not likely to have an adverse effect on the local population; but is likely to have a minor short and long-term positive socioeconomic effect on local employment and personal income.
3.16.2 Effects of the No Action Alternative

Under the No Action Alternative, no operations by VA would occur at the Site, the Site would likely remain unimproved, and there would be no environmental justice effects.

3.16.3 Mitigation/Management Measures

No project-specific mitigation or management measures are required.

3.17 Cumulative Impacts

As defined by CEQ Regulations in 40 CFR Part 1508.7, cumulative impacts are those which “result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, without regard to the agency (Federal or non-Federal) or individual who undertakes such other actions.” Cumulative impact analysis captures the effects that result from the Proposed Action in combination with the effects of other actions taken during the duration of the Proposed Action in the same geographic area. Because of extensive influences of multiple forces, cumulative effects are the most difficult to analyze.

NEPA requires the analysis of cumulative environmental effects of a Proposed Action, or set of actions, on resources that may often be manifested only at the cumulative level, such as traffic congestion, air quality, noise, biological resources, cultural resources, socioeconomic conditions, utility system capacities, and others.

The approximately five-acre Site is situated in a predominately unimproved, rural, unincorporated area of Laramie County near Cheyenne, Wyoming. The ROI for the Site is mostly unimproved, grassy land. The Site is located in the southwestern portion of a 2,192-acre property owned by the City of Cheyenne. The Site and surrounding northerly, easterly, and southerly adjacent areas were leased to the USDA and used as mostly unimproved land associated with the High Plains Grassland Research facility from 1928 until 2007, when the leasing rights were transferred back to the City. The area located approximately 300 feet north of the Site remains part of the USDA facility. The City-owned site and areas to the north, east, and south are part of the City’s High Plains Arboretum. The City’s master plan for the High Plains Arboretum includes public arboretum areas east of the Site, a visitor center and parking area northeast of the Site, the development of the City-owned public cemetery adjacent to the east of the Site, and associated cemetery offices and a committal shelter adjacent to the north of the Site. Resources associated with the City cemetery such as a visitor center, parking lot, shelter, etc. may be shared with VA for the proposed National Veterans Burial Ground.

The City cemetery would likely be constructed in conjunction with the development of the VA cemetery. No proposed additional recent or planned development in the Site vicinity has been identified from resources consulted as part of this EA.

The Preferred Action Alternative would result in the impacts to the Site area identified throughout Section 3. These primarily include potential less-than-significant adverse impacts to aesthetics (long-term), air quality (short and long-term), cultural resources (long-term), geology and soils (short and long-term), hydrology and water quality (short and long-term), wildlife and habitat (short and long-term), noise (short and long-term), solid and hazardous materials (short and long-term), transportation (short and long-term), and utilities (long-term). All of these impacts are less-than-significant and would be further reduced through careful coordination and implementation of the general BMPs, avoidance and management measures, and compliance with regulatory requirements as identified throughout Section 3. Given the nature of the Proposed Action, the nature of the area surrounding the Site, and the
identified additional planned development in the Site area (proposed City cemetery) no significant cumulative adverse effects to any of these resource areas are anticipated.

No adverse effects to land use, wetlands, floodplains, coastal zones, socioeconomics, community services, parking, or environmental justice would occur. As such, no cumulative adverse effects to any of these resource areas are anticipated.

No significant adverse cumulative impacts to the environment, induced by changes at the Site, are anticipated within the region. Close coordination between VA and State and local representatives would serve to manage and control cumulative effects within the region. Implementation of land use and resource management plans would serve to control the extent of environmental impacts, and proper planning would ensure future socioeconomic conditions maintain, if not improve the local standard of living. Implementation of effective resource management plans and programs should minimize or eliminate any potential cumulative degradation of the natural ecosystem.

Under the No Action Alternative, no cumulative impacts are anticipated.

3.18 Potential for Generating Substantial Public Controversy

As discussed in Section 4.0, VA has solicited input from various Federal, State, and local government agencies regarding the Proposed Action. Several of these agencies have provided input; none of the input identified opposition or controversy related to the Preferred Action Alternative. Based on the significant positive effects of the Proposed Action and the findings of this EA (no significant adverse environmental impact), it is not anticipated that there will be substantial public controversy regarding the Proposed Action or the Preferred Action Alternative.
SECTION 4: PUBLIC INVOLVEMENT

4.1 Public and Agency Involvement

VA invites public participation in decision-making on new proposals through the NEPA process. Public participation with respect to decision-making on the Proposed Action is guided by 38 CFR Part 26, VA’s policy for implementing the NEPA. Additional guidance is provided in VA’s NEPA Interim Guidance for Projects (VA 2010). Consideration of the views and information of all interested persons promotes open communication and enables better decision-making. Agencies, organizations, and members of the public with a potential interest in the Proposed Action, such as minority, low-income, and disadvantaged persons, are urged to participate. A record of agency coordination and public involvement associated with this EA is provided in Appendix A and Appendix E, respectively.

4.1.1 Public Review

VA, as the Federal proponent of this Proposed Action, will publish and distribute the Draft EA for a 30-day public comment period as announced by a Notice of Availability (NOA) to be published in the Wyoming Tribune Eagle. A copy of the Draft EA will also be made available for public review at the Laramie County Library in Cheyenne, Wyoming. VA will also make a copy of the Draft EA available for download via a link on the VA internet website (http://www.cem.va.gov/ea.asp). VA will respond to provided public comments within the Final EA and will issue a FONSI, presuming there are no substantive public comments that would warrant further analysis.

4.1.2 Agency Coordination

Interagency and Intergovernmental Coordination for Environmental Planning (IICEP) is a federally mandated process for informing and coordinating with other governmental agencies regarding Federal Proposed Actions. CEQ Regulations require intergovernmental notifications prior to making any detailed statement of environmental impacts. Through the IICEP process, the VA notifies relevant Federal, State, and local agencies and allows them sufficient time to make known their environmental concerns specific to a Proposed Action. Comments and concerns submitted by these agencies during the IICEP process are subsequently incorporated into the analysis of potential environmental impacts conducted as part of the Draft EA. This coordination fulfills requirements under EO 12372 (superseded by EO 12416, and subsequently supplemented by EO 13132), which requires Federal agencies to cooperate with and consider State and local views in implementing a Federal proposal. It also constitutes the IICEP process for this EA.

VA consulted with the following agencies during the preparation of this EA: the US Fish and Wildlife Service (USFWS); US Environmental Protection Agency (USEPA); US Army Corps of Engineers (USACE); United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS); Wyoming Association of Conservation Districts (WACD); Wyoming Department of Agriculture (WDA); Wyoming Department of Environmental Quality (WDEQ); Wyoming Department of Transportation (WYDOT); Wyoming Game & Fish Department (WGFD); Wyoming State Engineer's Office (WSEO); Wyoming State Forestry Division (WSFD); Wyoming Water Development Commission (WWDC); Laramie County Planning and Development Office (LCPDO); Laramie County Public Works (LCPW); Cheyenne
Metropolitan Planning Organization (CMPO); Cheyenne Bureau of Public Utilities (CBPU); Cheyenne Engineering Department (CED); Cheyenne Parks and Recreation Department (CPRD); Cheyenne Planning Services Department (CPSD); and Cheyenne Public Works Department (CPW).

Received agency information and comments have been incorporated and addressed in this EA. Copies of relevant correspondence can be found in Appendix A.

VA received responses from the following agencies: USFWS, WSEO, WDEQ-LQD, WGFD, and CBPU. In addition, VA consulted with the Wyoming Heritage Council (State Historic Preservation Office or SHPO) as part of its Natural Historic Preservation Act Section 106 consultation. Input provided by these agencies is detailed in the appropriate resource subsections of Section 3.

4.1.3 Native American Consultation

For proposed actions, Federal agencies are required to consult with federally recognized Native American Tribes in accordance with the NEPA, the National Historic Preservation Act (NHPA), the Native American Graves Protection and Repatriation Act (NAGPRA), and Executive Order (EO) 13175. VA identified four Native American Tribes as having possible ancestral ties to the Proposed Action’s ROI and invited each Tribe to provide input on this Proposed Action (Appendix B). As of the date of this EA, no response was received from the Tribes (VA 2016).
This section summarizes the management and minimization measures identified in Section 3 that are proposed to minimize and maintain adverse effects of the Preferred Action Alternative at acceptable, less-than-significant levels.

Per established protocols, procedures, and requirements, the construction contractor would implement BMPs and would satisfy all applicable regulatory requirements in association with the design, construction, and operation of the proposed National Veterans Burial Ground. These “management measures” are described in this EA, and are included as components of Preferred Action Alternative. “Management measures” are defined as routine BMPs and/or regulatory compliance measures that are regularly implemented as part of proposed activities, as appropriate, across Wyoming. In general, implementation of such management measures, as identified throughout Section 3, would maintain impacts at acceptable levels for all resource areas analyzed. These are different from “mitigation measures,” which are defined as project-specific requirements, not routinely implemented as part of development projects, necessary to reduce identified potentially significant adverse environmental impacts to less-than-significant levels.

No project-specific mitigation measures are required for the Preferred Action Alternative.

The routine BMP and minimization measures summarized in Table 8 would be included in the Preferred Action Alternative to minimize and maintain adverse effects at less-than-significant levels.

<table>
<thead>
<tr>
<th>Technical Resource Area</th>
<th>Best Management Practice/Minimization Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aesthetics</td>
<td>Comply, to the extent practicable, with Cheyenne Unified Development Code during the cemetery design.</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Use appropriate dust suppression methods during onsite construction activities.</td>
</tr>
<tr>
<td></td>
<td>Comply with Federal requirements pertaining to greenhouse gases and implement a site design that minimizes greenhouse gas emissions.</td>
</tr>
<tr>
<td></td>
<td>Comply with the Wyoming Department of Environmental Quality (WDEQ) Air Statues. Secure any required, individual minor air emissions permits from the WDEQ, as appropriate and prior to construction activities.</td>
</tr>
</tbody>
</table>
### Table 8. Best Management Practices and Minimization Measures Incorporated into the Proposed Action (continued)

<table>
<thead>
<tr>
<th>Technical Resource Area</th>
<th>Best Management Practice/Minimization Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Resources</td>
<td>Design the cemetery to preserve the historic concrete irrigation channel, along the western boundary of the Site. Incorporate this requirement in all plans and specifications for the cemetery construction. Should human remains or other cultural items as defined by the Native American Graves Protection and Repatriation Act (NAGPRA) be discovered during project construction, the construction contractor would immediately cease work until VA, a qualified archaeologist, and the SHPO are contacted to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).</td>
</tr>
</tbody>
</table>
| Geology, Topography, and Soils | Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the WDEQ National Pollution Discharge Elimination System (NPDES) permitting process. Prior to construction, VA would develop, submit to WDEQ, and have approved, an NPDES plan. The WDEQ 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 following as appropriate and necessary to protect surface water quality, as part of the WDEQ NPDES permit:  
  - Install and monitor erosion-prevention measures, such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.  
  - Retain on-site vegetation to the maximum extent possible.  
  - Plant and maintain soil-stabilizing vegetation on disturbed areas.  
  - Use native vegetation to re-vegetate disturbed soils.  
  
Document impacts to prime and unique farmland in accordance with the Farmland Protection Policy Act (FPPA) by completing and submitting Form AD-1006 to the local Natural Resources Conservation Service (NRCS) office. |
| Hydrology and Water Quality | Control soil erosion and sedimentation impacts during construction by complying with the WDEQ NPDES permit. Ensure the site includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving water and/or offsite areas. |
### Table 8. Best Management Practices and Minimization Measures Incorporated into the Proposed Action (continued)

<table>
<thead>
<tr>
<th>Technical Resource Area</th>
<th>Best Management Practice/Minimization Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wildlife and Habitat</td>
<td>Construction activities would be timed to avoid migratory birds on the Site protected under the Migratory Bird Treaty Act. Land clearing at the Site would be conducted outside the migratory bird nesting season of March through June so that nests are not disturbed. If it is not practical to clear the site outside of this timeframe, a qualified biologist would survey the Site prior to clearing to ensure that no active nests are disturbed. Native species or Arboretum-approved species should be used to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of invasive species. Wildlife friendly fencing should be used where appropriate.</td>
</tr>
<tr>
<td>Noise</td>
<td>Via written notification, coordinate proposed construction activities in advance with nearby sensitive receptors (i.e., residential properties located approximately 500 feet north of the Site). Via written notification, let local sensitive receptors know what operations would be occurring at what times, including when they would start and when they would finish each day. Post signage, updated daily, 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. 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. 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.).</td>
</tr>
<tr>
<td>Land Use</td>
<td>None required.</td>
</tr>
<tr>
<td>Wetlands, Floodplains, and Coastal Zone Management</td>
<td>None required.</td>
</tr>
<tr>
<td>Socioeconomics</td>
<td>None required.</td>
</tr>
<tr>
<td>Community Services</td>
<td>None required.</td>
</tr>
<tr>
<td>Solid and Hazardous Materials</td>
<td>Comply with applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials.</td>
</tr>
<tr>
<td>Technical Resource Area</td>
<td>Best Management Practice/Minimization Measure</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
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</table>
| Transportation and Parking   | Secure any required Laramie County permits for the Preferred Action Alternative. Coordinate with Laramie County, as necessary, if any roadway improvements are needed.  
Ensure construction activities associated with cemetery construction 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 construction of the cemetery.                                                                                                                                                                                                                       |
| Utilities                    | None required.                                                                                                                                                                                                                                                                                                                                                               |
| Environmental Justice        | None required.                                                                                                                                                                                                                                                                                                                                                               |
This EA evaluates the Proposed Action of the Department of Veterans Affairs (VA) to acquire, develop, operate, and maintain an approximately five-acre site near the City of Cheyenne in Laramie County, Wyoming as a new National Veterans Burial Ground (rural National Veterans Cemetery). This EA discusses two alternatives: (1) Preferred Action Alternative – Acquire approximately five acres of grassy, unimproved land owned by the City of Cheyenne that is associated with the City's High Plains Arboretum in Cheyenne, Laramie County, Wyoming, to develop, operate, and maintain as a new National Veterans Burial Ground; and (2) the No Action Alternative. This EA evaluates possible effects to aesthetics; air quality; cultural resources; geology and soils; hydrology and water quality; wildlife and habitat; noise; land use; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; and environmental justice. The EA concludes there would be no significant adverse impact, either individually or cumulatively, to the local environment or quality of life associated with implementing the Preferred Action Alternative, provided the general BMPs and avoidance and management measures identified in this EA are implemented. Therefore, this EA concludes that a FONSI is appropriate, and that an EIS is not required.
SECTION 7: LIST OF PREPARERS

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NCA 43B Design and Contracting  
Department of Veterans Affairs

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Chief, Cemetery Development & Improvement Service  
National Cemetery Administration  
Department of Veterans Affairs

Ms. Kelli Witt  
Realty Specialist  
Real Property Services  
Office of Construction and Facilities Management  
Department of Veterans Affairs

TTL ASSOCIATES, INC. (CONSULTANTS)

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Degree</th>
<th>Years of Experience</th>
</tr>
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<tr>
<td>Carrie Hess</td>
<td>Site Reconnaissance, Research, Document Preparation, Affected Environment, Environmental Impact Analysis, and Scoping Coordination</td>
<td>B.S., Geology, 2003</td>
<td>8</td>
</tr>
<tr>
<td>Robin J. Clark</td>
<td>Project Manager, Technical Lead, Technical QA/QC Review, Program Management/Project Coordination</td>
<td>B.S., Aquatic Environments/Environmental Science, 1985</td>
<td>29</td>
</tr>
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</table>
SECTION 8: REFERENCES CITED

Association of Natural Burials, 2013.
Cheyenne Metropolitan Planning Organization (CMPO).
Cheyenne Bureau of Public Utilities (CBPU).
Cheyenne Engineering Department (CED).
Cheyenne Parks and Recreation Department (CPRD).
Cheyenne Planning Services Department (CPSD).
Cheyenne Public Works Department (CPW).
City of Cheyenne, 2015.

Clean Air Act of 1970 (42 USC 7401 et seq.; 40 CFR Parts 50-87) Section 176(c).
Coastal Zone Management Act of 1990, as amended (16 USC 1451 et seq.).
Endangered Species Act of 1973, as amended (7 USC 136; 16 USC 1531 et seq.).
EO 11990, Protection of Wetlands. 1977.
EO 13175, Consultation and Coordination with Indian Tribal Governments. 6 November 2000.

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Federal Clean Air Act of 1990 (42 USC 7401 et seq., as amended).
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Laramie County Public Works (LCPW)
Laramie County Administration, 2015.


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USFWS National Wetlands Inventory Online Mapper, 2015.


Wyoming Association of Conservation Districts (WACD) -
Wyoming Department of Agriculture (WDA) -
Wyoming Department of Environmental Quality (WDEQ) -
Wyoming Department of Transportation (WYDOT) -
Wyoming Game & Fish Department (WGFD) -
Wyoming State Engineer’s Office (WSEO) -
Wyoming State Forestry Division (WSFD) -
Wyoming Water Development Commission (WWDC) -

Other internet searches and data:

Cheyenne, Wyoming: https://www.cheyennecity.org/

Laramie County, Wyoming: http://www.laramiecounty.com/

FEMA Flood Hazard Insurance Map: http://msc.fema.gov


Wyoming Department of Environmental Quality: http://deq.wyoming.gov/
Wyoming State Historic Preservation Office: http://wyoshpo.state.wy.us/
National Wetland Inventory: http://www.fws.gov/wetlands/Data/mapper.html
National Register of Historic Places: http://www.nps.gov/nr/
Native American Consultation Database: http://grants.cr.nps.gov/nacd/index.cfm
U.S. Environmental Protection Agency, website: http://www.epa.gov/
Wyoming Association of Conservation Districts: http://www.conservewy.com/
Wyoming Department of Agriculture: http://wyagric.state.wy.us/
Wyoming Department of Transportation: http://www.dot.state.wy.us/home.html
Wyoming Game & Fish Department: https://wgfd.wyo.gov/
Wyoming State Engineer’s Office: https://sites.google.com/a/wyo.gov/seo/
Wyoming State Forestry Division: http://wsfd.wyo.gov/
Wyoming Water Development Commission: http://wwdc.state.wy.us/
## SECTION 9: LIST OF ACRONYMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ACHP</td>
<td>Advisory Council on Historic Preservation</td>
</tr>
<tr>
<td>AFB</td>
<td>Air Force Base</td>
</tr>
<tr>
<td>AIRFA</td>
<td>American Indian Religious Freedom Act</td>
</tr>
<tr>
<td>amsl</td>
<td>above mean sea level</td>
</tr>
<tr>
<td>ARPA</td>
<td>Archaeological Resources Protection Act</td>
</tr>
<tr>
<td>BEA</td>
<td>Bureau of Economic Analysis</td>
</tr>
<tr>
<td>bgs</td>
<td>below ground surface</td>
</tr>
<tr>
<td>BMP</td>
<td>Best Management Practice</td>
</tr>
<tr>
<td>CAA</td>
<td>Clean Air Act</td>
</tr>
<tr>
<td>CBPU</td>
<td>Cheyenne Bureau of Public Utilities</td>
</tr>
<tr>
<td>CED</td>
<td>Cheyenne Engineering Department</td>
</tr>
<tr>
<td>CERCLA</td>
<td>Comprehensive Environmental Response, Compensation, and Liability Act</td>
</tr>
<tr>
<td>CEQ</td>
<td>Council on Environmental Quality</td>
</tr>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
</tr>
<tr>
<td>CMPO</td>
<td>Cheyenne Metropolitan Planning Organization</td>
</tr>
<tr>
<td>CO</td>
<td>Carbon Monoxide</td>
</tr>
<tr>
<td>CPRD</td>
<td>Cheyenne Parks &amp; Recreation Department</td>
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<tr>
<td>CPSD</td>
<td>Cheyenne Planning Services Department</td>
</tr>
<tr>
<td>CPW</td>
<td>Cheyenne Public Works</td>
</tr>
<tr>
<td>CZMA</td>
<td>Coastal Zone Management Act</td>
</tr>
<tr>
<td>dBA</td>
<td>decibels, A weighted scale</td>
</tr>
<tr>
<td>E&amp;S</td>
<td>Erosion and Sedimentation</td>
</tr>
<tr>
<td>EA</td>
<td>Environmental Assessment</td>
</tr>
<tr>
<td>EIS</td>
<td>Environmental Impact Statement</td>
</tr>
<tr>
<td>EO</td>
<td>Executive Order</td>
</tr>
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<td>ESA</td>
<td>Endangered Species Act</td>
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<tr>
<td>FBO</td>
<td>Federal Business Opportunity</td>
</tr>
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<td>FEMA</td>
<td>Federal Emergency Management Agency</td>
</tr>
<tr>
<td>FONSI</td>
<td>Finding of No Significant Impact</td>
</tr>
<tr>
<td>FPPA</td>
<td>Farmland Protection Policy Act</td>
</tr>
<tr>
<td>FR</td>
<td>Federal Register</td>
</tr>
<tr>
<td>GHG</td>
<td>greenhouse gases</td>
</tr>
<tr>
<td>ICRIP</td>
<td>Initial Cultural Resource Impact Prediction</td>
</tr>
<tr>
<td>IICEP</td>
<td>Interagency and Intergovernmental Coordination for Environmental Planning</td>
</tr>
<tr>
<td>IPaC</td>
<td>Information for Planning and Conservation</td>
</tr>
<tr>
<td>LCPDO</td>
<td>Laramie County Planning &amp; Development Office</td>
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<tr>
<td>LCPW</td>
<td>Laramie County Public Works</td>
</tr>
<tr>
<td>LOS</td>
<td>Level of Service</td>
</tr>
<tr>
<td>NAAQS</td>
<td>National Ambient Air Quality Standards</td>
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<td>NACD</td>
<td>Native American Consultation Database</td>
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<td>NAGPRA</td>
<td>Native American Graves Protection and Repatriation Act</td>
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<td>NCA</td>
<td>National Cemetery Administration</td>
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<td>NEPA</td>
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<td>NHPA</td>
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<td>NOA</td>
<td>Notice of Availability</td>
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<td>NOx</td>
<td>Nitrogen Oxides</td>
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<td>NPDES</td>
<td>National Pollution Discharge Elimination System</td>
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<td>NPS</td>
<td>National Park Service</td>
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<td>NRCS</td>
<td>Natural Resources Conservation Service</td>
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<td>NRHP</td>
<td>National Register of Historic Places</td>
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<tr>
<td>O3</td>
<td>Ozone</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<td>---------</td>
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</tr>
<tr>
<td>OSHA</td>
<td>Occupational Safety and Health Administration</td>
</tr>
<tr>
<td>Pb</td>
<td>Lead</td>
</tr>
<tr>
<td>PHD</td>
<td>Public Health Division</td>
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<tr>
<td>RCGA</td>
<td>R. Christopher Goodwin &amp; Associates, Inc.</td>
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<tr>
<td>RCRA</td>
<td>Resource Conservation and Recovery Act</td>
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<tr>
<td>RECs</td>
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<tr>
<td>ROI</td>
<td>Region of Influence</td>
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<td>RONA</td>
<td>Record of Non-applicability</td>
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<td>SHPO</td>
<td>Wyoming Historic Preservation Office (Wyoming Heritage Council)</td>
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<td>SIP</td>
<td>State Implementation Plan</td>
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<td>SO₂</td>
<td>Sulfur dioxide</td>
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<td>USACE</td>
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<td>United States Code</td>
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<tr>
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<td>Department of Veterans Affairs</td>
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<tr>
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<td>Wyoming Association of Conservation Districts</td>
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<td>Wyoming Department of Agriculture</td>
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<td>WYDOT</td>
<td>Wyoming Department of Transportation</td>
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## SECTION 10: AGENCIES AND INDIVIDUALS CONSULTED

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<thead>
<tr>
<th>Agencies Consulted</th>
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<tr>
<td><strong>U.S. Fish and Wildlife Service</strong></td>
<td><strong>Solid and Hazardous Waste Division</strong></td>
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<tr>
<td><strong>Wyoming Ecological Services Field Office</strong></td>
<td>Herschler Building</td>
</tr>
<tr>
<td>5353 Yellowstone Road, Suite 308A</td>
<td>122 West 25th Street</td>
</tr>
<tr>
<td>Cheyenne, Wyoming 82009-4178</td>
<td>Cheyenne, Wyoming 82002</td>
</tr>
<tr>
<td>Phone: (307) 772-2374</td>
<td>Phone: (307) 777-7937</td>
</tr>
<tr>
<td><strong>US Environmental Protection Agency, Region 8</strong></td>
<td><strong>Water Quality Division</strong></td>
</tr>
<tr>
<td>1595 Wynkoop Street</td>
<td>Herschler Building</td>
</tr>
<tr>
<td>Denver, Colorado 80202-1129</td>
<td>122 West 25th Street</td>
</tr>
<tr>
<td>Phone: (303) 312-6312</td>
<td>Cheyenne, Wyoming 82002</td>
</tr>
<tr>
<td><strong>US Army Corps of Engineers – Omaha District</strong></td>
<td>Phone: (307) 777-7781</td>
</tr>
<tr>
<td><strong>Wyoming Regulatory Office</strong></td>
<td><strong>Wyoming Department of Transportation, District 1</strong></td>
</tr>
<tr>
<td>2232 Dell Range Boulevard, Suite 210</td>
<td>5300 Bishop Boulevard</td>
</tr>
<tr>
<td>Cheyenne, Wyoming 82009</td>
<td>Cheyenne, Wyoming 82009</td>
</tr>
<tr>
<td>Phone: (307) 772-2920</td>
<td>Phone: (307) 777-4437</td>
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<tr>
<td><strong>Wyoming Association of Conservation Districts</strong></td>
<td><strong>Wyoming Game &amp; Fish Department</strong></td>
</tr>
<tr>
<td>517 East 19th Street</td>
<td>5400 Bishop Boulevard</td>
</tr>
<tr>
<td>Cheyenne, Wyoming 82001</td>
<td>Cheyenne, Wyoming 82006</td>
</tr>
<tr>
<td>Phone: (307) 632-5716</td>
<td>Phone: (307) 777-4600</td>
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<tr>
<td><strong>Wyoming Department of Agriculture</strong></td>
<td><strong>Wyoming State Engineer’s Office</strong></td>
</tr>
<tr>
<td>2219 Carey Avenue</td>
<td>122 West 25th Street</td>
</tr>
<tr>
<td>Cheyenne, Wyoming 82002-0100</td>
<td>Herschler Building</td>
</tr>
<tr>
<td>Phone: (307) 777-7321</td>
<td>4th Floor East</td>
</tr>
<tr>
<td><strong>Wyoming Department of Environmental Quality</strong></td>
<td>Cheyenne, Wyoming 82002</td>
</tr>
<tr>
<td><strong>Air Quality Division</strong></td>
<td>Phone: (307) 777-6150</td>
</tr>
<tr>
<td>Herschler Building</td>
<td><strong>Wyoming State Forestry Division</strong></td>
</tr>
<tr>
<td>122 West 25th Street</td>
<td>5500 Bishop Boulevard</td>
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<tr>
<td>Cheyenne, Wyoming 82002</td>
<td>Cheyenne, Wyoming 82002</td>
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<tr>
<td>Phone: (307) 777-7391</td>
<td>Phone: (307) 777-7586</td>
</tr>
<tr>
<td><strong>Wyoming Department of Environmental Quality</strong></td>
<td><strong>Wyoming Water Development Commission</strong></td>
</tr>
<tr>
<td><strong>Land Quality Division</strong></td>
<td>6920 Yellowtail Road</td>
</tr>
<tr>
<td>200 West 17th Street, Garden Level</td>
<td>Cheyenne, Wyoming 82002</td>
</tr>
<tr>
<td>Cheyenne, Wyoming 82002</td>
<td>Phone: (307) 777-7626</td>
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<td>Phone: (307) 777-7937</td>
<td><strong>Natural Resources Conservation Service</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Cheyenne Field Office – Laramie County</strong></td>
</tr>
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<td></td>
<td>11221 East Highway 30</td>
</tr>
<tr>
<td></td>
<td>Cheyenne, Wyoming 82009</td>
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<td></td>
<td>Phone: (307) 772-2314</td>
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**Sources Consulted**

<table>
<thead>
<tr>
<th>Source</th>
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<th>Phone</th>
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<tbody>
<tr>
<td>Laramie County Planning and Development Office</td>
<td>3966 Archer Parkway</td>
<td>(307) 633-4303</td>
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<tr>
<td>Laramie County Public Works</td>
<td>13797 Prairie Center Circle</td>
<td>(307) 633-4302</td>
</tr>
<tr>
<td>Cheyenne Metropolitan Planning Organization</td>
<td>2101 O'Neil Avenue, Room 205</td>
<td>(307) 637-6299</td>
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<tr>
<td>City of Cheyenne Bureau of Public Utilities</td>
<td>2416 Snyder Avenue</td>
<td>(307) 637-6460</td>
</tr>
<tr>
<td>City of Cheyenne Engineering Department</td>
<td>2101 O'Neil Avenue, Room 206</td>
<td>(307) 637-6268</td>
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<tr>
<td>City of Cheyenne Parks and Recreation Department</td>
<td>2101 O'Neil Avenue</td>
<td>(307) 638-4356</td>
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<td>City of Cheyenne Planning Services Department</td>
<td>2101 O'Neil Avenue, Room 309</td>
<td>(307) 637-6284</td>
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<tr>
<td>City of Cheyenne Public Works Department</td>
<td>2101 O'Neil Avenue, Room 210</td>
<td>(307) 637-6263</td>
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</table>

**List of Tribes Consulted**

- **Northern Arapaho Tribe**  
  Attn: Ms. Darlene Conrad, Tribal Historic Preservation Officer  
  P.O. Box 396  
  Fort Washakie, Wyoming 82514

- **Northern Cheyenne Tribe**  
  Attn: Mr. Conrad Fisher, Tribal Historic Preservation Officer  
  P.O. Box 128  
  Lame Deer, Montana 59043

- **Shoshone Tribe of the Wind River Reservation**  
  Attn: Mr. Wilfred Ferris, Tribal Historic Preservation Officer  
  Fort Washakie, Wyoming 82514

- **Crow Tribe of Indians**  
  Attn: Mr. Emerson Bull Chief, Tribal Historic Preservation Officer  
  P.O. Box 159  
  Crow Agency, Montana 59002
SECTION 11: LIST OF ENVIRONMENTAL PERMITS REQUIRED

11.1 Regulatory Framework

This EA has been prepared under the provisions of, and in accordance with the NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, and 38 CFR Part 26. In addition, the EA has been prepared as prescribed in VA’s NEPA Interim Guidance for Projects (VA 2010b). Federal, State, and local laws and regulations specifically applicable to this Proposed Action are specified, where appropriate, within this EA, and include:

- Endangered Species Act (ESA) of 1973, as amended (7 USC 136; 16 USC 1531 et seq.).
- Native American Graves Protection and Repatriation Act, as amended (NAGPRA) (25 USC 3001 et seq.).
- Federal Clean Air Act (CAA) of 1990 (42 USC 7401 et seq., as amended).
- Federal Clean Water Act (Federal Water Pollution Control Act) of 1948, as amended (1972, 1977) (33 USC 1251 et seq.); Sections 401 and 404.
- Executive Order 12898, Environmental Justice (11 February 1994).
- Servicemembers Civil Relief Act, also known as the Veteran’s Benefit Act of 2010, Public Law 111-275, Sec.503. Reports on Selection of New National Cemeteries (38 USC 2400).
- NCA Performance Plan of the 2013 VA Budget, Rural Initiatives Program.
- WDEQ National Pollution Discharge Elimination System (NPDES) permit for General Construction Activity.
- Laramie County Land Use Regulations (15 February 2011).
• City of Cheyenne Unified Development Code (last amended 14 October 2014).

### 11.2 Environmental Permits Required

In addition to the regulatory framework of the NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, 38 CFR Part 26, and VA’s *NEPA Interim Guidance for Projects*, the following Federal, State, and/or local environmental permits are required as part of this Proposed Action, and include:

• WDEQ National Pollution Discharge Elimination System (NPDES) Stormwater Discharge General Permit Associated with Construction Activity (General Permit).

• Farmland Protection Policy Act Farmland Conversion Impact Rating (Form AD-1006).
SECTION 12: GLOSSARY

100-Year Flood - A flood event of such magnitude that it occurs, on average, every 100 years; this equates to a one percent chance of its occurring in a given year.

Aesthetics - Pertaining to the quality of human perception of natural beauty.

Ambient - The environment as it exists around people, plants, and structures.

Ambient Air Quality Standards - Those standards established according to the CAA to protect health and welfare (AR 200-1).

Aquifer - An underground geological formation containing usable amounts of groundwater which can supply wells and springs.

Asbestos - Incombustible, chemical-resistant, fibrous mineral forms of impure magnesium silicate used for fireproofing, electrical insulation, building materials, brake linings, and chemical filters. Asbestos is a carcinogenic substance.

Attainment Area - Region that meets the National Ambient Air Quality Standard (NAAQS) for a criteria pollutant under the CAA.

Bedrock - The solid rock that underlies all soil, sand, clay, gravel and loose material on the earth’s surface.

Best Management Practices (BMPs) - Methods, measures, or practices to prevent or reduce the contributions of pollutants to U.S. waters. Best management practices may be imposed in addition to, or in the absence of, effluent limitations, standards, or prohibitions (AR 200-1).

Commercial land use - Land use that includes private and public businesses (retail, wholesale, etc.), institutions (schools, churches, etc.), health services (hospitals, clinics, etc.), and military buildings and installations.

Compaction - The packing of soil together into a firmer, denser mass, generally caused by the pressure of great weight.

Contaminants - Any physical, chemical, biological, or radiological substances that have an adverse effect on air, water, or soil.

Council on Environmental Quality (CEQ) - An Executive Office of the President composed of three members appointed by the President, subject to approval by the Senate. Each member shall be exceptionally qualified to analyze and interpret environmental trends, and to appraise programs and activities of the Federal Government. Members are to be conscious of and responsive to the scientific, economic, social, aesthetic, and cultural needs of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

Criteria Pollutants - The CAA of 1970 required the USEPA to set air quality standards for common and widespread pollutants in order to protect human health and welfare. There are six "criteria pollutants": ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), lead (Pb), nitrogen dioxide (NO₂), and particulate matter.

Cultural Resources - The physical evidence of our Nation’s heritage. Included are: archaeological sites; historic buildings, structures, and districts; and localities with social significance to the human community.

Cumulative Impact - The impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonable foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).
Decibel (dB) - A unit of measurement of sound pressure level.

Direct Impact - A direct impact is caused by a Proposed Action and occurs at the same time and place.

Emission - A release of a pollutant.

Endangered Species - Any species which is in danger of extinction throughout all or a significant portion of its range.

Environmental Assessment (EA) - An EA is a publication that provides sufficient evidence and analyses to show whether a proposed system will adversely affect the environment or be environmentally controversial.

Erosion - The wearing away of the land surface by detachment and movement of soil and rock fragments through the action of moving water and other geological agents.

Farmland - Cropland, pastures, meadows, and planted woodland.

Fauna - Animal life, especially the animal characteristics of a region, period, or special environment.

Flora - Vegetation; plant life characteristic of a region, period, or special environment.

Floodplain - The relatively flat area or lowlands adjoining a river, stream, ocean, lake, or other body of water that is susceptible to being inundated by floodwaters.

FONSI - Finding of No Significant Impact, a NEPA document.

Fugitive Dust - Particles light enough to be suspended in air, but not captured by a filtering system. For this document, this refers to particles put in the air by moving vehicles and air movement over disturbed soils at construction sites.

Geology - Science which deals with the physical history of the earth, the rocks of which it is composed, and physical changes in the earth.

Groundwater - Water found below the ground surface. Groundwater may be geologic in origin and as pristine as it was when it was entrapped by the surrounding rock or it may be subject to daily or seasonal effects depending on the local hydrologic cycle. Groundwater may be pumped from wells and used for drinking water, irrigation, and other purposes. It is recharged by precipitation or irrigation water soaking into the ground. Thus, any contaminant in precipitation or irrigation water may be carried into groundwater.

Hazardous Substance - Hazardous materials are defined within several laws and regulations to have certain meanings. For this document, a hazardous material is any one of the following:

- Any substance designated pursuant to section 311 (b)(2)(A) of the Clean Water Act.
- Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).
- Any hazardous substance as defined under the Resource Conservation and Recovery Act (RCRA).
- Any toxic pollutant listed under TSCA.
- Any hazardous air pollutant listed under Section 112 of CAA.
- Any imminently hazardous chemical substance or mixture with respect to which the EPA Administrator has taken action pursuant to Subsection 7 of TSCA.

The term does not include: 1) Petroleum, including crude oil or any thereof, which is not otherwise specifically listed or designated as a hazardous substance in a above. 2) Natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas). A list of hazardous substances is found in 40 CFR Part 302.4.

Hazardous Waste - A solid waste which, when improperly treated, stored, transported, or disposed of, poses a substantial hazard to human health or the environment. Hazardous wastes are identified in 40 CFR Part 261.3 or applicable foreign law, rule, or regulation.
Hazardous Waste Storage - As defined in 40 CFR Part 260.10, "... the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere".

Hydric Soil - A soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic (oxygen-lacking) conditions that favor the growth and regeneration of hydrophytic vegetation. A wetland indicator.

Indirect Impact - An indirect impact is caused by a Proposed Action that occurs later in time or farther removed in distance, but is still reasonably foreseeable. Indirect impacts may include induced changes in the pattern of land use, population density or growth rate, and related effects on air, water, and other natural and social systems. For example, referring to the possible direct impacts described above, the clearing of trees for new development may have an indirect impact on area wildlife by decreasing available habitat.

Industrial Land Use - Land uses of a relatively higher intensity that are generally not compatible with residential development. Examples include light and heavy manufacturing, mining, and chemical refining.

Isolated Wetland - Areas that meet the wetland hydrology, vegetation, and hydric soil characteristics, but do not have a direct connection to the Waters of the US.

Jurisdictional Wetland - Areas that meet the wetland hydrology, vegetation, and hydric soil characteristics, and have a direct connection to the Waters of the US. These wetlands are regulated by the USACE.

Listed Species - Any plant or animal designated as a State or Federal threatened, endangered, special concern, or candidate species.

Mitigation - Measures taken to reduce adverse impacts on the environment.

Mobile Sources - Vehicles, aircraft, watercraft, construction equipment, and other equipment that use internal combustion engines for energy sources.

Monitoring - A process of inspecting and recording the progress of mitigation measures implemented.

National Ambient Air Quality Standards (NAAQS) - Nationwide standards set up by the USEPA for widespread air pollutants, as required by Section 109 of the Clean Air Act (CAA). Currently, six pollutants are regulated by primary and secondary NAAQS: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO2), ozone (O3), particulate matter, and sulfur dioxide (SO2).

National Environmental Policy Act (NEPA) - U.S. statute that requires all Federal agencies to consider the potential effects of Proposed Actions on the human and natural environment.

Non-attainment Area - An area that has been designated by the EPA or the appropriate State air quality agency as exceeding one or more National or State ambient air quality standards.

Parcel - A plot of land, usually a division of a larger area.

Particulates or Particulate Matter - Fine liquid or solid particles such as dust, smoke, mist, fumes, or smog found in air.

Physiographic Region - A portion of the Earth's surface with a basically common topography and common morphology.

Pollutant - A substance introduced into the environment that adversely affects the usefulness of a resource.

Potable Water - Water which is suitable for drinking.

Prime Farmland - A special category of highly productive cropland that is recognized and described by the US Department of Agriculture’s Soil Conservation Service and receives special protection under the Surface Mining Law.

Remediation - A long-term action that reduces or eliminates a threat to the environment.

Riparian Areas - Areas adjacent to rivers and streams that have a high density, diversity, and productivity of plant and animal species relative to nearby uplands.
River Basin - The land area drained by a river and its tributaries.

Sensitive Receptors - Include, but are not limited to, asthmatics, children, and the elderly, as well as specific facilities, such as long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, and childcare centers.

Significant Impact - According to 40 CFR Part 1508.27, "significance" as used in NEPA requires consideration of both context and intensity.

Context. 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. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.

Small quantity generator - A generator who generates greater than 220 pounds but less than 2,200 pounds of hazardous waste in a calendar month and who does not accumulate more than 13,200 pounds of hazardous waste at any one time (if either threshold is exceeded, the generator becomes a large quantity generator). A small quantity generator may accumulate hazardous waste up to 180 days from the accumulation start date.

Soil - The mixture of altered mineral and organic material at the earth's surface that supports plant life.

Solid Waste - Any discarded material that is not excluded by section 261.4(a) or that is not excluded by variance granted under sections 260.30 and 260.31.

Threatened species - Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Topography - The relief features or surface configuration of an area.

Toxic Substance - A harmful substance which includes elements, compounds, mixtures, and materials of complex composition.

Waters of the United States - Include the following: (1) All waters which are currently being used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) All interstate waters including interstate wetlands. (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds; the use, degradation or destruction of which could affect interstate or foreign commerce.

Watershed - The region draining into a particular stream, river, or entire river system.

Wetlands - Areas that are regularly saturated by surface or groundwater and, thus, are characterized by a prevalence of vegetation that is adapted for life in saturated soil conditions. Examples include swamps, bogs, fens, marshes, and estuaries.

Wildlife Habitat - Set of living communities in which a wildlife population lives.
APPENDIX A

Agency Correspondence
TTL Associates, Inc.  
44265 Plymouth Oaks Boulevard  
ATTN: Carrie A Hess, Geologist  
Plymouth, MI 48170

December 16, 2015

RE: NEPA Scoping letter for the Department of Veterans Affairs (VA) Proposed National Veterans Burial Ground South of Hildreth Road, Cheyenne, Laramie County, Wyoming

Dear Ms. Hess:

The City of Cheyenne Board of Public Utilities (Board) received a letter from TTL Associates on November 24, 2015 requesting information at the proposed national veteran burial by Hildreth Road, Cheyenne, Wyoming. The Board would like to point out two environmental issues.

First, within the proposed area, the Board holds a water right. As noted in the Wyoming State Engineer’s permit 4670 (see attached), the Board holds a water conveyance to enlargement of the City’s pipelines which in this case is situated within the right of way of Hildreth Road along the westerly boundary of Section 16. A raw water, Ware Pipeline, is adjacent to Hildreth Road as noted on the provided plat. Please note that plate finalization is pending the County Commissioners approval and filing which is anticipated to be completed early February 2016. The water right is to be applied to irrigation, stock and domestic purposes. The Board has included a map showing areas where the water right may be applied which includes the proposed burial grounds.

Second, the Board would like to provide a general comment to the close proximity of the site to the Crow Creek Watershed. Potential leachate from the burial site could have an increase nutrient load to area’s water sources and protection of the area’s water sources should be considered. If you have any further questions, please feel free to contact me at 307-637-6415 or degenhoff@cheyennebopu.org.

Sincerely,

Dena Egenhoff  
Water Conservation Manager  
City of Cheyenne Board of Public Utilities

Cc: Tim Wilson, Director, Board of Public Utilities  
Encl.: Wyoming State Engineers Permit #4670  
Hildreth Subdivision Plat  
Lands Irrigated By Permit #4670
APPLICATION FOR A PERMIT TO DIVERT AND APROPRIATE THE WATER OF THE STATE OF WYOMING

WATER DIVISION No. (State)

ENLARGEMENT OF THE

1. Name of Water Divisor: Cheyenne City Water Lines
   City of Cheyenne, Wyoming

2. The postoffice address of the applicant: Cheyenne, Wyoming

3. The use to which water is to be applied: Irrigation, stock, and domestic purposes

4. The name of the Enlargement: Cheyenne City Water Lines

5. The source of the proposed appropriation is a tributary of Turkey Creek, which is a tributary of Red Hawk Creek.

6. (a) The headgate of the ditch to be enlarged is located 3,200 feet
    distant from the corner of Section 82, T. 14 N., R. 70 W., and is in the
    76° 7' 50" W. of Section 82, T. 14 N., R. 70 W.,
    and is in the
    15.49 miles long and has a carrying capacity at the headgate of 10.2
    cubic feet per second.

7. The total area now irrigated from said ditch is assessed for
   municipal water supply and for the following described in Permit
   No. 2249:

8. The proposed diversion and appropriation of water is to be made by means of:
   (a) The enlargement of the ditch, without extension?
   (b) The enlargement and extension of the ditch?

9. The head of the enlargement is located 15.49 feet distant from the corner of the
    16.2 cubic feet per second.

10. Number, length and size of tunnels:

11. The estimated cost of said enlargement is $5,000.00.

12. Construction of the work will begin within one year from date of approval of this application.

13. The time required to complete the enlargement is 6 months from December 31st, 1922.

14. The time required to complete the application of water to the beneficial uses stated in this application is 6 months from December 31st, 1922.

15. The accompanying map is prepared in accordance with the Manual of Regulations and Instructions for Filing Applications in the State Engineer's Office and is hereby declared a part of this application.

16. The land to be irrigated by this enlargement is described in the following tabulation:

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<th>Range</th>
<th>NE1/4</th>
<th>NW1/4</th>
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TOTAL ACREAGE UNDER THIS ENLARGEMENT: 762.82

Signature of Applicant:

City of Cheyenne, Wyoming
THE STATE OF WYOMING,

COUNTY OF

I hereby certify that the foregoing application was signed in my presence and sworn to before me by

Carl Ashour

July 24, 1929

Fred S. Fabro

Clerk of the Supreme Court

The City of Cheyenne

the sole owner of the Cheyenne City Water System Ditch, taking water from Cheyenne No. 2 Reservoirs (Permits No. 201 Acc.) for and in consideration of

the said ditch for the irrigation of 762.52 acres, by City of Cheyenne according to the terms of the application for enlargement.

Dated:

City of Cheyenne

R.F. P.R. Apices, City Engineer

For assignment transferring 662.54 A. of storage capacity in Cheyenne No. 2 Reservoirs, under Permit No. 201 Acc. for use under this permit, by the City of Cheyenne, see Book 3, Meets. Records, page 1142.

For assignment above referred to be filed in Miscellaneous Records.

July 24, 1929

City of Cheyenne

R.F. P.R. Apices, City Engineer

For assignment transferring the same 662.54 A. of storage capacity in Cheyenne No. 2 Reservoirs, under Permit No. 201 Acc. for use under this permit, by the City of Cheyenne, see Book 3, Meets. Records, page 1142.

This instrument was received and filed for record on the 7th day of September, 1929, at 2:30 o'clock P.M., and duly recorded in Book 16 of Enlargements, page 269.
Lands Irrigated By Permit No. 4670

Legend

- **40.94** Lands Irrigated (Acreage Highlighted in Yellow)
- **Source Main**
This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.
NAME
Cheyenne NVBG

LOCATION
Laramie County, Wyoming

IPAC LINK
https://ecos.fws.gov/ipac/project/
RMM4Y-OXNFV-DBJJU-XX4SF-AAWHS4

U.S. Fish & Wildlife Contact Information
Trust resources in this location are managed by:

**Wyoming Ecological Services Field Office**
5353 Yellowstone Road, Suite 308a
Cheyenne, WY 82009-4178
(307) 772-2374
Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the Endangered Species Program of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require FWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from the Regulatory Documents section in IPaC.

The list of species below are those that may occur or could potentially be affected by activities in this location:

**Birds**

*Least Tern*  *Serna antillarum*  
**CRITICAL HABITAT**  
No critical habitat has been designated for this species.  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B07N

*Piping Plover*  *Charadrius melodus*  
**CRITICAL HABITAT**  
There is final critical habitat designated for this species.  

*Whooping Crane*  *Grus americana*  
**CRITICAL HABITAT**  
There is final critical habitat designated for this species.  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B003

**Fishes**

*Pallid Sturgeon*  *Scaphirhynchus albus*  
**CRITICAL HABITAT**  
No critical habitat has been designated for this species.  
Flowering Plants

**Colorado Butterfly Plant** Gaura neomexicana var. coloradensis  
**CRITICAL HABITAT**  
There is **final** critical habitat designated for this species.  
[https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q0VV](https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q0VV)

**Ute Ladies'-tresses** Spiranthes diluvialis  
**CRITICAL HABITAT**  
**No critical habitat** has been designated for this species.  

**Western Prairie Fringed Orchid** Platanthera praeclara  
**CRITICAL HABITAT**  
**No critical habitat** has been designated for this species.  

Mammals

**Preble’s Meadow Jumping Mouse** Zapus hudsonius preblei  
**CRITICAL HABITAT**  
There is **final** critical habitat designated for this species.  

Critical Habitats

There are no critical habitats in this location
Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

Additional information can be found using the following links:

- Birds of Conservation Concern
- Conservation measures for birds
- Year-round bird occurrence data

The following species of migratory birds could potentially be affected by activities in this location:

**American Bittern** Botaurus lentiginosus  
Season: Breeding  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F3  
Bird of conservation concern

**Bald Eagle** Haliaeetus leucocephalus  
Year-round  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008  
Bird of conservation concern

**Black Rosy-finch** Leucosticte atrata  
Year-round  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0J4  
Bird of conservation concern

**Brewer's Sparrow** Spizella breweri  
Season: Breeding  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HA  
Bird of conservation concern

**Burrowing Owl** Athene cunicularia  
Season: Breeding  
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0NC  
Bird of conservation concern

**Dickcissel** Spiza americana  
Season: Breeding
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<th><strong>Ferruginous Hawk</strong></th>
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<td><strong>Golden Eagle</strong></td>
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</tr>
<tr>
<td><strong>Lark Bunting</strong></td>
<td><em>Calamospiza melanocorys</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
</tr>
<tr>
<td></td>
<td><a href="#">Link</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Loggerhead Shrike</strong></td>
<td><em>Lanius ludovicianus</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
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<tr>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Long-billed Curlew</strong></td>
<td><em>Numenius americanus</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>Mccown’s Longspur</strong></td>
<td><em>Calcarius mccownii</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
</tr>
<tr>
<td></td>
<td><a href="https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HB">Link</a></td>
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<tr>
<td><strong>Mountain Plover</strong></td>
<td><em>Charadrius montanus</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
</tr>
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<tr>
<td><strong>Prairie Falcon</strong></td>
<td><em>Falco mexicanus</em></td>
<td>Year-round</td>
<td>Bird of conservation concern</td>
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<tr>
<td><strong>Red-headed Woodpecker</strong></td>
<td><em>Melanerpes erythrocephalus</em></td>
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<td>Bird of conservation concern</td>
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<td><a href="#">Link</a></td>
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<tr>
<td><strong>Sage Thrasher</strong></td>
<td><em>Oreoscoptes montanus</em></td>
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<td>Bird of conservation concern</td>
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<td><a href="https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0JD">Link</a></td>
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<td></td>
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<tr>
<td><strong>Short-eared Owl</strong></td>
<td><em>Asio flammeus</em></td>
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<tr>
<td><strong>Swainson’s Hawk</strong></td>
<td><em>Buteo swainsoni</em></td>
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<td>Bird of conservation concern</td>
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<td><strong>Western Grebe</strong></td>
<td><em>Aechmophorus occidentalis</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
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<td></td>
<td><a href="https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EA">Link</a></td>
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<tr>
<td><strong>Willow Flycatcher</strong></td>
<td><em>Empidonax traillii</em></td>
<td>Season: Breeding</td>
<td>Bird of conservation concern</td>
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<td><a href="https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F6">Link</a></td>
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</table>
Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuges in this location
Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

DATA LIMITATIONS
The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS
Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberificid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

There are no wetlands in this location
Ms. Hess,
District 1 of the Land Quality Division (LQD) has no concerns with the site being scoped. The nearest mine administered by LQD is 1 to 2 miles to the west of the proposed site and this mine is moving toward reclamation.

This project is proposed to be south of the High Plains Arboretum and USDA High Plains Grasslands Research Station. Both of these are open space valued by Cheyenne and Laramie Co. residents.

The proposed site is also north of Crow Creek. This stream has perennial flow due to reservoir control upstream, its association with a water transfer project that is important to providing drinking water to Cheyenne, and some perennial flow out of the Laramie Range.

The position of the project is on the slope/bench above Crow Creek on high (ca 6,000 ft.) plains that generally slope up to the Laramie Range west of Cheyenne. In the past the USFWS has indicated that the threatened Colorado butterfly plant could be present in the area and project proponents have been asked to survey for this plant. This species does not do well in extensively grazed grassland. The proposed site has likely been subjected to numerous years of extensive grazing so it may not be present.

Hope this information is useful.

Robin Jones  
District 1 Supervisor  
Vegetation Ecologist  
Wyoming DEQ-Land Quality Division  
Office: (307) 777-8956

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.
Consultation Code: 06E13000-2016-SLI-0078
Event Code: 06E13000-2016-E-00388
Project Name: Cheyenne NVBG

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the Environmental Conservation Online System-Information, Planning, and Conservation System (ECOS-IPaC) website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Please feel free to contact us if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. We also encourage you to visit the Wyoming Ecological Services website at http://www.fws.gov/wyominges/Pages/Species/Species_Endangered.html for more information about species occurrence and designated critical habitat.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required
to use their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A biological assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a biological assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a biological assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the biological assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:
http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

We also recommend that you consider the following information when assessing impacts to federally listed species, as well as migratory birds, and other trust resources:

**Colorado River and Platte River Systems**: Consultation under section 7 of the Act is required for projects in Wyoming that may lead to water depletions or have the potential to impact water quality in the Colorado River system or the Platte River system, because these actions may affect threatened and endangered species inhabiting the downstream reaches of these river systems. In general, depletions include evaporative losses and/or consumptive use of surface or groundwater within the affected basin, often characterized as diversions minus return flows. Project elements that could be associated with depletions include, but are not limited to: ponds, lakes, and reservoirs (e.g., for detention, recreation, irrigation, storage, stock watering, municipal storage, and power generation); hydrostatic testing of pipelines; wells; dust abatement; diversion structures; and water treatment facilities.

Species that may be affected in the Colorado River system include the endangered bonytail (Gila elegans), Colorado pikeminnow (Ptychocheilus lucius), humpback chub (Gila cypha), and razorback sucker (Xyrauchen texanus) and their designated critical habitats. Projects in the Platte River system may impact the endangered interior population of the least tern (Sterna antillarum), the endangered pallid sturgeon (Scaphirhynchus albus), the threatened piping plover (Charadrius melodus), the threatened western prairie fringed orchid (Platanthera praeclara), as well as the endangered whooping crane (Grus americana) and its designated critical habitat. For more information on consultation requirements for the Platte River species, please visit http://www.fws.gov/platteriver.

**Migratory Birds**: The Migratory Bird Treaty Act (16 U.S.C. 703-712), prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations, and does not require intent to be proven. Except for introduced species and some upland game birds, almost
all birds occurring in the wild in the United States are protected (50 CFR 10.13). Guidance for
minimizing impacts to migratory birds for projects that include communications towers (e.g.,
cellular, digital television, radio, and emergency broadcast) can be found at

The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) prohibits knowingly taking, or
taking with wanton disregard for the consequences of an activity, any bald or golden eagles or
their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.
Eagle nests are protected whether they are active or inactive. Removal or destruction of nests, or
causing abandonment of a nest could constitute a violation of one or both of the above statutes.
Projects affecting eagles may require development of an eagle conservation plan
(http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects
should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing
impacts to migratory birds and bats.

If nesting migratory birds are present on or near the project area, timing of activities is an
important consideration and should be addressed in project planning. Activities that could lead
to the take of migratory birds or eagles, their young, eggs, or nests, should be coordinated with
our office prior to project implementation. If nest manipulation (including removal) is proposed
for the project, the project proponent should contact the Migratory Bird Office in Denver at
303-236-8171 to see if a permit can be issued for the project. If a permit cannot be issued, the
project may need to be modified to protect migratory birds, eagles, their young, eggs, and nests.

We appreciate your concern for threatened and endangered species. The Service encourages
Federal agencies to include conservation of threatened and endangered species into their project
planning to further the purposes of the Act. Please include the Consultation Tracking Number in
the header of this letter with any request for consultation or correspondence about your project
that you submit to our office.

Attachment
United States Department of Interior
Fish and Wildlife Service

Project name: Cheyenne NVBG

Official Species List

Provided by:
Wyoming Ecological Services Field Office
5353 YELLOWSTONE ROAD, SUITE 308A
CHEYENNE, WY 82009
(307) 772-2374
http://www.fws.gov/wyominges/

Consultation Code: 06E13000-2016-SLI-0078
Event Code: 06E13000-2016-E-00388

Project Type: DEVELOPMENT

Project Name: Cheyenne NVBG

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.
Project Location Map:

**Project Coordinates:** MULTIPOLYGON (((-104.90501403808594 41.180624283810545, -104.90501403808594 41.178395566429764, -104.90372657775879 41.17842786722324, -104.90501403808594 41.180624283810545), (-104.90501403808594 41.180624283810545, -104.90501403808594 41.178395566429764, -104.90372657775879 41.17842786722324, -104.90501403808594 41.180624283810545))

**Project Counties:** Laramie, WY
Endangered Species Act Species List

There are a total of 8 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the Has Critical Habitat column may or may not lie within your project area. See the Critical habitats within your project area section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

<table>
<thead>
<tr>
<th>Birds</th>
<th>Status</th>
<th>Has Critical Habitat</th>
<th>Condition(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Least tern <em>(Sterna antillarum)</em></td>
<td>Endangered</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Population: interior pop.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piping Plover <em>(Charadrius melodus)</em></td>
<td>Threatened</td>
<td>Final designated</td>
<td></td>
</tr>
<tr>
<td>Population: except Great Lakes watershed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whooping crane <em>(Grus americana)</em></td>
<td>Endangered</td>
<td>Final designated</td>
<td></td>
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<td>Population: except where EXPN</td>
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Fishess

<table>
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<tr>
<th>Fishes</th>
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<tbody>
<tr>
<td>Pallid sturgeon <em>(Scaphirhynchus albus)</em></td>
<td>Endangered</td>
<td></td>
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</tr>
<tr>
<td>Population: Entire</td>
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Flowering Plants

<table>
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<tr>
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<tbody>
<tr>
<td>Colorado Butterfly plant <em>(Gaura neomexicana var. coloradensis)</em></td>
<td>Threatened</td>
<td>Final designated</td>
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<tr>
<td>Ute ladies'-tresses <em>(Spiranthes diluvialis)</em></td>
<td>Threatened</td>
<td></td>
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</tr>
<tr>
<td>Western Prairie Fringed Orchid <em>(Platanthera praeclara)</em></td>
<td>Threatened</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mammals</td>
<td>Threatened</td>
<td>Final designated</td>
<td></td>
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<tr>
<td>-----------------------------</td>
<td>------------</td>
<td>-----------------</td>
<td></td>
</tr>
<tr>
<td>Preble's meadow jumping mouse (Zapus hudsonius preblei)</td>
<td>Threatened</td>
<td>Final designated</td>
<td></td>
</tr>
<tr>
<td>Population: wherever found</td>
<td></td>
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</tr>
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</table>
Critical habitats that lie within your project area

There are no critical habitats within your project area.
December 7, 2015

Carrie A. Hess, Geologist
TTL Associates, Inc.
44265 Plymouth Oaks Blvd.
Plymouth, MI 48170

Re: Intergovernmental and Interagency Coordination of Environmental Planning (NEPA Scoping Letter) for the Department of Veterans Affairs (VA) Proposed National Veterans Burial Ground South of Hildreth Road, Cheyenne, Laramie County, Wyoming

Dear Ms. Hess:

I received your November 18, 2015 letter requesting information on groundwater resources, wells, and local aquifers in the vicinity of the proposed National Veterans Burial Ground in T14N, R67W, Section 16, NWSW, Laramie County, Wyoming.

Permitted Wells

A search of the Wyoming State Engineer’s Office (SEO) electronic water rights database, e-Permit, identified approximately 67 permitted water wells in the vicinity of the proposed site (i.e., T14N, R67W, Sections 8, 9, 10, 15, 16, 17, 20, 21, and 22), including:

- 19 for Domestic Use (i.e., the use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less);
- 4 for Miscellaneous Use (i.e., any use of water not defined under definitions such as stock-watering pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc.);
- 2 for Stock Use (i.e., normal livestock use at four tanks or less within one mile of well or spring);
- 1 for Miscellaneous Use and Stock Use; and
- 41 for Monitor or Observation\(^1\) use (these wells appear to have been installed in the 1990’s to monitor potential contaminants associated with the F.E. Warren Air Force Base).

\(^1\) Please note, as of March 12, 2013, the SEO no longer requires monitor wells to be permitted by the Agency as the wells are used to measure water levels and/or collect water samples for analytical purposes and there is no production of water for beneficial use.
Attached is an Excel sheet summarizing pertinent information related to these groundwater permits (e.g., permit/water right number, priority date, water right status, appropriator [either company and/or individual], facility [well or spring] name, permitted use, legal location, permitted appropriation, total depth of the well, static water level at the time of completion, whether or not a well log is available, depth at which the pump is set, whether or not a chemical analysis is available, and the latitude and longitude of the well), for your use.  

The groundwater resources in roughly the eastern 2/3's of Laramie County are currently managed under the Order of the State Engineer, Laramie County Control Area (April 1, 2015). The Order identifies four distinct areas within the Laramie County Control Area (LCCA) characterized by varying hydrogeologic conditions and levels of development (i.e., the Drawdown Area, the Conservation Area, the Unaffected Area, and the Underlying Units). The Order sets forth well spacing requirements for all new wells, requires meters for all wells within the LCCA (except those for small stock and domestic uses), and annual water production reporting requirements. At this time, the proposed site lies outside of the LCCA boundaries and therefore would not be subject to the requirements of the Order. However, the State Board of Control (BOC) received a petition to expand the boundaries of the LCCA to the west which, if successful, may encompass the proposed site. The BOC is scheduled to hold an information hearing on January 26, 2015 regarding that petition. The BOC must make a decision as to whether or not to grant the petition within 90 days of the hearing.

Groundwater Resources

The proposed site is underlain by Quaternary alluvial and terrace deposits. These stream-laid deposits comprise varying amounts of gravel, sand, silt and clay. The Quaternary deposits are underlain by the Tertiary Ogallala Formation which is primarily a heterogeneous mixture of unconsolidated and (or) weakly to firmly cemented gravel, sand, silt, and clay. The Ogallala yields small to large supplies of water to domestic, stock, public supply (municipal), irrigation and industrial wells. The Ogallala is the most utilized aquifer of the High Plains aquifer system in Laramie County (U.S. Geological Survey Scientific Investigations Map 3180, Bartos and Hallberg, 2011).

The potentiometric surface of the High Plains aquifer system in the vicinity of the proposed site is 6,200 to 6,150 feet above mean sea level; the estimated saturated thickness of the combined Quaternary, unconsolidated deposits, Ogallala, and Arikaree aquifers, in the High Plains aquifer system ranges from 100 to 299 feet; and the estimated depth to water in the vicinity of the proposed site is 50 – 99 feet (U.S. Geological Survey Scientific Investigations Map 3180, Bartos and Hallberg, 2011). According to the SEO’s electronic water rights database, groundwater is present at even shallower depths in Section 16 - static water levels (measured at the time of well completion) range from 10.8 to 20 feet, with an average depth of approximately 15 feet.

The location of the point of diversion (i.e., well or spring) was previously identified as the center of a ¼ ¼ section. Subsequent to April 1, 2006, the SEO requires the permittee to provide coordinates when filing the Form U.W. 6, or Statement of Completion and Description of Well or Spring, for completed wells or spring developments. The SEO accepts Latitude and Longitude (preferred), Universal Transverse Mercator (UTM), or State Plane Coordinates.
Additional references which you may find of use include:
- Final Report: Hydrogeologic Study of the Laramie County Control Area, March 2014 @http://seo.wyo.gov/
- State Engineer LCCA Order @http://seo.wyo.gov/

If you have any questions, please feel free to call me at (307) 777-5063.

Sincerely,

Lisa Lindemann, Administrator
Ground Water Division

Attachment
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<th>Item</th>
<th>Description</th>
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**Legend:**
- Category: Type of data
- Subcategory: Specific type of data
- Item: Individual data entry
- Description: Details about the data entry
- Value: Numeric value associated with the description
- Date: Dates associated with the data entry
In Reply Refer To:
06E13000-2016-CPA-0044

Carrie A. Hess, Geologist
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170

Dear Ms. Hess:

Thank you for your letter dated November 18, 2015, received in our office on November 23, regarding the proposed National Veterans Burial Ground (Project). This Project is part of the Department of Veterans Affairs Rural Veterans Burial Initiative and involves the disturbance of approximately 5 acres of unimproved agricultural research and grazing land owned by the City of Cheyenne. The area for the Project is located at 8408 Hildreth Road, south of the U.S. Department of Agriculture High Plains Grasslands Research Station, in Cheyenne, Laramie County, Wyoming.

We are writing in response to your inquiry related to species listed under Endangered Species Act (ESA; 16 U.S.C. 1531 et seq.), species of special concern, or migratory birds. We have indicated our response below, which we believe best meets your request.

☑ You requested a list of endangered, threatened, proposed, and/or candidate species, and designated or proposed critical habitat that may occur in the area of your Project. In an effort to expedite information sharing, we created an Information, Planning, and Conservation System (IPAC), available on-line at http://ecos.fws.gov/ipac/. IPAC can be used to identify any potential federally listed species or critical habitat in your project area by using the "Initial Project Scoping" tool. For species identified by IPAC, you should review the recommendations and measures at http://www.fws.gov/wyominges/species_endangered.php.

☑ Based on information from your request, our understanding of the nature of the project, local conditions, and current information of federally listed species:

☐ We have not identified any issues that give us concern relative to species or critical habitat listed under the ESA.

☐ Contact the WGFD to identify measures to minimize impacts to greater sage-grouse (see http://www.fws.gov/wyominges/Species/GRSG.php).
The ESA does not require the U.S. Fish and Wildlife Service to concur with “no effect” determinations; however, we appreciate receiving the information used to support your conclusion.

We concur with your “may affect, not likely to adversely affect” determination for federally listed species and designated critical habitat.

Your Project should be re-analyzed if Project plans change, or if new information on the distribution of listed or proposed species or critical habitat becomes available, or if new information reveals effects to listed or proposed species or critical habitat not previously considered.

Based on information from your request, we also recommend you:

- Review Avian Power Line Interaction Committee (APLIC) guidelines to avoid and minimize electrocutions and collisions (see http://www.aplic.org).
- Review your Project relative to guidelines regarding placement of cell towers (see http://www.fws.gov/migratorybirds/CurrentBirdIssues/Flavors/towers/contow.html).
- Review your Project relative to responsibilities for wetland protection (see http://www.fws.gov/wyominges/landscapeConservation.php).
- Take steps to conserve and protect Species of Greatest Conservation Need (see http://www.fws.gov/mountain-prairie/es/wyoming/species_concern.php).

Black-tailed prairie dog (*Cynomys ludovicianus*)

We appreciate your efforts to conserve endangered, threatened, and candidate species and migratory birds. If you have any questions regarding this letter or your responsibilities under the ESA or other authorities, please contact Erin Madson of my office at the letterhead address or phone (307) 772-2374, extension 222.

Sincerely,

R. Mark Sattelberg
Field Supervisor
Wyoming Field Office

cc: WGFD, Statewide Nongame Bird and Mammal Program Supervisor, Lander, WY (Z. Walker) (zack.walker@wyo.gov)
    WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flandlerka) (mary.flandlerka@wyo.gov)
    WGFD, Habitat Protection Secretary, Cheyenne, WY (N. Stange) (nancy.stange@wyo.gov)
December 18, 2015

WER 13754.00
TTL Associates, Inc.
Intergovernmental and Interagency
Coordination of Environmental Planning
Department of Veterans Affairs
Proposed National Veterans Burial Ground
Laramie County

TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
ATTN: Carrie A Hess, Geologist

Dear Ms. Hess:

The staff of the Wyoming Game and Fish Department (WGFD) has reviewed the Department of Veterans Affairs proposed National Veterans Burial Ground. We offer the following comments for your consideration.

**Terrestrial Considerations:**

The proposed project lies within pronghorn antelope crucial winter range. The Department recommends that any proposed fencing be designed to wildlife friendly standards so that pronghorn can still utilize the area and pass back and forth.

**Aquatic Considerations:**

We have no aquatic concerns pertaining to this proposal.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Lee Knox, Laramie Region Wildlife Biologist, at 307-745-4046.

Sincerely,

[Signature]

John Kennedy
Deputy Director

JK/ml/ns

"Conserving Wildlife - Serving People"
Carrie A. Hess  
December 18, 2015  
Page 2 of 2 - WER 13754.00

cc:    USFWS  
Chris Wichmann, Wyoming Department of Agriculture, Cheyenne  
Mike Snigg, WGFD, Laramie Region  
Lee Knox, WGFD, Laramie Region  
Corey Class, WGFD, Laramie Region
VIA EMAIL

April 9, 2015

Ms. Mary Hopkins, SHPO
Wyoming State Historic Preservation Office
2301 Central Avenue, 3rd Floor
Cheyenne, WY 82002

Dear Ms. Hopkins:

As you know, we have been talking with Beth King and Brian Beadles of your staff about plans for a National Veterans Burial Ground in Cheyenne. The Department of Veterans Affairs (VA) very much appreciates Ms. King’s and Mr. Beadles’ assistance.

The proposed Cheyenne Veterans Burial Ground is part of a nationwide VA initiative to provide burial services for Veterans in areas where there are no VA national cemeteries, state Veterans cemeteries or tribal Veterans cemeteries readily accessible to Veterans and their families. Veterans Burial Grounds are built within existing public or private cemeteries in areas where the unserved Veteran population is 25,000 or less within a 75-mile radius.

We are coordinating plans for the Cheyenne Burial Ground with the City of Cheyenne, which as you know is undertaking development of the an arboretum cemetery on land leased by the City to the U.S. Department of Agriculture (USDA) for the High Plains Horticultural Field Station. The Veterans Burial Ground would occupy land either just to the north of the City’s cemetery (Site A) or on its west edge (Site B). Please see the enclosed map (enclosure 1) for the two alternative locations.

Development of the Veterans Burial Ground is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act and its regulations (36 CFR Part 800). We regard the undertaking’s area of potential effects (APE) to include the High Plains Horticultural Field Station (Field Station), which we understand is routinely treated by your office and the USDA as eligible for the National Register of Historic Places (NRHP). We too regard the Field Station as eligible for the NRHP.

Given that both proposed alternative sites for the Veterans Burial Ground fall within the NRHP-eligible Field Station, and would involve direct and indirect
alterations to its lands, viewsheds and uses, VA has determined that implementing either alternative would have likely adverse effects on the Field Station and possibly on the NRHP-eligible High Top Water Treatment Facility, although we think these effects can probably be fairly easily resolved. Other possible effects remain to be defined, including effects on possible prehistoric and historic archaeological resources and on places important in Cheyenne, Arapaho, Lakota and other tribal traditions.

We would like to initiate consultation with your office and at least the consulting parties listed in enclosure 2 to verify and resolve the possible adverse effects of this undertaking. We appreciate the fact that this consultation will address multiple steps in the Section 106 review process; I hope you will agree that this is an efficient approach in this case, and as you know, such efficiencies are allowed for in the Section 106 regulations at 36 CFR § 800.3(g). We anticipate that resolution of adverse effects will involve negotiation of a Memorandum of Agreement (MOA), probably providing for measures to avoid or mitigate effects on possible archaeological resources and design measures to minimize visual and land-use impacts.

By copy of this letter we are advising other possible consulting parties of our proposed approach to review of this undertaking’s effects on historic properties. We invite you and all other parties to provide us with comments at this time, and to advise us of any measures we should consider to avoid, reduce, or otherwise mitigate adverse effects. We would also appreciate being advised as to whether any consulting parties think that a meeting is in order to discuss this matter, or whether our consultation can be handled through correspondence. Finally, we would appreciate being advised of any other parties with whom we should consult.

Thank you for your attention to this request, and again, for the assistance of Ms. King and Mr. Beadles. We look forward to consulting with you on this project, which we hope will have great value for Wyoming’s veterans.

If there are any questions, please contact me at (202) 632-5706, kelli.witt@va.gov, or our Section 106 consultants Claudia Nissley and Tom King at cnissleyenviro@gmail.com and tomking106@gmail.com.

Sincerely,

Kelli M. Witt, JD
Sr. Realty Specialist

Enclosures:
1. Map showing Field Station, City cemetery, Sites A and B
2. List of proposed consulting parties

Cc (with enclosures) to all consulting parties OTHER THAN tribes)
April 22, 2015

Kelli M. Witt, JD
Sr. Reality Specialist
Department of Veterans Affairs
Office of Construction & Facilities Management
Washington, D.C. 20420

Re: National Veterans Burial Ground in Cheyenne, Wyoming (SHPO File # 0415ECK013)

Dear Ms. Witt:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced undertaking. We concur with your finding that site 48LA122, the USDA-Agricultural Research Service High Plains Grasslands Research Station, is eligible for listing in the National Register of Historic Places (NRHP).

On April 22, 2015, SHPO staff members Brian Beadles and Beth King drove to the High Plains Grasslands Research Station to assess the two locations the Department of Veterans Affairs (VA) is considering for the National Veterans Burial Ground (Site A and Site B). We believe the research station is a historic landscape eligible under NRHP Criteria A and C.

It is SHPO’s opinion that placing the National Veterans Burial Ground at Site A would cause an adverse effect to the historic property per 36 CFR 800.5(d)(2) and would diminish the aspects of integrity the property currently possesses that make it eligible for inclusion in the NRHP. Placing the burial ground at Site A will require the completion of a Memorandum of Agreement under the 36 CFR 800 regulations to mitigate the adverse effect.

It is SHPO’s opinion that placing the National Veterans Burial Ground at Site B would have no adverse effect to the overall historic landscape per 36 CFR 800.5(d)(1). The addition of a burial ground to this proposed location would not significantly detract from or cause an alteration to the characteristics of the historic property qualifying it for inclusion in or eligibility for the NRHP. SHPO staff located two historic landscape features within the approximately five-acre footprint. Both features were evaluated as to whether they contribute or do not contribute to the overall eligible historic landscape. The first feature is part of a concrete-lined irrigation system constructed by the Civilian Conservation Corps in the 1930s. This feature is located along the extreme western border of the area proposed as Site B and could be easily avoided when constructing the National Veterans Burial Ground. A no adverse effect finding for Site B is contingent upon avoidance of this contributing feature.

The second historic feature located during staff survey is a partially-buried irrigation system that extends from the nearby greenhouse to what was formerly a nursery testing plot. The historic plantings associated with the nursery plot are no longer evident in the landscape. Moreover,
SHPO staff was able to compare the current state of the irrigation system to a historic photograph and discovered only a small part of the formerly extensive irrigation system remains. SHPO finds that the partially-buried nursery plot irrigation system no longer retains the integrity necessary to be considered a contributing feature, and removal or alteration of the remaining pieces of the irrigation system will have no adverse effect to the historic landscape as a whole.

Additionally, SHPO notes that the Round Top Water Storage and Treatment Facility (48LA3171) is within the indirect Area of Potential Effect for this undertaking. SHPO considers this property eligible under Criteria A and C. It is clearly visible from Site A and completely screened from view at Site B.

Because the VA has a viable option to avoid and minimize effects to historic resources within the Area of Potential Effect for this undertaking, SHPO strongly encourages the VA to make a final decision as to the location of the National Veterans Burial Ground and then to consult with SHPO to complete the S106 process. The VA needs to complete the consultation process under 36 CFR Part 800.5 and make a formal decision of effect.

SHPO has reviewed the attached list of potential consulting parties to this undertaking and has attached an additional list of recommended parties.

Please refer to SHPO project 0415ECK013 on any future correspondence regarding this undertaking. If you have any questions, please contact Beth King at 307-777-6179 or Mary Hopkins at 307-777-6311.

Sincerely,

Mary M. Hopkins
State Historic Preservation Officer

Cc: Rick Parish, Director, City of Cheyenne Parks and Recreation Department
    Brian Lusher, Program Analyst, Federal Property Management Section, Advisory Council on Historic Preservation

Enclosure:
Additional Consulting Parties
Additional Consulting Parties

Sent to Kelli Witt and Doug Pulak via email on February 3, 2015:

- Carly-Ann Anderson, Alliance for Historic Wyoming
- Wyoming State Historical Society, Laramie County chapter
- Historic Cheyenne, Inc.
- Matt Ashby, Cheyenne Historic Preservation Board (Certified Local Government)
- National Trust for Historic Preservation

Yufna Soldierwolf, Northern Arapaho Tribe THPO (replaced Darlene Conrad in 2015)
July 9, 2015

Ms. Mary Hopkins, SHPO  
Wyoming State Historic Preservation Office  
2301 Central Avenue, 3rd Floor  
Cheyenne, WY 82002

Dear Ms. Hopkins:

This is a follow-up to my letter of April 9, 2015, and your response of April 22, 2015, regarding the proposed Veterans Burial Ground in Cheyenne.

Per your recommendation, and having reviewed our needs and constraints, The Department of Veterans Affairs (VA) has decided to focus on “Site B” as the location for the Burial Ground (See attached map).

Also in accordance with your recommendation, and pursuant to 36 CFR 800.5(b), it is our tentative determination that building the Burial Ground on Site B will have no adverse effect on historic properties, subject to the following condition:

VA will ensure that in planning and constructing the Veterans Burial Ground, the concrete-lined irrigation feature along the west edge of the property is preserved in place and incorporated into the Burial Ground’s landscaping.

VA will make sure that this condition is reflected in all plans and specifications for the Burial Ground’s construction.

Attached is the documentation required by 36 CFR 800.11(c). Copies will be provided to the parties who responded to my April 9th letter, as well as to the Advisory Council on Historic Preservation.

I hope you concur in our determination, and look forward to working with you as we implement this undertaking.

Sincerely,

Kelli M. Witt  
Sr. Realty Specialist
APPENDIX B

Native American Consultation
April 9, 2015

Emerson Bull Chief, Tribal Historic Preservation Officer
Crow Tribe of Indians
P.O. Box 159
Crow Agency, MT 59002

Dear Mr. Bull Chief:

The Department of Veterans Affairs (VA) is planning construction of a Veterans Burial Ground in Cheyenne, Wyoming. The proposed Burial Ground is part of a nationwide VA initiative to provide burial services for Veterans in areas where there are no VA national cemeteries readily accessible to Veterans and their families. Veterans Burial Grounds are built within existing public or private cemeteries in areas where the unserved Veteran population is 25,000 or less within a 75-mile radius.

We are coordinating plans for the Cheyenne Burial Ground with the City of Cheyenne, which as you may know is undertaking development of the an arboretum cemetery on land leased by the City to the U.S. Department of Agriculture (USDA) for the High Plains Horticultural Field Station (Field Station). The Veterans Burial Ground would occupy land either just to the north of the City’s cemetery (Site A) or on its west edge (Site B). Please see the enclosed map for the two alternative locations under consideration.

Development of the Veterans Burial Ground is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, the National Environmental Policy Act, the Native American Religious Freedom Act, and other laws requiring federal agencies to consider and consult about the effects of proposed projects. We would like to initiate consultation with your tribal government to identify and resolve any environmental or cultural concerns you may have with the proposed Burial Ground.

Following the lead of the USDA and State Historic Preservation Officer (SHPO), we regard the Field Station as eligible for the National Register of Historic Places (NRHP). We also appreciate the fact that either alternative Burial Ground site might involve places of cultural importance to your tribe. We would like to consult
with you about whether adverse effects are likely and about how to resolve them. Based on research and discussions to date, we anticipate that resolving adverse effects will involve exercising care in design of the Burial Ground and ensuring that no ancestral graves or other cultural places are disturbed.

Please let us know if you wish to consult about this matter, and if so, whether you believe that one or more face-to-face meetings will be necessary.

If there are any questions, please contact me at (202) 632-5706, kelli.witt@va.gov, or our Section 106 consultants Claudia Nissley and Tom King at cnissleyenviro@gmail.com and tomking106@gmail.com.

Sincerely,

[Signature]

Kelli M. Witt, JD
Sr. Realty Specialist

Enclosure: Map showing Field Station, City cemetery, Sites A and B
Dear Mr. Fisher,

The Department of Veterans Affairs (VA) is planning construction of a Veterans Burial Ground in Cheyenne, Wyoming. The proposed Burial Ground is part of a nationwide VA initiative to provide burial services for Veterans in areas where there are no VA national cemeteries readily accessible to Veterans and their families. Veterans Burial Grounds are built within existing public or private cemeteries in areas where the unserved Veteran population is 25,000 or less within a 75-mile radius.

We are coordinating plans for the Cheyenne Burial Ground with the City of Cheyenne, which as you may know is undertaking development of the an arboretum cemetery on land leased by the City to the U.S. Department of Agriculture (USDA) for the High Plains Horticultural Field Station (Field Station). The Veterans Burial Ground would occupy land either just to the north of the City’s cemetery (Site A) or on its west edge (Site B). Please see the enclosed map for the two alternative locations under consideration.

Development of the Veterans Burial Ground is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, the National Environmental Policy Act, the Native American Religious Freedom Act, and other laws requiring federal agencies to consider and consult about the effects of proposed projects. We would like to initiate consultation with your tribal government to identify and resolve any environmental or cultural concerns you may have with the proposed Burial Ground.

Following the lead of the USDA and State Historic Preservation Officer (SHPO), we regard the Field Station as eligible for the National Register of Historic Places (NRHP). We also appreciate the fact that either alternative Burial Ground site might involve places of cultural importance to your tribe. We would like to consult
with you about whether adverse effects are likely and about how to resolve them. Based on research and discussions to date, we anticipate that resolving adverse effects will involve exercising care in design of the Burial Ground and ensuring that no ancestral graves or other cultural places are disturbed.

Please let us know if you wish to consult about this matter, and if so, whether you believe that one or more face-to-face meetings will be necessary.

If there are any questions, please contact me at (202) 632-5706, kelli.witt@va.gov, or our Section 106 consultants Claudia Nissley and Tom King at cnissleyenviro@gmail.com and tomking106@gmail.com.

Sincerely,

Kelli M. Witt, JD
Sr. Realty Specialist

Enclosure: Map showing Field Station, City cemetery, Sites A and B
April 9, 2015

Ms. Darlene Conrad, Tribal Historic Preservation Officer,
Northern Arapaho Tribe
P.O. Box 396
Fort Washakie, WY 82514

Dear Ms. Conrad:

The Department of Veterans Affairs (VA) is planning construction of a Veterans Burial Ground in Cheyenne, Wyoming. The proposed Burial Ground is part of a nationwide VA initiative to provide burial services for Veterans in areas where there are no VA national cemeteries readily accessible to Veterans and their families. Veterans Burial Grounds are built within existing public or private cemeteries in areas where the unserved Veteran population is 25,000 or less within a 75-mile radius.

We are coordinating plans for the Cheyenne Burial Ground with the City of Cheyenne, which as you may know is undertaking development of the an arboretum cemetery on land leased by the City to the U.S. Department of Agriculture (USDA) for the High Plains Horticultural Field Station (Field Station). The Veterans Burial Ground would occupy land either just to the north of the City’s cemetery (Site A) or on its west edge (Site B). Please see the enclosed map for the two alternative locations under consideration.

Development of the Veterans Burial Ground is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, the National Environmental Policy Act, the Native American Religious Freedom Act, and other laws requiring federal agencies to consider and consult about the effects of proposed projects. We would like to initiate consultation with your tribal government to identify and resolve any environmental or cultural concerns you may have with the proposed Burial Ground.

Following the lead of the USDA and State Historic Preservation Officer (SHPO), we regard the Field Station as eligible for the National Register of Historic Places (NRHP). We also appreciate the fact that either alternative Burial Ground site might involve places of cultural importance to your tribe. We would like to consult
with you about whether adverse effects are likely and about how to resolve them. Based on research and discussions to date, we anticipate that resolving adverse effects will involve exercising care in design of the Burial Ground and ensuring that no ancestral graves or other cultural places are disturbed.

Please let us know if you wish to consult about this matter, and if so, whether you believe that one or more face-to-face meetings will be necessary.

If there are any questions, please contact me at (202) 632-5706, kelli.witt@va.gov, or our Section 106 consultants Claudia Nissley and Tom King at cnissleyenviro@gmail.com and tomking106@gmail.com.

Sincerely,

Kelli M. Witt, JD
Sr. Realty Specialist

Enclosure: Map showing Field Station, City cemetery, Sites A and B
April 9, 2015

Mr. Wilfred Ferris, Tribal Historic Preservation Officer
Shoshone Tribe of the Wind River Reservation
Fort Washakie, WY 82514

Dear Mr. Ferris:

The Department of Veterans Affairs (VA) is planning construction of a Veterans Burial Ground in Cheyenne, Wyoming. The proposed Burial Ground is part of a nationwide VA initiative to provide burial services for Veterans in areas where there are no VA national cemeteries readily accessible to Veterans and their families. Veterans Burial Grounds are built within existing public or private cemeteries in areas where the unserved Veteran population is 25,000 or less within a 75-mile radius.

We are coordinating plans for the Cheyenne Burial Ground with the City of Cheyenne, which as you may know is undertaking development of the an arboretum cemetery on land leased by the City to the U.S. Department of Agriculture (USDA) for the High Plains Horticultural Field Station (Field Station). The Veterans Burial Ground would occupy land either just to the north of the City's cemetery (Site A) or on its west edge (Site B). Please see the enclosed map for the two alternative locations under consideration.

Development of the Veterans Burial Ground is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, the National Environmental Policy Act, the Native American Religious Freedom Act, and other laws requiring federal agencies to consider and consult about the effects of proposed projects. We would like to initiate consultation with your tribal government to identify and resolve any environmental or cultural concerns you may have with the proposed Burial Ground.

Following the lead of the USDA and State Historic Preservation Officer (SHPO), we regard the Field Station as eligible for the National Register of Historic Places (NRHP). We also appreciate the fact that either alternative Burial Ground site might involve places of cultural importance to your tribe. We would like to consult with you about whether adverse effects are likely and about how to resolve them.
with you about whether adverse effects are likely and if so, about how to resolve them. Based on research and discussions to date, we anticipate that resolving adverse effects will involve exercising care in design of the Burial Ground and ensuring that no ancestral graves or other cultural places are disturbed.

Please let us know if you wish to consult about this matter, and if so, whether you believe that one or more face-to-face meetings will be necessary.

If there are any questions, please contact me at (202) 632-5706, kelli.witt@va.gov, or our Section 106 consultants Claudia Nissley and Tom King at cnissleyenviro@gmail.com and tomking106@gmail.com.

Sincerely,

Kelli M. Witt, JD
Sr. Realty Specialist

Enclosure: Map showing Field Station, City cemetery, Sites A and B
APPENDIX C

Photograph Log
<table>
<thead>
<tr>
<th>Photo #1:</th>
<th>Looking south across the Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Photo #2:</td>
<td>Looking west across the Site</td>
</tr>
<tr>
<td>Photo #3:</td>
<td>Looking southwest across the Site at the tree nursery</td>
</tr>
<tr>
<td>Photo #4:</td>
<td>Piezometer in northern portion of the site</td>
</tr>
<tr>
<td>Photo #5:</td>
<td>Northerly adjoining property</td>
</tr>
<tr>
<td>Photo #6:</td>
<td>Easterly adjoining unimproved access road and property</td>
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<tr>
<td>Photo #7:</td>
<td>Southerly adjoining property</td>
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</tr>
<tr>
<td>Photo #8:</td>
<td>Westerly adjoining property</td>
</tr>
</tbody>
</table>
APPENDIX D

Other Relevant Environmental Data
13 November 2014

Richard Banchoff, Legal Counsel
ISI Professional Services
1201 15th Street, NW
Suite 200
Washington, DC 20005

RE: Initial Cultural Resource Impact Prediction for the Proposed Construction of the Cheyenne, Wyoming City Cemetery

Dear Mr. Banchoff:

R. Christopher Goodwin & Associates, Inc. is pleased to have this opportunity to assist ISI Professional Services and the Department of Veterans Affairs in Cheyenne, Wyoming. This initial cultural resource impact prediction is developed specifically to assist the VA in conducting its due diligence effort, and to assist in identifying any large and potentially fatal flaws in the site selection process related to cultural resources. It should be noted that this effort did not include any Section 106 consultation, nor will it substitute for that process as it relates to the selected site. VA should anticipate having to conduct a formal Section 106 process once a site has been selected. That effort should include consultation with, at a minimum, the Advisory Council on Historic Preservation and the Wyoming Heritage Council (the State Historic Preservation Office).

The current report consists of preservation consultation to VA for its construction of the cemetery in the city of Cheyenne, Wyoming. We have reviewed the following data:

- Existing documentation regarding the National Register of Historic Places listed or inventoried properties, districts, objects, landscapes, sites, landforms and/or cemeteries that are within a mile of each alternative;
- Conducted a records search at the Wyoming Heritage Council (SHPO), the National Park Service rolls for National Register, National Historic Landmark, or National Historic Landscape properties in or nearby each alternative;
- Conducted a records search at the Wyoming State Archives;
- Conducted a site visit to examine both alternatives under consideration;
- Identified the preliminary steps for consultation, and made recommendations on defining the undertaking, defining the Area of Potential Effects, and identifying a preliminary list of potential consulting parties;
- Defined the next steps forward to ensure compliance.
Proposed Project and Sites
VA in Cheyenne, Wyoming proposes to acquire a site to use as a burial ground, to be constructed and maintained in conjunction with the City of Cheyenne. It is important to note that Cheyenne City representatives indicated there was the possibility of sharing some facilities, such as a visitor center, chapel, or similar services. If this project ultimately shares services, any part of the project that uses VA funding could be considered part of this Undertaking, and, for the purposes of Section 106 consultation, could have the potential for adverse effects not evaluated here. Defining the Undertaking thoroughly and in consultation with VA’s Federal Preservation Office is strongly recommended.

Under consideration for the burial ground area are two discrete alternatives, located adjacent to one another; Site One is the area inside the Hildreth Circle of the USDA Grasslands Research Center (Figure 1); Site Two is immediately south of the lath house, as seen in the preferred options in the 2013 Cheyenne Municipal Cemetery Expansion Master Plan (Figure 2). Both of these have a National Register of Historic Places-eligible historic district immediately adjacent to them. However, from a built-resource standpoint, this question requires clarification. The former site of the Cheyenne Horticultural Field Station, now the USDA Grasslands Research Center, is organized around the Hildreth Circle, essentially encircling Site One. This facility includes 20 previously recorded structures on it, which all appear to contribute to a NRPH-eligible Historic District; however, its eligibility for the National Register has never been documented. Nonetheless, the Wyoming Heritage Council (SHPO) and the USDA facility managers consult together on changes to the structures, essentially agreeing that the buildings are historic. Clearly, if a determination of eligibility was to be produced, the entire site, including the buildings and the land in the circle itself which contains Site One, would be found to be eligible for listing on the NRHP as a district. Such a study should include an analysis of the cultural landscape associated with the facility.

Site Two (Figure 2) was a part of the USDA Cheyenne Horticultural Field Station, but never contained any structures, or drainage ditches. The site was the locus of changing experimental grasslands fields.

Previously Identified Historic Sites and Structures
RCG&A contacted the Wyoming SHPO’s office and requested data on any previously recorded sites and structures within a mile of the two alternatives. Two historic districts, the Cheyenne Horticultural Field Station, and the Round Top Water Treatment and Storage Facility, and one archeological site were identified.

Archeological Site 48LA1774 was identified in 2000 on the F. E. Warren Air Force Base, located south and east of both possible site locations. This archeological feature was determined to be a drainage canal with associated catchment pond. These were determined to be part of a series of small depressions originally identified in 1987, and post-dating World War II. This site is not eligible for listing on the National Register of Historic Places (48LA1774 Site Form).

The Round Top Water Treatment and Storage Facility
The Round Top Water Treatment and Storage Facility is located just northeast of the two proposed cemetery sites, on a hill overlooking the USDA Cheyenne Horticultural Field Station. Work on this facility began in 1909, and continued through 1928, when the Filtration House was constructed. The Civilian Conservation Corps (CCC) built a number of improvements, including retaining walls, culverts, ditches, and a recreational park (FraserDesign, 2009). This facility contains buildings, engineering structures, distribution pipes and a reservoir, and an historic landscape. It was determined to be eligible for inclusion in the National Register of Historic Places under Criteria A and C in 2009 (FraserDesign, 2009), and the Wyoming SHPO has concurred.
The Round Top Water Treatment and Storage Facility is separated from both potential sites (by 0.4 miles to Site One, and 0.7 miles to Site Two). Even more than distance, though, Round Top is on the top of a hill, and it is extremely unlikely that anything designed and built as a cemetery at either site could have any adverse effect on either the historic association or the buildings that make up the district.

Cheyenne Horticultural Field Station
The Cheyenne Horticultural Field Station was created in 1928 by the United States Department of Agriculture (USDA) through a Congressional act. The site was originally named the Central Great Plains Field Station, but this name changed to the current title in 1930. The purpose of the site was to create a monitored plain air laboratory for the USDA’s agricultural experiments. The department used the land to plant shrubs, trees, and subsistence crops in an effort to adapt these better for arid regions throughout the U.S., such as Wyoming. Records indicated over 1600 species of plants were tested throughout the history of the site, and resulted in several notable varieties which still exist today.

The site also worked in collaboration with similar sites in the region, such as the Southern Great Plains Field Station in North Dakota. The station had a series of superintendents within quick succession, and expanded the scope of its research in the decades following its foundation in the 1920s. The USDA moved from studying plant varieties to researching shelterbelt planting and livestock management in the 1960s. These trends reflected national moves toward longer scale agriculture and increasing food production to meet demands. In the 1970s, the site’s superintendent Gene Howard also introduced a program to research water and land conservation, and the effects of animal husbandry. Research at the site in the 1980s began to study the effects of soil erosion on former agricultural lands. Studies here showed the effectiveness of crop rotation and natural plant reclamation.

For the last fifteen years of its use, the station served as a laboratory for experiments into sustainable grazing practices. They conducted research into CO₂ management and the impact of climate change on agriculture and production. Most recently, the area was proposed for use as a future cemetery site for the city of Cheyenne, Wyoming. Twenty-one buildings are extant on the site and were constructed to support USDA operations at different points throughout its history and development. These buildings include 11 unspecified buildings, 4 garages, 1 office building, 1 barn, 1 shop, 1 lath house, 1 head house, and 1 greenhouse. The site also once held a Civilian Conservation Corps (CCC) facility, however its location on the site is currently unknown. The CCC opened at the site in 1935 and housed and employed 200 men; historic research suggests that CCC crews also helped construct the buildings. This corps was operational until 1942.

Possible Consulting Parties
Throughout the Master Planning Process, the City of Cheyenne has contacted community organizations that might be interested in participating. A list of participants, who have been included as part of the planning process and who should be included as consulting parties if any Section 106 consultation is held. The first two in this table are contacts for Federally-recognized tribes, and VA has a statutory responsibility to consult with them regarding any VA funded project that has the potential for adverse effects. It is anticipated that these tribes would likely only be interested in the results from any archeological survey that is conducted.
Future Studies
Our initial review does not suggest any Traditional Cultural Property (TCP) associations with these site alternatives; however, it should be noted that tribal consultation has not been initiated by VA, and a records review rarely identifies such sacred sites. Both sites do have the possibility for intact archeological remains, and, if any of these sites is selected, consultation with the Wyoming SHPO and Federally-recognized tribes is recommended to identify an appropriate archeological identification strategy. SHPO regulations suggest that a Class 3 archeological survey will be necessary wherever ground disturbance will take place. Neither area has identified historic landscapes, monuments, or cemeteries
associated with them. However, both sites have the potential to be historic and/or cultural landscape, because of their association with the USDA facility. Beth King of the Wyoming SHPO’s office was consulted as part of this project, and she indicated that SHPO would definitely require a determination of eligibility of the entire USDA facility, including built resources, water features (both drainage and water delivery systems), grounds, and all associated experimental fields to determine if the portion of the USDA grounds that constitute Site Two might be a contributing element to the USDA district. This may be complicated, because a) the USDA facility is owned by the City of Cheyenne and b) Justin Derner, current manager of the USDA facility, indicated that City regulations prohibit the designation of any city-owned land as historic. Because the SHPO will require the entirety of the USDA facility evaluated, it is recommended that VA work with the City and any other local partners to share the cost of this Determination of Eligibility (including a landscape analysis), which could cost $20,000-$40,000. Outside of the historic landscape issues, and the possibility of archeological remains, and the possibility of Native American TCP, neither of these sites appear to have the possibility for additional cultural resources.

In sum, Site One is certainly part of a National Register of Historic Places-eligible Historic District. Conversion of the land inside Hildreth Circle to a National Veterans Burial Ground will almost certainly constitute an adverse effect to that historic property, and would likely require a live Section 106 consultation process resulting in an agreement document, and require mitigation measures. Site Two does not appear to have any obvious adverse effects to the USDA built resources; however, the SHPO will require an analysis of the USDA facility, including the landscape, which could present an obstacle. If they a study is undertaken, and the findings suggest that there is no cultural landscape associated with the facility, and the SHPO concurs with this finding, Site Two will likely not pose any adverse effects to historic properties, and VA’s Section 106 consultation can be completed with correspondence. However, if the areas containing Site Two is found to be part of an historic or cultural landscape, creation of a cemetery in that landscape would be considered an adverse effect and require future consultation and an agreement document to treat those adverse effects. The Wyoming SHPO was well aware of this project, and has been working with the City of Cheyenne on their Master Planning process for this Arboretum and Cemetery complex, and it is recommended that SHPO be included in all design and selection conversations, to ensure that indirect adverse effects to the USDA facility are avoided. They are eager to see the project constructed, but wish to work with VA to avoid, minimize, or mitigate any adverse effects to historic properties.

Next Steps
It is recommended that VA work with the City of Cheyenne to commission a determination of eligibility on the historic boundaries of the entire USDA facility; this study should include built resources, water distribution and draining features, and an historic/cultural landscape analysis. Specific landscape issues should focus on whether the experimental fields—especially the one(s) encompassing Site Two—are contributing elements to an historic district, or whether the very fact that these plantings changed argues against a historic/cultural landscape. Findings of this study should be reviewed by the SHPO, and their concurrence should be sought. If, after this study, creation of a VA burial ground in Site Two would not constitute an adverse effect to any historic property, VA should proceed with a Class 3 Archeological study. If that study does not identify any sites, VA can seek to conclude Section 106 Consultation with correspondence documenting a finding of no adverse effect.
If, however, either study finds the potential or reality of historic properties, the likelihood of adverse effects to those properties is very high, and live Section 106 consultation should be initiated, with the goal of executing a Memorandum of Agreement.

If you have any questions regarding this report, please do not hesitate to contact me at kcoyle@rgoodwin.com or (504) 837-1940. We are at your service.

Sincerely,

Katy Coyle, M.A.
Assistant Vice President
R. Christopher Goodwin & Associates, Inc.
• Concepts are based on DIAGRAM options 3a-3c as presented to the Veterans Administration on December 13, 2013.

• Future HPA has open space access to historic buildings including lath house. Cemetery development within this area will be limited to allow for future interpretation of restored structures and site.

• Further consideration of user conflicts (cemetery visitors and park visitors) revisits development of a separate visitor facility for park users per original 2002 planning guidelines.

• The re-purposing of the former greenhouse as a Committal Shelter and road access assume a 5 acre National Cemetery parcel in the location shown allowing for planting buffer to the west and reasonable dimensions for future circulation roads.

• For planning purposes, the site north of the delineation of historic significance is established as an interim limit for the portion of the site that might be delineated as a cultural landscape through the VA acquisition process.

• The regional destination has yet to be named. Suggestions include:
  - HIGH PLAINS LEGACY PARK
  - •

LEGEND

- USDA CORE CAMPUS
- USDA PASTURE AND AGRICULTURAL TRIALS
- MUNICIPAL CEMETERY ARBORETUM
- HIGH PLAINS ARBORETUM
- 5 Acre NATIONAL CEMETERY
- SHARED VISITOR ORIENTATION ZONE
- ACCESS POINT; PAVED ROAD
- WALKING TRAIL

January 30, 2014
City of Cheyenne
APPENDIX E

Public Notices and Comments