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**FINDING OF NO SIGNIFICANT IMPACT (FONSI)**  
**DEPARTMENT OF VETERANS AFFAIRS**  
**PROPOSED ACQUISITION, DEVELOPMENT, AND OPERATIONS OF THE**  
**NATIONAL VETERANS BURIAL GROUND**  
**HARRINGTON ROAD**  
**JONESBORO, WASHINGTON COUNTY, MAINE**

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**Introduction**

A Final Environmental Assessment (EA), included herein by reference, was prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with the Department of Veterans Affairs' (VA's) acquisition, development, operation, and maintenance of approximately three to six acres of land located in Washington County, Maine to develop, operate, and maintain as a new National Veterans Burial Ground (rural National Veterans Cemetery). Preparation of the EA was 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*).

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 eastern Maine for the next 100 or more years. The Proposed Action would provide burial facilities for eligible Veterans in eastern Maine 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 eastern Maine. 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 help to 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 Machias, Maine. In addition, the new National Veterans Burial Ground is needed for VA to comply with the Rural Initiatives program.

**1. Description of the Proposed Action and Alternatives**

**Proposed Action**

VA's Proposed Action is to acquire approximately three to six acres of land located in Washington County, Maine 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.

**Alternatives Considered**

After identifying a need for a National Veterans Burial Ground in eastern Maine, VA considered various alternatives for establishing a National Cemetery in the region. VA published Solicitation for Federal Business Opportunity (FBO) VA101-13-I-0152, soliciting offers for no less than three acres of land suitable for a cemetery development in the Calais, Washington County, Maine 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 all of the screening criteria, located in Calais and Robbinston, Maine.

During the initial stages of NEPA consultation with Federal, State, and local agencies, the Washington County Commissioner's Office expressed concern about the location of the proposed cemetery in the vicinity of Calais or Robbinston due to their location at the far northeastern edge of Washington County. Washington County personnel stated that the majority of the population in Washington County is located along the Atlantic Coast, which could result in up to a 2.5-hour drive for many Veterans in the central and western portion of the County to the Calais or Robbinston vicinities. Washington County personnel stated that Machias, Maine is the county seat, is centrally located, and is approximately a one hour drive from the majority of Washington County's population, including a large percentage of the County's Veterans, and recommended that VA reconsider the siting of the cemetery to a more central location. NCA conducted additional analysis, further assessed the Veteran population and determined that the target location in Machias, Maine would be a more suitable location.

VA published FBO VA101-14-I-0168, in June 2014, but due to the limited viable sites, VA republished through the same FBO VA101-14-I-0168 in September 2014, soliciting offers for approximately 3-6 acres of land located inside or adjacent to an existing cemetery, or any other location that could be suitable for a cemetery development in the Machias, Maine area. VA required that the offered site must be located within a 12-mile radius of the intersection of Court and Cooper Streets in Machias, Maine.

VA received several responses to this second advertisement. Through a similar comprehensive screening process, VA narrowed the number of viable sites and identified one suitable site that best met all of the screening criteria. This site includes approximately six acres of unimproved land located on the northern side of Harrington Road (US Route 1), approximately 2.25 miles east of intersection of Harrington Road and Indian River Road (Route 187) in Jonesboro, Washington County, Maine (the Site).

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

- **Preferred Action Alternative:** VA would acquire approximately six acres of land located on the northern side of Harrington Road (US Route 1), approximately 2.25 miles east of intersection of Harrington Road and Indian River Road (Route 187) in Jonesboro, Washington County, Maine, to develop, operate, and maintain as a new National Veterans Burial Ground.
- **No Action Alternative:** Do not implement the Proposed Action as identified (do not establish a new National Veterans Burial Ground in Washington County, Maine). Veterans and their families residing in eastern Maine region 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 Initiatives program. The Preferred Action Alternative Site likely would remain unimproved land.

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 eastern Maine or comply with the requirements of the Rural Initiatives program. However, the No Action Alternative was assessed in the EA to provide a comparative baseline analysis, as required under the CEQ Regulations.

## **2. Environmental Analysis**

Based on the analysis contained in the Final EA, VA concludes that 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 regulatory compliance measures described in the EA are implemented. VA will implement these measures.

The EA's analysis identified potential less-than-significant adverse impacts to aesthetics, air quality, geology and soils, hydrology and water quality, wildlife and habitat, noise, coastal zones, solid and hazardous materials, and transportation associated with the Preferred Action Alternative. All of these impacts would be further reduced through careful implementation of the general best management practices (BMPs), management measures, and compliance with regulatory requirements.

Under the No Action Alternative, the Proposed Action would not be implemented and Veterans in eastern Maine 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 examined 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.

### **Mitigation**

The analysis of the Preferred Action Alternative did not identify any mitigation measures required to reduce potential impacts to less than significant. In addition, VA will implement the routine BMPs and management measures identified in the EA and summarized in the attached table (Appendix A) to reduce identified potential effects.

### **3. Regulations**

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

### **4. Commitment to Implementation**

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

### **5. Agency and Public Involvement**


VA has consulted with appropriate Federal, State, and local regulatory agencies, and has attempted to consult with federally recognized Native American Tribes identified as having ancestral ties to the eastern Maine area, including potentially the site. This consultation is documented in the EA. Concerns expressed by pertinent regulatory agencies and tribes have been addressed in the EA.

In addition, VA published and distributed the Draft PEA for a 30-day public comment period as announced by a Notice of Availability (NOA) published in the *Machias Valley News Observer* on December 23 and 30, 2015 and January 6, 2016. Review copies were also made available for public review at the Porter Memorial Library and made available for download via a link on the VA internet website. VA received no public comments during the public review of the Draft EA.

## 6. Finding of No Significant Impact

After careful review of the EA, I have concluded that implementation of the Preferred Action Alternative would not generate significant controversy or have a significant impact on the quality of the human or natural environment, provided VA implements the BMPs and management measures identified in the EA. VA will implement these measures.

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



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Date:  
Mr. Josh DeLeon, NCA North Atlantic District Executive Director  
National Cemetery Administration  
Department of Veterans Affairs

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Date:  
Jill Schattel  
Environmental Engineer  
NCA 43B Design and Contracting  
Department of Veterans Affairs

## 6. Finding of No Significant Impact

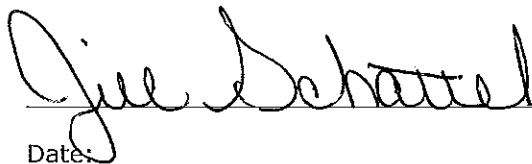
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Date:

Mr. Josh DeLeon, NCA North Atlantic District Executive Director  
National Cemetery Administration  
Department of Veterans Affairs



6/6/16

Date:

Jill Schattel  
Environmental Engineer  
NCA 43B Design and Contracting  
Department of Veterans Affairs

**Best Management Practices and Minimization Measures  
Incorporated into the Proposed Action**

Technical Resource Area	Best Management Practice/Minimization Measure
<b>Aesthetics</b>	Comply, to the extent practicable, with Jonesboro Land Use and Planning Ordinances during the cemetery design.
<b>Air Quality</b>	Use appropriate dust suppression methods during onsite construction activities.
	Comply with Federal requirements pertaining to greenhouse gases and implement a site design that minimizes greenhouse gas emissions.
	Comply with the Maine Protection and Improvement of Air Statutes and Maine Department of Environmental Protection (MDEP) Air Rules. Secure any required, individual minor air emissions permits from the MDEP, as appropriate and prior to construction activities.
<b>Cultural Resources</b>	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 Maine Historic Preservation Commission (SHPO) are contacted to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).
<b>Geology, Topography, and Soils</b>	<p>Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the MDEP National Pollution Discharge Elimination System (NPDES) permitting process. Prior to construction, VA would develop, submit to MDEP, and have approved, an NPDES plan. The MDEP 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 MDEP NPDES permit:</p> <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Retain on-site vegetation to the maximum extent possible.</li> <li>▪ Plant and maintain soil-stabilizing vegetation on disturbed areas.</li> <li>▪ Use native vegetation to re-vegetate disturbed soils.</li> </ul>
	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.

<b>Hydrology and Water Quality</b>	Control soil erosion and sedimentation impacts during construction by complying with the MDEP 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.
<b>Wildlife and Habitat</b>	Construction activities would be timed to avoid migratory birds on the Site protected under the Migratory Bird Treaty Act. Tree removal at the Site would be conducted outside the migratory bird nesting season of February through August 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 tree clearing to ensure that no active nests are disturbed.
	Tree clearing activities would not be conducted during the bat migration and breeding season (June and July).
	Native 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.
<b>Noise</b>	Via written notification, coordinate proposed construction activities in advance with nearby sensitive receptors (i.e., residential properties located approximately 200 to 400 feet south 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.).
<b>Land Use</b>	None required.
<b>Wetlands, Floodplains, and Coastal Zone Management</b>	Obtain a federal consistency review from the Maine Department of Agriculture, Conservation, and Forestry (MCDAF) based on the Site's location within a designated Maine Coastal Zone.
<b>Socioeconomics</b>	None required.
<b>Community Services</b>	None required.
<b>Solid and Hazardous Materials</b>	Comply with applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials.

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<b>Transportation and Parking</b>	Obtain a Maine Department of Transportation (MDOT) entrance permit to access the Site from US Route 1, including an evaluation of sight distances and other transportation safety considerations. Coordinate with MDOT, 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.
<b>Utilities</b>	None required.
<b>Environmental Justice</b>	None required.