FINDING OF NO SIGNIFICANT IMPACT (FONSI)
U.S. DEPARTMENT OF VETERANS AFFAIRS
PROPOSED CONSTRUCTION AND OPERATION OF THE
PHASE 4 EXPANSION
MASSACHUSETTS NATIONAL CEMETERY
BOURNE, BARNSTABLE COUNTY, MASSACHUSETTS

1 Introduction

The U.S. Department of Veterans Affairs (VA), National Cemetery Administration (NCA), completed a Supplemental Environmental Assessment (SEA), included herein in its entirety by reference, to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Proposed Action to construct and operate the Phase 4 expansion according to the 2018 Master Plan at the Massachusetts National Cemetery (MNC) located at Connery Avenue, Bourne, Barnstable County, Massachusetts.


1.1 Background

NCA is responsible for providing cemetery services for Veterans and other eligible persons pursuant to the provisions of the National Cemeteries Act of 1973 and other statutory authority and regulations. Under this mandate, NCA is responsible for the operation and maintenance of existing national cemeteries and the construction of new national cemeteries.

In 1976, the NCA identified the need to construct a new National Cemetery to serve the southeastern Massachusetts region. VA completed an Environmental Assessment (EA) to analyze the potential impacts of selecting, constructing and operating a new National Cemetery on the approximately 750-acre Connery Avenue site, which at the time was owned by the Commonwealth of Massachusetts. The 1976 EA concluded that no significant impacts on the human environment would occur due to construction or operation of a National Cemetery at the site. Subsequently, the Commonwealth of Massachusetts and VA signed a land transfer agreement to transfer ownership of the 750-acre site to VA for the subsequent development as the MNC. VA then completed the 1976 Master Plan that specified the layout and design for the proposed full development of the site. In 1979, VA constructed the first development phase (Phase 1A), and in October 1980 the MNC began accepting burials.

The initial Phase 1A and 1B cemetery developments were completed in 1982 and provided full casket burial sites, cortege lanes, an administration building, a maintenance complex, and a committal shelter loop to the east of the administration building. In 1996, VA completed the Phase 2 expansion to double the full casket burial capacity and provide a new columbarium plaza at MNC. The most recent expansion phase, Phase 3, was completed in 2013 and provided approximately 9,600 casket gravesites, 1,000 in-ground cremation remains burial sites, and 4,500 cremation remain niches in two new columbarium areas within the western portion of the MNC. Additionally, the Phase 3 expansion provided new public restrooms, a public information center, a new administration building, a new grounds maintenance building, and improvements to existing structures, roadways and utilities. The Phase 3 expansion is anticipated to reach burial capacity within the next several years. Without an additional expansion, NCA projects there will be gravesite depletion of casked pre-placed crypt gravesites by July 2025, in-ground cremation gravesites by November 2021, and niche cremation sites by January 2030.
Therefore, additional burial capacity is needed to extend the longevity of the MNC and to allow the NCA to continue providing burial benefits to future generations of eligible Veterans and their families in the southeastern Massachusetts region, who otherwise would not have long-term reasonable access to burial benefits at a National Cemetery in this region. Additionally, while the 1976 Master Plan provided a design for proposed future expansion phases, NCA design standards have changed since 1976, such that some elements of the 1976 Master Plan design are no longer appropriate for the future development of the MNC. Accordingly, VA has prepared the 2018 Master Plan, which incorporates selected elements of the original 1976 Master Plan and is consistent with current NCA design standards.

Currently, the closest National Cemetery to MNC is the Calverton National Cemetery located in Long Island, NY, 170 miles from MNC. The route to Calverton National Cemetery involves transport by ferry which increases the travel time beyond what is reasonable. The next closest cemetery is the Gerald B.H. Solomon Saratoga National Cemetery located in Schuylerville, NY. This cemetery is located approximately 240 miles from the MNC. National Cemeteries located more than 75 miles from southeastern Massachusetts are considered to be located beyond a reasonable distance of Veterans and their families in this region. Therefore, Veterans and their families residing in the southeastern Massachusetts region would be underserved once the MNC reaches full capacity. If Veterans and their families must resort to private burials, they are deprived of the honor and privilege bestowed upon them by a grateful nation for their service to their country.

1.2 Purpose and Need

Under the Proposed Action, VA would implement the Phase 4 expansion under the 2018 Master Plan to address the need for increased burial capacity for the next approximately 10 years.

Thus, the purpose of the Proposed Action is to enable NCA to extend by approximately 10 years the longevity of interment benefits to eligible Veterans and their families by increasing interment capacity.

The Proposed Action is needed due to gravesite depletion resulting in limited interment capacity at the MNC.

2 Description of Proposed Action and Alternatives

2.1 Proposed Action

Under the Proposed Action, VA would implement the Phase 4 expansion according to the 2018 Master Plan. The Phase 4 expansion would develop approximately 50 acres of undeveloped land mainly in the southern central portion of the MNC. The expansion would provide casket, columbarium, and in-ground cremation sites; a roadway extension connecting the new and existing burial areas; a new maintenance outbuilding; and improvements to existing infrastructure including the public information center/administration building, maintenance complex buildings, roadways, irrigation systems, and site furnishings. Specific elements of the Proposed Action are outlined below and provided in more detail in the SEA.

- **Burial Sections**- The new burial sections would provide approximately 12,000 gravesites in six new burial sections in the southern central portion of the MNC. Specifically, 4,000 pre-placed double depth crypt full casket gravesites; 300 over-sized pre-placed crypt full casket gravesites; 200 traditional full casket gravesites; 6,000 in-ground cremation sites; and 1,500 columbarium niches.

- **Roadways and Parking**- Approximately 1.4 miles of new curbed access roads would be constructed to connect the new burial areas with the existing cemetery. Approximately 20 new parking spaces would be provided at the administration building and the maintenance complex. A fourth cortege lane would be constructed to improve efficiency and ease of access for funeral attendees. Additionally, the service road in the northwestern portion of the MNC would be widened and paved.
Committal Service Shelter Upgrades- Wind protection would be provided at the three in-use committal shelters by installing dense evergreen plantings. Dense evergreen plantings would also provide sound protection to the north of Shelter 3. Two unused committal shelters would be demolished.

Irrigation System Upgrades- The existing irrigation system would be extended to the new Phase 4 burial areas and two new source wells would be installed to provide the necessary additional irrigation capacity.

Maintenance Complex Upgrades- A new approximately 13,000-square-foot enclosed vehicle equipment storage building would be constructed. Due to unavoidable impacts to the approximately 0.1-acre wetland adjacent to the maintenance complex a new stormwater management area of approximately the same size would be constructed to serve the outfall of the existing culvert pipe. Other upgrades to the existing maintenance yard would include expanding the employee break area, reconfiguring the entrance to the maintenance yard, and creating a new wash bay area.

The Proposed Action would extend the longevity of the MNC for approximately 10 years and accommodate long-term burial needs of future generations of Veterans and their families in the southeastern Massachusetts region. Therefore, the Proposed Action would meet the purpose and need for action. No other reasonable action alternatives were carried forward for analysis in the SEA.

2.2 No Action Alternative

VA evaluated a No Action Alternative as part of this SEA, as required under the CEQ Regulations (40 CFR 1502.14). Under the No Action Alternative, the Proposed Action would not be implemented and long-term, reasonable access to burial benefits would not be provided to Veterans and their families living in the southeastern Massachusetts region.

While the No Action Alternative would not satisfy the purpose of or need for action, it was retained to reflect the status quo and provide a comparative baseline against which to evaluate the effects of the Proposed Action.

3 Summary of Environmental Consequences

In assessing environmental impacts of the Proposed Action, VA determined there would be no significant impacts—considered individually or cumulatively—from the construction or operation of the Proposed Action to the environmental resources analyzed in detail in the SEA. Resources with less-than-significant adverse impacts to resources are summarized below and provided in more detail in the SEA.

3.1 Impacts Anticipated During Construction

Construction activities associated with the Proposed Action would occur over an approximately 18-month period and include land clearing, filling, grading, construction of interment areas and roadways, construction of a new maintenance outbuilding, and associated infrastructure improvements. Where construction activities cannot entirely avoid impacting the environment, the Proposed Action incorporates Best Management Practices (BMPs) and measures to minimize potential impacts at less-than-significant adverse levels to resources including aesthetics, air quality, cultural resources, topography and soils, wildlife and habitat, noise, and wetlands.

Aesthetics. Construction of the Proposed Action would temporarily impact the aesthetic quality of the southern central portion of the MNC due to the presence of construction equipment and materials, and unfinished stages of site preparation and construction. However, there are no existing burial sections or publicly accessible areas within this portion of the cemetery, so construction would not be visible to visitors. Additionally, any adverse aesthetic impacts from potential fugitive dust generation would be minimized by the implementation of BMPs including using water trucks and planting native. Non-invasive vegetation following construction.
**Air Quality.** Use of heavy construction equipment would result in emissions of criteria pollutants. Construction would also expose soils and generate particulate matter into the air. Estimated emissions for the approximately 18-months of construction work would be below the General Conformity *de minimis* thresholds for all criteria pollutants, indicating less-than-significant impacts to regional air quality. Additionally, any adverse impacts would be further minimized by implementing construction BMPs including stabilizing exposed soils and covering soils with tarps during transport. BMPs are further defined in the SEA.

**Cultural Resources.** No known cultural resources are located within the Phase 4 expansion area. Some potential exists for disturbance to previously unknown archaeological resources during construction and excavation activities. Should any previously unknown cultural resources be inadvertently encountered during construction, VA would implement an “Inadvertent Discovery” plan. All ground disturbance work would immediately cease, and VA would contact the appropriate stakeholders to properly identify and appropriately treat discovered items in accordance with applicable state and federal laws. Implementation of these measures would ensure that potential impacts on cultural resources are maintained at less-than-significant adverse levels.

**Topography and Soils.** Construction of the Proposed Action would require grading to prepare undeveloped areas for burial sections, roadways, and the new maintenance vehicle storage building and stormwater management area. Although these changes to topography would be permanent, the overall natural undulating topography would be retained to the maximum extent practicable; maintaining adverse impacts on topography to less-than-significant levels. Grading would also impact native soils by removing vegetation and exposing underlying soils. Exposed soils may be susceptible to erosion and may lead to sedimentation of surface waters. VA would adhere to BMPs and erosion control measures to minimize adverse impacts on soils.

**Wildlife and Habitat.** The Proposed Action would permanently convert approximately 50-acres of currently undeveloped forested area to landscaped cemetery grounds. This would remove existing potential habitat for the federally listed northern-long eared bat (NLEB) and the state listed eastern box turtle (EBT). To minimize impacts to the NLEB VA would adhere to the U.S. Fish and Wildlife Service (USFWS) time of year restrictions for tree clearing from June 1 to July 31. To minimize impacts to the EBT VA would implement the NHESP-approved Turtle Protection Plan, which includes measures to limit habitat fragmentation, installation of silt fence barriers around construction areas, and performance of construction area sweeps for turtles within the construction area followed by their relocation outside of the silt fence. These measures would maintain adverse impacts to wildlife and habitat at less-than-significant levels.

**Noise.** Noise would be produced by construction equipment primarily involved in land grading, road construction, and excavations. Construction activities would be isolated to designated expansion areas and particularly loud construction activities would be scheduled to avoid impacts during committal services. Noise impacts would be further minimized by BMPs including maintaining construction equipment mufflers in good working order and limiting engine idling to less than five minutes.

**Wetlands.** Construction of the 13,000-square-foot maintenance vehicle equipment storage building would require filling in the approximately 0.09-acre wetland adjacent to the maintenance complex. Due to the small size of the wetland, no mitigation is required to offset impacts. VA would create a new stormwater management area of the same size south of the existing wetland. No impacts to any other wetlands on the site are anticipated.
3.2 Impacts During Operation

Hydrology and Water Quality. On an annual basis, operation of the Phase 4 expansion would require approximately 3.5-million-gallons of water to irrigate approximately 13 acres of newly landscaped burial sections. In response to this increased demand, and to increase the efficiency of the existing groundwater supply well system, two new wells would be installed at MNC under permit from Massachusetts Department of Environmental Protection (MassDEP). Operational irrigation water demand would be further reduced by implementing BMPs including planting native, non-invasive, drought-tolerant vegetation. These BMPs would ensure that the groundwater withdrawals at MNC do not adversely impact the quality of groundwater or its availability at MNC or to other users in the community.

3.3 Beneficial Impacts

Operation of the Proposed Action would have beneficial impacts on aesthetics, socioeconomics, and transportation and parking. Additionally, operation of the Phase 4 expansion would have a long-term, significant beneficial impact on community services by providing approximately 12,000 new interment sites and extending the longevity of the MNC for approximately 10 years.

3.4 Negligible Impacts

Construction or operation of the Proposed Action would have no impact or a negligible impact on geology, land use, floodplains and coastal zone management areas, solid waste and hazardous materials, utilities, or environmental justice. Additionally, implementing the Proposed Action would not generate substantial public controversy as the community expects VA to extend the longevity of the MNC.

4 Cumulative Impacts

Impacts from implementing the Proposed Action in combination with those from past, present, and reasonably foreseeable future development at and in the vicinity of the MNC is not expected to generate additional adverse impacts or increase the intensity of impacts above a less-than-significant level on resources analyzed in this SEA.

According to the 2008 Town of Bourne Massachusetts Local Comprehensive Plan, future commercial development will be contained to commercial growth districts to the greatest extent possible and residential growth will be kept at a low-density level to maintain the character of the town and Cape Cod (Town of Bourne Massachusetts, 2008). Additionally, a major goal of the 2008 Comprehensive Plan is to maximize open and public space. Therefore, minor development projects in the Town of Bourne are unlikely to contribute to any cumulative impacts in addition to the implementation of the 2018 Master Plan and the Phase 4 expansion.

The Proposed Action is not anticipated to induce any additional growth in the vicinity of the MNC. Further, the area for the proposed expansion is designated and permitted for future development as a cemetery and is within the existing boundaries of MNC; the Proposed Action is consistent with current and anticipated land uses for MNC. Thus, the Proposed Action would have no significant adverse cumulative impacts to any of the environmental resources analyzed within the SEA.

5 Impact Minimization Measures

To ensure impacts to the environment remain at less-than-significant adverse levels, VA would implement the management, avoidance, and regulatory compliance measures identified in the SEA, and which are summarized in Appendix A in this FONSI.
6 Agency and Public Involvement

VA involved regulatory agencies and the public in decision-making for this Proposed Action. VA published a Notice of Availability (NOA) announcing the release of a Draft SEA for a 30-day comment period in the Cape Cod Times, Barnstable Patriot, and Bourne Courier on July 21 and 23, 2019. The NOA also announced and invited the public to attend a public meeting to discuss the Proposed Action and the NEPA process, held at the Hilton Garden Inn in Plymouth, MA on August 1, 2019. VA mailed the NOA to selected federal, state, and local regulatory agencies and Native American Tribes. As stated in the NOA, the Draft SEA was available for review at the Jonathan Bourne Library in Bourne, MA; the North Falmouth Library in North Falmouth, MA; and the public information center at MNC. An electronic copy of the Draft SEA was made available for download from VA’s website at http://www.cem.va.gov/cem/EA.asp.

No comments were received from the public during the Draft SEA 30-day review period. A comment was received from only one federal agency (USEPA); the comment was not in opposition to the Proposed Action. MassDEP provided guidance on groundwater permit requirements. No comments were received from other state or local agencies or Native American Tribes. No agencies or members of the public attended the public meeting. Correspondence with regulatory agencies and Native American Tribes is provided in the Final SEA.

7 Finding of No Significant Impact

As a result of the analysis of impacts in the SEA, summarized and incorporated by reference herein, in its entirety, it is the conclusion of VA that, with the implementation of appropriate management, avoidance, and regulatory compliance measures identified in the Final SEA and included herein as Appendix A, the Proposed Action would not generate significant public controversy and would cause no significant impact of an adverse nature on the quality of the natural or human environment within the meaning of Section 102(2)(c) of NEPA. Therefore, per NEPA, the CEQ regulations, and 38 CFR Part 26, I am signing this FONSI, and preparation of an Environmental Impact Statement for the Proposed Action is not required.

Willie Clyde Marsh
Executive Director
North Atlantic District
National Cemetery Administration

FERNANDO L. FERNANDEZ
336237
Digitally signed by
FERNANDO L. FERNANDEZ 336237
Date: 2019.12.05 10:15:01 -05'00'

Mr. Fernando L. Fernández, REM
Environmental Engineer
VA Construction and Facilities Management Office
# APPENDIX A

**Best Management Practices, Environmental Avoidance and Protection Measures, and Regulatory Compliance Measures Incorporated into the Proposed Action**

## AESTHETICS

### Construction
- Construct the Phase 4 expansion according to the design and sequence presented in the 2018 Master Plan.
- Control fugitive dust emissions by implementing industry-standard construction BMPs, including using water trucks for dust suppression, brushing soil off construction vehicle tires before leaving the construction site, and installing gravel pads at the construction exits to further prevent the tracking of soil onto roadways.
- As needed, install construction privacy fencing between the expansion area and the existing cemetery burial sections to reduce visual impacts to visitors.
- Plant native, non-invasive, drought-resistant vegetation following grading.

### Operation
- Professionally maintain the landscaped areas consistent with existing cemetery operations.
- Conduct maintenance activities (mowing, power-washing, and others) on a schedule that limits potential disruptions to committal services.

## AIR QUALITY

### Construction
- Implement the dust control BMPs described for aesthetics.
- Utilize appropriate construction scheduling (avoid earthwork during extremely windy and dry periods).
- Stabilize exposed soil with vegetation or mulching to minimize erosion and potential dust generation.
- Construction vehicles traveling on paved roads within and outside of MNC would follow posted speed limits. This would minimize dust generated by vehicles and equipment on paved surfaces.
- On unpaved surfaces at the site, vehicle speeds will be maintained at or below five miles per hour to prevent dust generation of any exposed soil. Additionally, should any vehicles transport soil from one area of the property to another, the soil would be covered with haul tarp.
- Visually monitor construction activities on a daily basis, and particularly during extended periods of dry weather; implement additional dust control measures as needed.

### Operation
- Keep landscaping and maintenance equipment (such as mowers, and power washers used to clean monuments, etc.) in good working order.

## CULTURAL RESOURCES

### Construction
- Implement the “Inadvertent Discovery” plan as follows; should human remains or other cultural items as defined by NAGPRA be discovered during project construction, the
construction contractor shall immediately cease work until VA, a qualified archaeologist, the MHC SHPO, the Mashpee Wampanoag Tribe, Wampanoag Tribe of Gay Head, and the Narragansett Indian Tribe are contacted to properly identify and appropriately treat discovered items in accordance with applicable federal and state laws.

**Operation**
- Implement the “Inadvertent Discovery” plan described above in the case that excavations uncover human remains or other cultural items.

**GEOLOGY, SOILS, AND TOPOGRAPHY**

**Construction**
- Submit a NOI to USEPA and MassDEP, and develop and implement a soil erosion and sedimentation control plan and stormwater pollution prevention plan.
- Follow NCA Guidelines on slopes and grades. Generally, grade individual burial sections with a less than 6 percent slope, and pitch roads with no greater than a 10 percent slope.
- Minimize erosion and sedimentation of exposed soils through use of silt fencing, composite filter socks, stabilized construction entrances, temporary sediment traps, erosion control blanketing, and water-spray trucks.
- As needed, physically brush off soil from construction vehicle tires and bodies prior to leaving the construction area.
- Quickly revegetate disturbed areas following completion of construction activities to minimize the length of time that soils are exposed.
- Maintain construction equipment in good working order.
- Implement spill and leak prevention and response procedures for construction equipment, including maintaining a complete spill kit at the project area, to minimize the potential impact from an accidental fuel release on soil quality. Refuel equipment in designated impervious areas.
- Re-use excess soils onsite to the maximum extent practicable.

**Operation**
- Avoid soil erosion and sedimentation of runoff by maintaining stormwater management systems so these systems meet their design requirements throughout operation of the Proposed Action.
- Revegetate exposed soils to prevent erosion and manage excess soils by stockpiling in the designated spoils area.

**HYDROLOGY AND WATER QUALITY**

**Construction and Operation**
- Implement the soil erosion and stormwater management system BMPs listed above for Geology, Soils, and Topography.
- Maintain native, non-invasive, drought-resistant vegetation to prevent exposure of underlying soils.
- Route stormwater runoff from impervious surfaces to designated stormwater management systems. Maintain these in good working order during construction and operation.
- Apply pesticides/herbicides according to label requirements and keep these and road deicing usage to the lowest quantities possible, thereby reducing the potential for water quality impacts.
- Maintain and utilize emergency spill kits to protect surface water and groundwater quality from incidental releases of petroleum-based fluids from construction equipment and
refuel equipment in designated impervious areas away from surface water resources.

- Design crypt fields with adequate underdrainage system to avoid prolonged contact with groundwater per NCA design requirements.

- Reduce operational irrigation water demand by planting and maintaining native, non-invasive drought-tolerant turfgrass (ex. Johnathan Green Black Beauty seed/sod mixture and other vegetation, and following the existing MNC water conservation plan and approved revisions that create further efficiencies, including those identified in the MassDEP Water Management Act permit conditions for water withdrawal.

- Adhere to the Water Management Act permit conditions for water withdrawal including developing and implementing a water conservation plan.

- Conduct aquifer pump tests for the two new groundwater wells (to supply irrigation water) to confirm appropriate screen intervals and pump rates.

- Develop a site design that maintains or restores pre-development hydrology during post-development conditions to the maximum extent technically feasible according to EISA Section 438.

**HABITAT AND WILDLIFE**

**Construction and Operation**

- Avoid impacts to wildlife and habitats by developing only the area necessary to establish interment areas, roadways, and other physical infrastructure, as depicted in the 2018 Master Plan.

- Implement the USFWS Avoidance Measure that prohibits any tree removal from June 1 to July 31. This would ensure there is no prohibited incidental take of northern long-eared bats during the pup season.

- Implement VA’s Turtle Protection Plan to minimize impacts to the eastern box turtle including limiting habitat fragmentation, conducting construction area sweeps, and installing silt fence barriers around construction areas. Prior to construction, submit qualifications of the biologist selected to implement the plan to NHESP for approval.

**NOISE**

**Construction**

- Schedule construction activities for daylight hours during the weekday to minimize potential impacts to nearby residential areas during otherwise quieter evening and weekend periods.

- Maintain mufflers and sound shielding on construction equipment and shut down construction equipment when not in use for more than 5 minutes.

- Schedule notably loud construction work to avoid impacts during memorial services.

- Provide hearing protection to workers for activities that would exceed the OSHA permissible noise exposure level.

**Operation**

- Maintain routine maintenance equipment (lawn mowers) and other power equipment in good working order.

- Operate maintenance equipment during daylight working hours and away from committal services, thereby maintaining the dignity and solemnity of the MNC environment during these services.

**WETLANDS**

**Construction and Operation**
- Implement the management measures specified above for Soils and Hydrology and Water Quality to prevent sedimentation of runoff and potential migration to wetlands.
- Replace wetland 1 with a stormwater retention basin capable of receiving stormwater runoff from the maintenance complex.

**SOLID WASTE AND HAZARDOUS MATERIALS**

**Construction**
- Reuse excess construction materials to the maximum extent practicable. Recycle materials that cannot be reused. Properly dispose of all other materials.
- Follow the NCA Master Construction Specification 01 74 19 “Construction Waste Management” for construction waste management.

**Operation**
- Manage new solid waste volumes with existing and similar waste streams for collection and off-site disposal.
- Manage pesticide/herbicide use as described under Soils.

**TRANSPORTATION AND PARKING**

**Construction**
- If required, utilize flaggers to notify oncoming traffic of slower construction vehicles entering or exiting off Connery Avenue.
- Schedule and route construction vehicle traffic away from roadways within the existing MNC burial areas to avoid interfering with committal service processions.
- Utilize BMPs specified for Soils to avoid tracking soil onto area roadways.
- Minimize mobilizations of heavy equipment to and from MNC by staging construction equipment within the Phase 4 expansion area for the duration of the construction period, to the extent practicable.

**UTILITIES**

**Operation**
- Limit irrigation use as much as possible and maintain irrigation infrastructure in good working order to conserve groundwater resources. See BMPs under Hydrology, above.