FINAL

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

OF THE PROPOSED
SITE SELECTION, CONSTRUCTION AND OPERATION OF THE

OMAHA NATIONAL CEMETERY

SARPY COUNTY, NEBRASKA

DEPARTMENT OF VETERANS AFFAIRS

425 I STREET

WASHINGTON, DC 20001

PREPARED BY:

TTL Associates, Inc.

29 OCTOBER 2012

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT ABSTRACT

LEAD AGENCY:	Department of Veterans Affairs (VA)
COOPERATING AGENCIES:	None
TITLE OF PROPOSED ACTION:	Proposed National Cemetery
AFFECTED JURISDICTION:	Sarpy County, Nebraska
POINT OF CONTACT:	Mr. Edward Swift, VA Project Manager, Real Property Service (003C1E) 425 I Street NW, Washington DC 20001; Comm. Tel.: (202) 632-5610
PROPONENTS:	Department of Veterans Affairs (VA)

DOCUMENT DESIGNATION: Programmatic Environmental Assessment (PEA)

ABSTRACT: This Programmatic Environmental Assessment (PEA) evaluates the Proposed Action of the Department of Veterans Affairs (VA) to select and acquire a site for a new National Cemetery near Omaha in Sarpy County, Nebraska. This PEA discusses two alternatives: (1) *Preferred Action Alternative* - Select and acquire the approximately 235-acre site located at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska for the future construction and operation of the proposed National Cemetery; and (2) the *No Action Alternative*. This PEA 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 PEA 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 avoidance and management measures, and best management practices identified in this PEA are implemented. Site-specific impacts will be further evaluated in a subsequent, tiered Site-Specific Environmental Assessment (SEA) once a site has been selected and acquired, and the cemetery design process has been initiated. The avoidance and management measures identified in this PEA would be incorporated into that future process and analysis. Therefore, this PEA concludes that a Finding of No Significant Impact (FONSI) is appropriate, and that an Environmental Impact Statement (EIS) is not required.

EXECUTIVE SUMMARY

This Programmatic Environmental Assessment (PEA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Department of Veterans Affairs (VA) proposed selection and acquisition of a site for the future establishment of a new National Cemetery near Omaha, Nebraska. As a Federal action, preparation of this PEA 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 PEA has also been prepared in accordance with the VA NEPA Interim Guidance for Projects dated 30 September 2010.

Once a site is selected and acquired through this programmatic NEPA process, VA will prepare a subsequent, "tiered" site-specific, EA (SEA) to more precisely analyze and evaluate the potential effects of the construction and operation of the proposed National Cemetery. At this latter point in time, additional design information would be available upon which to conduct this future environmental effects analysis. VA would incorporate the avoidance and management measures identified in this PEA into that future design process and tiered NEPA analysis to minimize potential environmental effects.

This approach is fully consistent with the NEPA and CEQ Regulations. In cases such as these, the CEQ Regulations establish and recommend a "tiered" approach to the environmental impact analysis process: "Agencies are encouraged to tier their environmental (documents)…to focus on the actual issues ripe for decision at each level of environmental review….tiering may also be appropriate for different stages of actions" (40 CFR Part 1502.20). These regulations specify that such potentialities (i.e., the ultimate construction and operation of the National Cemetery) should be introduced, but can be deferred to future analyses and documentation when they have "ripened," or when more complete information becomes available.

As such, this PEA assesses the potential effects of selecting and acquiring a site for the ultimate development of the proposed National Cemetery, and broadly assesses the effects of the future proposed construction and operation of the National Cemetery under the alternatives considered. Again, site-specific effects would be more thoroughly analyzed and evaluated in a subsequent SEA, following acquisition of a site and concurrent with the site design.

PROPOSED ACTION

VA's Proposed Action is to select and acquire a site on which to ultimately establish a new National Cemetery, including the necessary infrastructure, on at least 200 contiguous acres within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska. 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 balance the currently unequal geographic distribution of National Cemeteries in the region.

Currently there are no design plans for this proposed National Cemetery. However, VA would follow the VA's National Cemetery Administration (NCA) *Facilities Design Guide* (VA 2008, or its successor) in developing the proposed cemetery design. VA is anticipating acquiring the site in 2012 and initiating formal cemetery design process within 12 months thereafter and during which time VA

would complete a tiered, site-specific EA, in accordance with the above regulations, as part of the formal cemetery design process (VA 2012).

PURPOSE AND NEED

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 an unserved Veteran population threshold for eligibility to establish a new National Cemetery.

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 cemeteries. 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 accordance with the Service Members Civil Relief Act, also known as the Veteran's Benefit Act of 2010, Public Law 111-275, Sec. 503, Reports Selection of New National Cemeteries (38 USC 2400), VA was directed to establish five new National Cemeteries, including a cemetery near Omaha, Nebraska.

The *purpose* of the Proposed Action is to select and acquire a suitable site for the proposed future construction and operation of a National Cemetery within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska. VA identified Douglas, Sarpy, and Saunders Counties in Nebraska, and Pottawattamie County in Iowa as preferred locations for the proposed cemetery.

The Proposed Action would provide burial facilities for eligible Veterans in east Nebraska and western Iowa with a Veteran population currently not served by an open National Cemetery. The NCA estimated an unserved Veteran population of 112,333 living within the 75-mile radius for this proposed National Cemetery in 2011.

A new National Cemetery is *needed* to better serve the needs of Veterans and their families in eastern Nebraska and western Iowa. The new 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 balance the currently unequal geographic distribution of National Cemeteries in the region. There are currently no National Cemeteries located in eastern Nebraska and western Iowa. The closest National Cemetery is located in Leavenworth, Kansas, approximately 150 miles southeast of Omaha, Nebraska. A new cemetery in the Omaha area would help equalize the distribution of National Cemeteries in the region. In addition, the new National Cemetery is needed for VA to comply with the Service Members Civil Relief Act.

ALTERNATIVES

After identifying the need for a new National Cemetery in the Omaha area, VA published a solicitation for an appropriate new site. In accordance with VA's requirements, the site should include at least 200 contiguous acres and be located within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska. In order to be considered as a reasonable site, VA also required that the site must not contain unacceptable title encumbrances, be easily

accessible via existing or planned major roadways, and that appropriate utility service and road access must already exist or be approved/planned by the appropriate jurisdictions. In addition, VA required full disclosure of any hazardous or toxic wastes or materials at the site.

Numerous responses to this solicitation (i.e., offering of sites) were received by VA. VA then created a Site Selection Board (SSB) to further evaluate each site. The SSB visited each site and ranked each site based on specific (selection) criteria. Through this screening process, described in Section 2.3.1 of this PEA, VA determined that an approximately 235-acre site located at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska most reasonably met the selection criteria.

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

- **Preferred Action Alternative**: Establish the proposed National Cemetery on approximately 235 acres of land located at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska (the Site). The Site includes mostly unimproved agricultural and vacant land with six former farmstead buildings located in the south-central portion. Under this alternative, VA would acquire the site for the development of a National Cemetery that would be owned, developed, and operated by the VA.

- **No Action Alternative**: Do not implement the Proposed Action as identified and continue with operations as currently conducted. The existing National Cemeteries in Nebraska, Iowa, Kansas, and Missouri would continue to service VA, but would leave Veterans and their families in eastern Nebraska and western Iowa underserved. The Preferred Action Alternative site likely would be developed for other uses by others, in accordance with local zoning regulations.

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 cemetery facilities in in eastern Nebraska and western Iowa or comply with the requirements of the Service Members Civil Relief Act. However, the No Action Alternative is assessed in this PEA to provide a comparative baseline analysis, as required under the CEQ Regulations.

AFFECTED ENVIRONMENT

The approximately 235-acre Preferred Action Alternative site is located at the northeast corner of South 144th Street (Highway 50) and Schram Road, near Omaha in Sarpy County, Nebraska (see Figures 1, 2, and 3).

The Preferred Action Alternative site is currently owned by Jolene Ann Tomanek (eastern portion) and Gottsch Enterprises, LLC (western portion). The site is comprised of mostly unimproved, cultivated agricultural land with six buildings associated with a former farmstead in the south-central portion. Westmont Creek crosses the northwestern portion of the Site. The area adjoining to the north is currently unimproved farmland, a residential neighborhood, and a municipal water tower. The area adjoining to the east is currently unimproved farmland and a farmstead. The area adjoining to the south beyond Schram Road is unimproved farmland and an associated farmstead. The area adjoining to the west beyond South 144th Street is unimproved farmland and a farmstead.

ENVIRONMENTAL CONSEQUENCES

Both considered alternatives are evaluated in this PEA 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 PEA. 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, land use, socioeconomics, community services, solid and hazardous materials, transportation, and utilities. With the exception of hydrology and water quality (Waters of the US), 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 as identified throughout Section 3.

The Preferred Action Alternative could result in adverse impacts to Waters of the US. Westmont Creek crosses the northwestern portion of the site and includes approximately 1,350 linear feet on-site. However, VA anticipates that through environmentally sensitive site design and following good engineering practices, in consultation with applicable Federal, State, and local regulatory agencies, these potential impacts would be avoided or maintained at less-than-significant levels. Adverse effects to Waters of the US would be avoided to the extent possible during the site design process; unavoidable effects would be mitigated to less-than significant levels through consultation and permitting with the USACE and the NDEQ under Sections 401 and 404 of the Clean Water Act. VA anticipates that final cemetery design would maintain a buffer of undisturbed land around Westmont Creek. VA would specifically analyze and address these issues within the SEA, in consultation with appropriate agencies, when additional design data are available. That SEA would provide a detailed description of any required mitigation necessary to maintain effects at less-than-significant levels.

Under the No Action Alternative, the Proposed Action would not be implemented and 122,333 Veterans in eastern Nebraska and western Iowa would continue to reside greater than 75 miles from the nearest National Cemetery. No positive impacts attributable to the Preferred Action Alternative would occur, and a significant adverse effect to the socioeconomic environment would occur. Specifically, VA's ability to provide essential cemetery facilities to the region's Veterans would be compromised, resulting in a significant adverse socioeconomic impact. In addition, VA would not comply with the Service Members Civil Relief Act.

The PEA 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 the avoidance and management measures specified in this PEA, 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 Omaha area. The No Action Alternative would not produce these potential positive socioeconomic gains. No significant cumulative effects are identified.

AGENCY AND PUBLIC INVOLVEMENT

VA consulted with the following agencies during the preparation of this PEA: the US Fish and Wildlife Service (USFWS) Mountain-Prairie Region; US Environmental Protection Agency (USEPA) Region VII; US Army Corps of Engineers (USACE); Nebraska State Historical Society, State Historic Preservation Office (SHPO); Nebraska Game and Parks Commission (NGPC); Nebraska Department of Roads (NDOR); Nebraska Department of Natural Resources (NDNR), Integrated Water Management Division (WMD) and Permits and Registrations Division (PRD); Nebraska Department of Environmental Quality (NDEQ), Waste Division, Water Division, Environmental Assistance Division, and Air Division; Natural Resource Conservation Service (NRCS); Sarpy County Public Works (SCPW); Sarpy County Planning and Building Department (SCPBD); Sarpy County Administration (SCA); Sarpy County Economic Development Corporation (SCEDC); and the Metro Area Planning Agency (MAPA).

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

- The **USFWS** indicated that it is unlikely that the proposed National Cemetery at the Site would have significant environmental impacts on trust resources under the jurisdiction of the USFWS (Federally listed threatened and endangered species and their critical habitats). However, the USFWS stated that there may be non-Federal, State-listed species in the Site area and the NGPC should be contacted about State-listed species.

- The **NGPC** stated that the Site is located within the range of the State-listed threatened Western Prairie Fringed Orchid (*Platanthera praeclara*), a plant species that occurs in native tall or mixed-grass prairies that are associated with wet meadows. The NGPC stated that although this orchid can be a colonizer species and grow on disturbed areas, it is found in greatest abundance on high quality prairie. The NGPC stated that their review of 2010 aerial photography indicated that the Site is mostly composed of agricultural land uses and that land being used for agricultural purposes would not be suitable habitat for the orchid. The NGPC stated that if any area of native prairie vegetation is identified at the Site, then those areas should be assessed to determine if they could provide suitable habitat for the orchid and the results of the assessment, if conducted, should be provided to the NGPC for review. TTL's Biological Resources Survey of the Site did not identify any areas that contain native prairie vegetation suitable for the orchid. The NGPC indicated that no other State-listed threatened and endangered species would be adversely impacted by the proposed National Cemetery at the Site.

- The **NGPC** further stated that they have general concerns for impacts to wetlands, streams and riparian habitats. However, NGPC did not identify any specific wetlands or streams, or specific concerns at the Site. NGPC generally stated that impacts to wetlands, streams, and associated riparian corridors should be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. In addition, NGPC noted that if any fill materials are to be placed into any wetlands or streams as a result of the proposed National Cemetery at the Site, the USACE should be contacted to determine if a Section 404 of the Clean Water Act permit is needed.

- The **NGPC** stated that under the Migratory Bird Treaty Act (MBTA) construction activities in grassland, wetland, stream, and woodland habitats that would otherwise result in the taking of migratory birds, eggs, young, and/or active nests should be avoided. The primary nesting season for migratory birds is from April 1 to July 15. However, some species of migratory birds are known to nest outside of this period. The NGPC stated that construction activities should be scheduled to avoid impacting migratory bird nesting and the USFWS, Ecological Services Office in Grand Island, Nebraska should be contacted for information on how to avoid the unnecessary take of migratory birds.

- The **USEPA** indicated that they reviewed their database of environmentally regulated facilities and remediation sites and found no issues that would interfere with the Proposed Action at the Site.

- The **USEPA** requested that the following areas be considered during the planning of the cemetery: soils, watersheds, biological contamination associated with post-mortem decomposition, potential need for an impermeable barrier, potential run-off concerns, compliance procedures, and the use of the most up-to-date compliance procedures.

- According to the **SHPO**, no recorded historical resources are known for the Site; however, no historic resource surveys have been conducted for the Site area. The SHPO stated that archeological sites have been reported nearby in similar terrain conditions. Therefore, the Site should be reviewed by a qualified archeologist to determine if unreported sites would be impacted.

  In response to SHPO comments, VA retained R. Christopher Goodwin & Associates (RC Goodwin) to conduct a cultural resources records review and archeological survey of the Site. RC Goodwin's Draft Cultural Resources Report for the Site is documented in a report dated May 7, 2012. RC Goodwin indicated that the file search revealed no cultural resources had previously been recorded in the Site area.

  RC Goodwin indicated that the majority of the Site has a low potential to have intact prehistoric archeological deposits due to its terracing and prolonged agricultural use. No archeological sites were identified in the agricultural fields of the Site.

  RC Goodwin identified the Peterson Farm, the vacant former farmstead in the southern portion of the Site, as a historical archeological site/built resource and recorded it with the SHPO as such. The Peterson Farm was originally constructed between 1915 and 1925 with additions and modifications since the mid-1950s. The farmhouse is no longer present; however, the barn and other smaller outbuildings remain at the site. RC Goodwin evaluated the Peterson Farm applying the National Register of Historic Places Criteria for Evaluation and concluded that the Peterson Farm lacks the research potential and those qualities of integrity and significance defined by the National Register Criteria for Evaluation. As such, RC Goodwin concluded that the Site does not contain cultural resources listed, or eligible for listing, in the NRHP and recommended no further investigations.

  VA submitted the Draft Cultural Resources Report for the Site to the Nebraska SHPO for review and concurrence. On September 13, 2012, Nebraska SHPO concurred with the findings of the Draft Cultural Resources Report (that no historic properties would be affected by the Preferred Action Alternative and that no further cultural resource investigations are required).

- The **NDNR** did not identify any adverse issues related to floodplains, surface water rights, or groundwater wells for the proposed cemetery.

- The **NDOR** stated that no additional access points to South 144th Street (Highway 50) would be established and access would be via existing locations (i.e., Interstate 80 interchange). NDR stated that a Traffic Impact Study (TIS) would be required to identify if any additional improvements would be needed on the highway (Highway 50) to accommodate increased traffic associated with the proposed cemetery. NDR also stated that drainage from the Site needs to match the existing design flow for drainage structures associated with Highway 50 and that a Drainage Study would be required. NDR stated that a right-of-way (ROW) permit would be required and shall include the TIS, the Drainage Study, site plans for drainage control, driveway plans and highway improvements for NDOR approval.

- The **SCPBD** stated that Site is currently zoned as Agricultural Farming District (AG) and the western one-third of the Site is included in a Highway Corridor Overlay District. The planned future land use designations for the Site include Mixed Use and Urban Residential. According to the SCPBD, the SCEDC has evaluated the area along South 144th Street (Highway 50) for a future business park and light industrial development. The SCPBD stated that the long range development plan for this corridor will be a mix of commercial, business park and light industrial development.

- The **MAPA** and the **SCEDC** stated the Site has been identified as a prime site for future commercial/industrial use due to its proximity to key transportation corridors and essential utilities. MAPA and the SCEDC also expressed concerns about the permanent conversion of this site to a use other than for commercial/industrial activity, due to the diminished availability of suitable sites for key industry cluster development in the region, and also due to the lack of compatibility with existing and future land uses in the area of the Site. MAPA and SCEDC stated that the proposed cemetery at the Site does not appear to be compatible with local future land use plans and with the regional strategic economic development goal of identifying and preserving key sites and corridors for commercial/industrial development in the region, and recommended that an alternative site be considered. As a Federal agency, VA is not subject to local zoning regulations. However, the proposed cemetery is generally compatible with the current Site zoning. The entire Site is zoned Agricultural Farming District and the portion of the Site bordering South 144th Street is in the Highway Corridor Overlay District; both districts provide for cemeteries as a special permitted use on the Site. In addition, use of the Site as a cemetery would also be generally consistent with the current surrounding land uses, mostly unimproved agricultural land. Although long range planning by the SCEDC foresees rezoning the Site and the surrounding area along South 144th Street for future commercial/light industrial development, such rezoning has not been enacted, no specific development plans were identified, nor does development appear imminent. Much of the South 144th Street corridor remains in agricultural use. Therefore, although the proposed cemetery would not be consistent with the SCEDC's long-range vision for the Site, this potential adverse land use impact would be less-than-significant.

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

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 six 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 PEA, no responses have been received from the consulted tribes (VA 2012).

VA, as the Federal proponent of this Proposed Action, published and distributed the Draft PEA for a 30-day public comment period as announced by a Notice of Availability (NOA) published in the Omaha World-Herald from September 21 through September 23, 2012. Review copies were made available for public review at the Papillion Public Library in Papillion, Nebraska. VA also made a copy available for download via a link on the VA internet website. VA received:

- Sixty public comments were received via email. No other public comments were received. None of the comments received were in opposition with the Proposed Action (establishing a new National Cemetery near Omaha); the comments pertained to the site selection for the proposed cemetery. Many of the comments appeared to be in response to an email sent by the Bellevue, Nebraska Chamber of Commerce to its members that encouraged recipients to send emails to VA requesting that VA consider selecting a property near the intersection of 36th Street (South

County Road G37) and Highway 370 (Strategic Air Command Memorial Highway) near Offutt Air Force Base in Bellevue for the proposed cemetery.

Forty-one of the responders commented that the location noted by the Bellevue Chamber of Commerce would be a better location for the National Cemetery. Eighteen responders indicated a preference for the Preferred Action Alternative Site detailed in the PEA. One responder recommended an alternative location in Ashland, Nebraska.

As noted above and detailed in Section 2.3.1 of the PEA, after identifying a need for a new National Cemetery in the Omaha area, VA advertised its need for an appropriate new site. VA received numerous responses (i.e., offering of sites) to this solicitation, including the Preferred Action Alternative Site and the site in Bellevue near the Offutt Air Force Base. A VA Site Selection Board (SSB) objectively evaluated and scored each of the sites based on specific site selection criteria. Site ranking was determined by the aggregate scores of each individual SSB member for each site. Through this analysis, VA identified one suitable site (the Preferred Action Alternative Site) that most reasonably met VA's screening criteria. None of the other sites offered to and evaluated by VA, including the site in Bellevue, were as able to fulfill VA's screening criteria as well as the Preferred Action Alternative Site.

The public comments received by VA are included in Appendix E. Where applicable, the Final PEA was modified to reflect these comments.

CONCLUSIONS

The Preferred Action Alternative would result in the effects identified throughout Section 3 of this PEA. 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, land use, solid and hazardous materials, transportation, and utilities. All of these potential impacts would be further reduced through careful implementation of the general BMPs and management measures, and compliance with regulatory requirements.

The Preferred Action Alternative could result in adverse impacts to Waters of the US at the Site. However, VA anticipates that through environmentally sensitive site design and following good engineering practices, as well as consultation with pertinent Federal, State, and local regulatory agencies, these potential significant impacts would be avoided or managed to less-than-significant levels. Waters of the US would be avoided to the extent possible. These issues would be specifically analyzed, addressed, and mitigated within a subsequent, tiered site-specific SEA. The VA will prepare this tiered SEA pursuant to 40 CFR Part 1502.20.

The analysis performed in this PEA 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, avoidance and regulatory compliance measures described in this PEA are implemented. This PEA's analysis determines, therefore, that an Environmental Impact Statement (EIS) is unnecessary for the Preferred Action Alternative, and that a FONSI is appropriate.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF APPENDICES

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 Programmatic Environmental Assessment (PEA) 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 the selection and acquisition of a site suitable for the future establishment of a new National Cemetery within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska.

Preparation of this PEA 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 PEA also has been prepared in accordance with VA's *NEPA Interim Guidance for Projects* (VA 2010).

Once a site is selected and acquired through this programmatic NEPA process, VA will prepare a subsequent, "tiered" site-specific, Environmental Assessment (SEA) to more precisely analyze and evaluate the potential effects of the construction and operation of the proposed National Cemetery. At this latter point in time, additional design information would be available upon which to conduct this future environmental effects analysis. VA would incorporate the avoidance and management measures identified in this PEA into that future design process and tiered NEPA analysis to minimize potential environmental effects.

This approach is fully consistent with the NEPA and CEQ Regulations. In cases such as these, the CEQ Regulations establish and recommend a "tiered" approach to the environmental impact analysis process: "Agencies are encouraged to tier their environmental (documents)…to focus on the actual issues ripe for decision at each level of environmental review….Tiering may also be appropriate for different stages of actions" (40 CFR Part 1502.20). These regulations specify that such potentialities (i.e., the ultimate construction and operation of the National Cemetery) should be introduced, but can be deferred to future analyses and documentation when they have "ripened," or when more complete information becomes available.

As such, this PEA assesses the potential effects of selecting and acquiring a site for the future development of the proposed National Cemetery (i.e., direct effects), and broadly assesses the effects of the future proposed construction and operation of the cemetery (i.e., indirect effects) under each alternative considered. Again, site-specific effects would be analyzed and evaluated in a subsequent, tiered EA, once this NEPA process is complete and an alternative (i.e., site) has been selected and acquired by VA.

This PEA examines two alternatives, the Preferred Action Alternative and the No Action Alternative as defined below:

- Preferred Action Alternative: Acquire approximately 235 acres of mostly vacant agricultural land at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska for the future establishment of a National Cemetery. The Preferred Action Alternative site location and features are depicted on Figures 1 through 4.

- No Action Alternative: Do no implement the Proposed Action as identified (do not establish a new National Cemetery in the Omaha area) and continue to operate only the existing National Cemeteries in the region.

1.2 Background

VA is proposing to select and acquire a site on which to ultimately establish a new National Cemetery, including the necessary infrastructure, on at least 200 contiguous acres within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska. 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 balance the currently unequal geographic distribution of National Cemeteries in the region.

Currently there are no design plans for this proposed National Cemetery. However, VA would follow the VA's National Cemetery Administration (NCA) *Facilities Design Guide* (VA 2008, or its successor) in developing the proposed cemetery design. VA would acquire the site in 2012 and would initiate the formal cemetery design process within 12 months thereafter and prior to initiating any construction. At that time, VA would complete a tiered, site-specific EA, in accordance with the above regulations, as part of the formal cemetery design process (VA 2012).

1.3 Purpose and Need

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 an unserved Veteran population threshold for eligibility to establish a new National Cemetery.

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 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 accordance with the Service Members 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), VA was directed to establish five new National Cemeteries, including a cemetery in the vicinity of Omaha, Nebraska.

The purpose of the Proposed Action is to select and acquire a suitable site for the proposed future construction and operation of a National Cemetery within a 25-mile radius of the interchange of Interstate 80 and Interstate 680, near Omaha, Nebraska.

The Proposed Action would provide burial facilities for eligible Veterans in eastern Nebraska and western Iowa currently not served by an open National Cemetery. The NCA estimated an unserved Veteran population of approximately 112,333 living within the 75-mile radius for this proposed National Cemetery in 2011.

A new National Cemetery is needed to better serve the needs of Veterans and their families in eastern Nebraska and western Iowa. The new 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 balance the currently unequal geographic distribution of National Cemeteries in this region. There are currently no National Cemeteries located within 150 miles of Omaha, Nebraska. A new cemetery in the Omaha area would help equalize the distribution of National Cemeteries in the region. In addition, the new National Cemetery is needed for VA to comply with the Service Members Civil Relief Act.

1.4 Decision-Making

This PEA has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with VA's proposed selection and acquisition of a site for the future establishment of a new National Cemetery near Omaha, Nebraska.

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 PEA: 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 PEA 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.

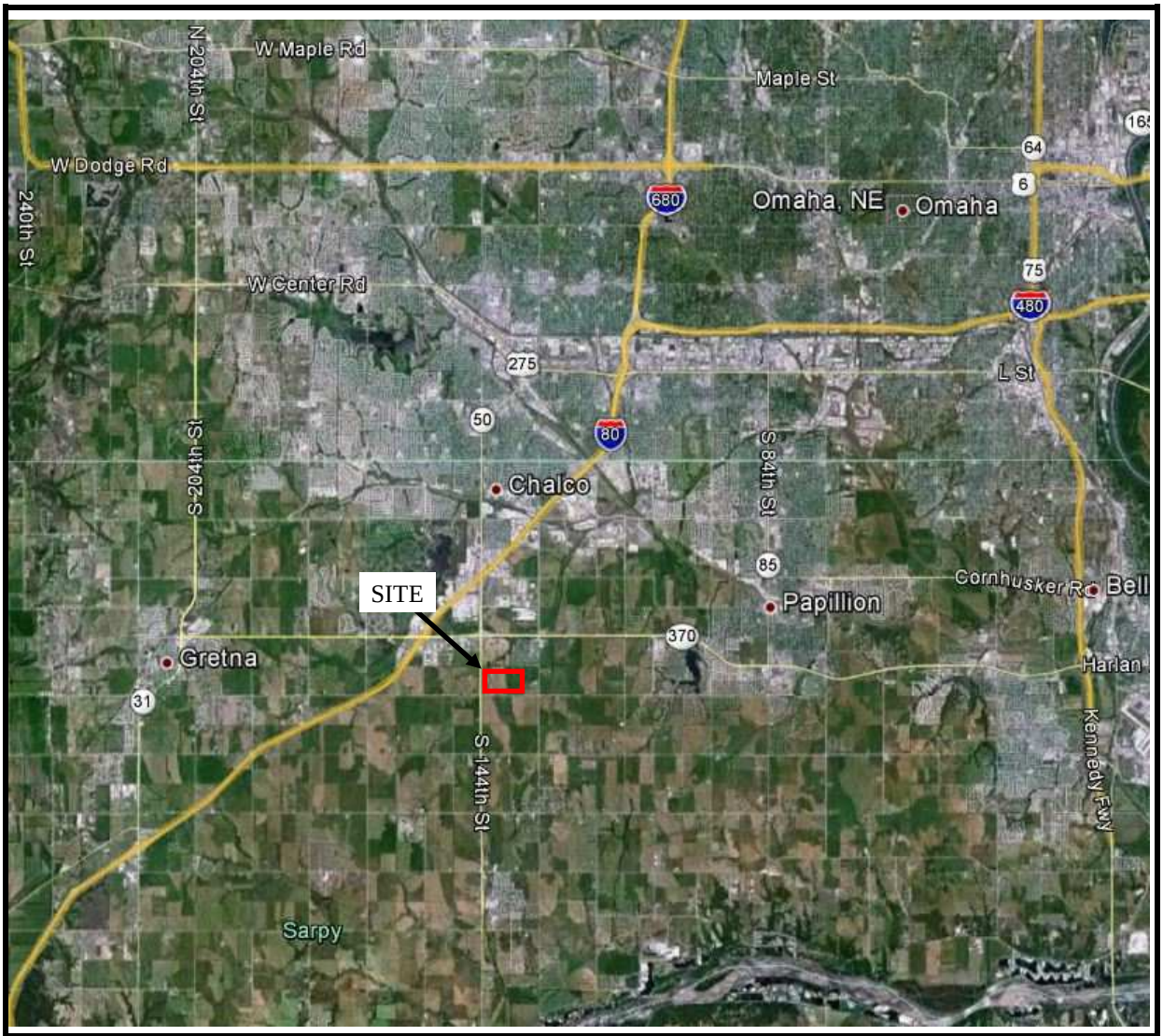

FIGURE 1
SITE REGIONAL LOCATION MAP

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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

TTL PROJECT NO.
7547.02

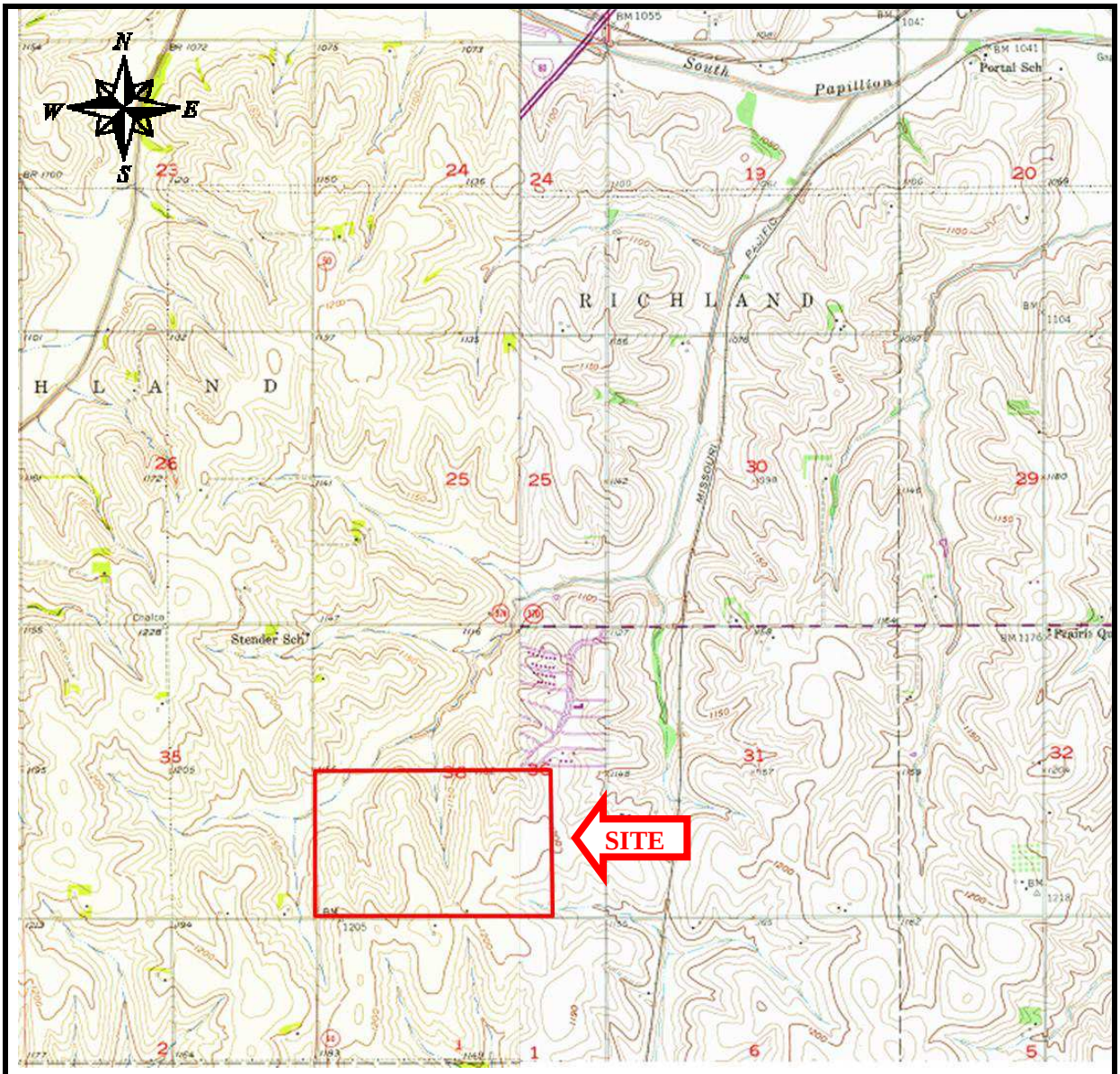

FIGURE 2
SITE VICINITY TOPOGRAPHIC MAP

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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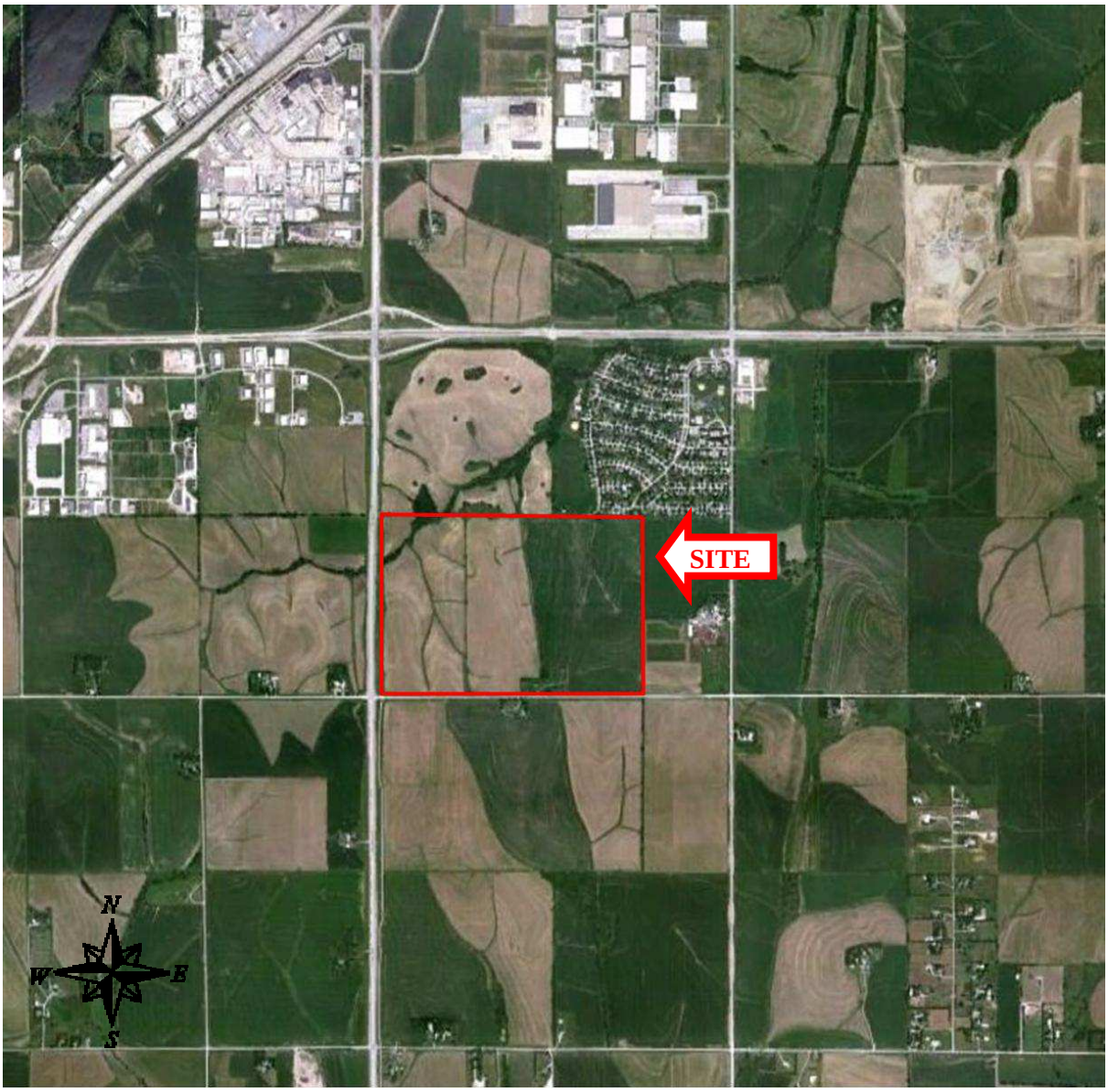

FIGURE 3
SITE VICINITY AERIAL MAP

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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

TTL PROJECT NO.
7547.02

TTL associates inc

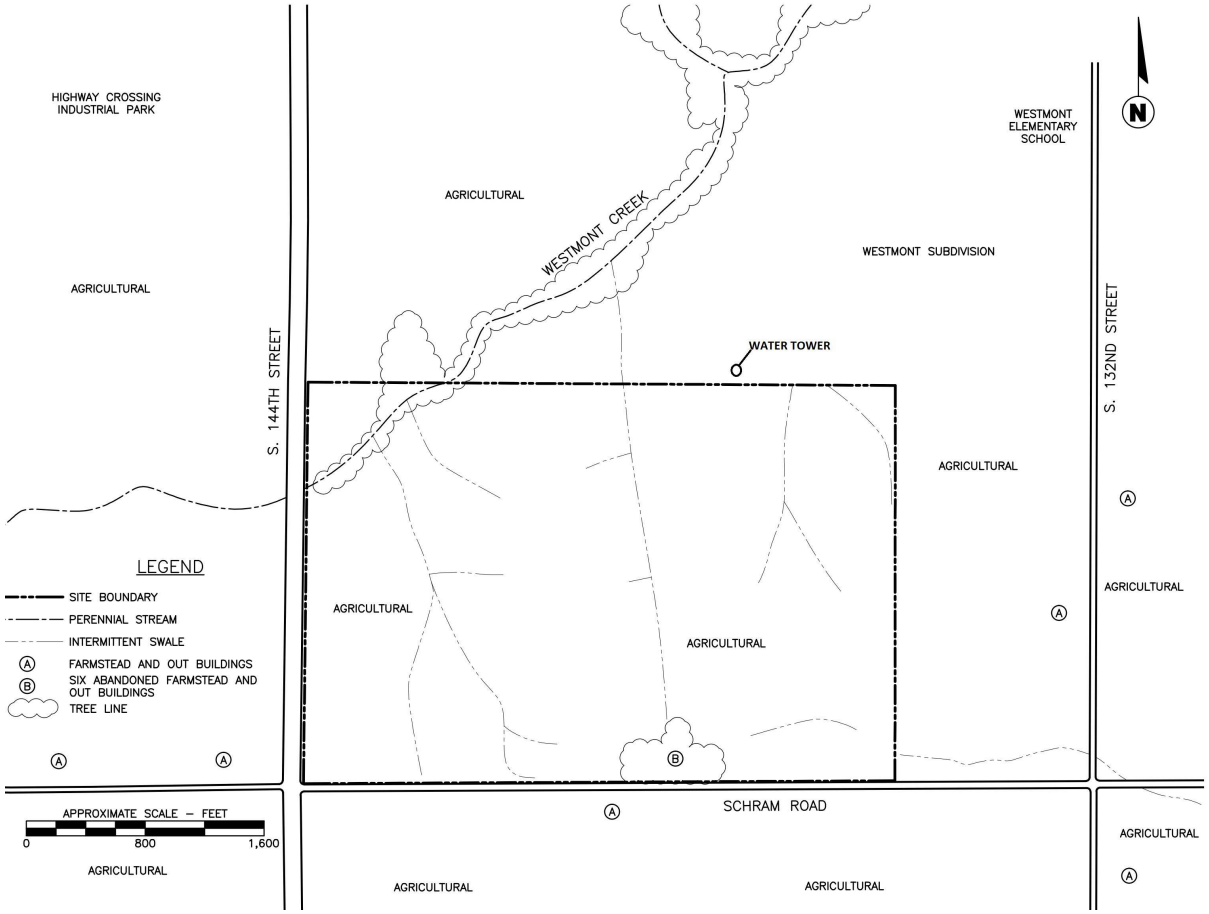

FIGURE 4
SITE SKETCH

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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WASHINGTON, D.C.

TTL PROJECT NO.
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1.5 Related Environmental Documents

Related environmental documents include:

- Department of Veterans Affairs (VA) Seeking Expressions of Interest to Acquire a Site for Construction of National Cemetery Solicitation , prepared by VA, dated May 5 through May 13; June 15 through July 2; and August 4 through August 13, 2010.
- Parcel Survey, prepared by Carrell and Associates, Inc. December 5, 2011.
- Parcel Survey, prepared by Carrell and Associates, Inc. December 8, 2011.
- Draft Phase I Environmental Site Assessment (ESA), prepared by Thiele Geotech, Inc. (TGI) and dated March 26, 2012.
- Draft Geotechnical Exploration Report, prepared by TGI and dated March 29, 2012.
- Draft Cultural Resources File Search and Archeological Survey (Cultural Resources Report), prepared by R. Christopher Goodwin and Associates, Inc. (RC Goodwin) and dated May 7, 2012.
- Biological Resources Survey and Documentation, prepared by TTL and dated April 4, 2012.
- Wetlands Determination, prepared by TTL and dated April 4, 2012.

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 Preferred Action Alternative Site, located at the northeast corner of South 144th Street (Highway 50) and Schram Road near Omaha in Sarpy County, Nebraska, that best meets VA's purpose of and need for the Proposed Action.

2.2 Proposed Action

VA's Proposed Action is to select and acquire a site on which to ultimately establish a new National Cemetery, including the necessary infrastructure, on at least 200 contiguous within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 near Omaha, Nebraska. 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 balance the currently unequal geographic distribution of National Cemeteries within the region.

Currently there are no design plans for this proposed National Cemetery. However, VA would follow the VA's NCA *Facilities Design Guide* (VA 2008, or its successor) in developing the proposed cemetery design. Figure 5 presents a typical layout of a National Cemetery, including various standard components.

VA anticipates acquiring the Preferred Action site in 2012 and would initiate the formal cemetery design process within 12 months thereafter concurrent with a tiered, site-specific EA, in accordance with the regulations identified in Section 1.1, as part of the formal cemetery design process (VA 2012).

Based on the NCA Guide (VA 2008) and preliminary conceptual design data, the proposed National Cemetery would, at minimum, include the following components:

- Appropriate turning and deceleration lane(s) on adjacent public road(s) and, potentially, a stop light or other traffic-signaling device.

- A gated entrance, designed to provide a sense of a National Shrine or ceremonial place. The entrance road would be a divided boulevard with masonry or stone walls at the entrance, indicating the name of the cemetery.

- An Administration and Public Information Building in the vicinity of the cemetery entrance. This building would be architecturally consistent with the cemetery design, and would be a small building designed to serve as office space for approximately six staff members. The structure would include appropriate storage, administration space, public information lobby, and public restroom facilities, as well as adjacent

parking for staff and visitors. All facilities would be American with Disabilities Act (ADA) compliant.

- Near the Administration and Public Information Building would be three separate parallel lanes that split off from the main entrance road, used for staging funeral cortege processions. These lanes would be designed to hold at least 30 vehicles each. Beyond this would be an approximately 28-foot wide road that would wind throughout the cemetery in harmony with the natural grade and environmental features of the land. This road would loop back around the property to maintain a complete, simple traffic pattern around the cemetery. All of the onsite roads would have a speed limit of 15 miles per hour (mph).

- Two permanent committal shelters would be constructed for ceremonies (there are no grave-side ceremonies at National Cemeteries). These shelters would be designed and located where there are scenic views, maximum weather protection, and minimal potential for noise disruption.

- An assembly area would be centrally located at a visible, high elevation, and would include a flagpole bearing the US flag. Non-burial ceremonies would occur at the assembly area. The ideal location would present a natural amphitheater setting.

- A Memorial Wall area with markers for those Veterans not physically able to be at the cemetery (i.e., missing in action, buried at sea, etc.) is proposed.

- A Prisoner of War/Missing in Action (POW/MIA) flagpole be located along with a Memorial Walkway feature in an aesthetically pleasing area of the site to accommodate donated monuments from veterans organizations.

- A maintenance facility is proposed, and would be located in an area out of general public view, while still being convenient for maintenance staff. A secondary entrance to this maintenance facility from local surrounding public roads would be developed.

- The National Cemetery would be developed in phases. The initial phase would include the construction of the cemetery roads, entrance, Administration and Public Information Building, committal shelters, and maintenance facility. Each subsequent phase would develop enough gravesites and columbarium niches as needed to accommodate approximately 10 years of burial demand. Cremation sites, casket gravesites, and columbarium would be developed in each subsequent phase. The size of each phase, and the total number of phases, is currently unknown. However, each phase is estimated to include approximately 25 acres.

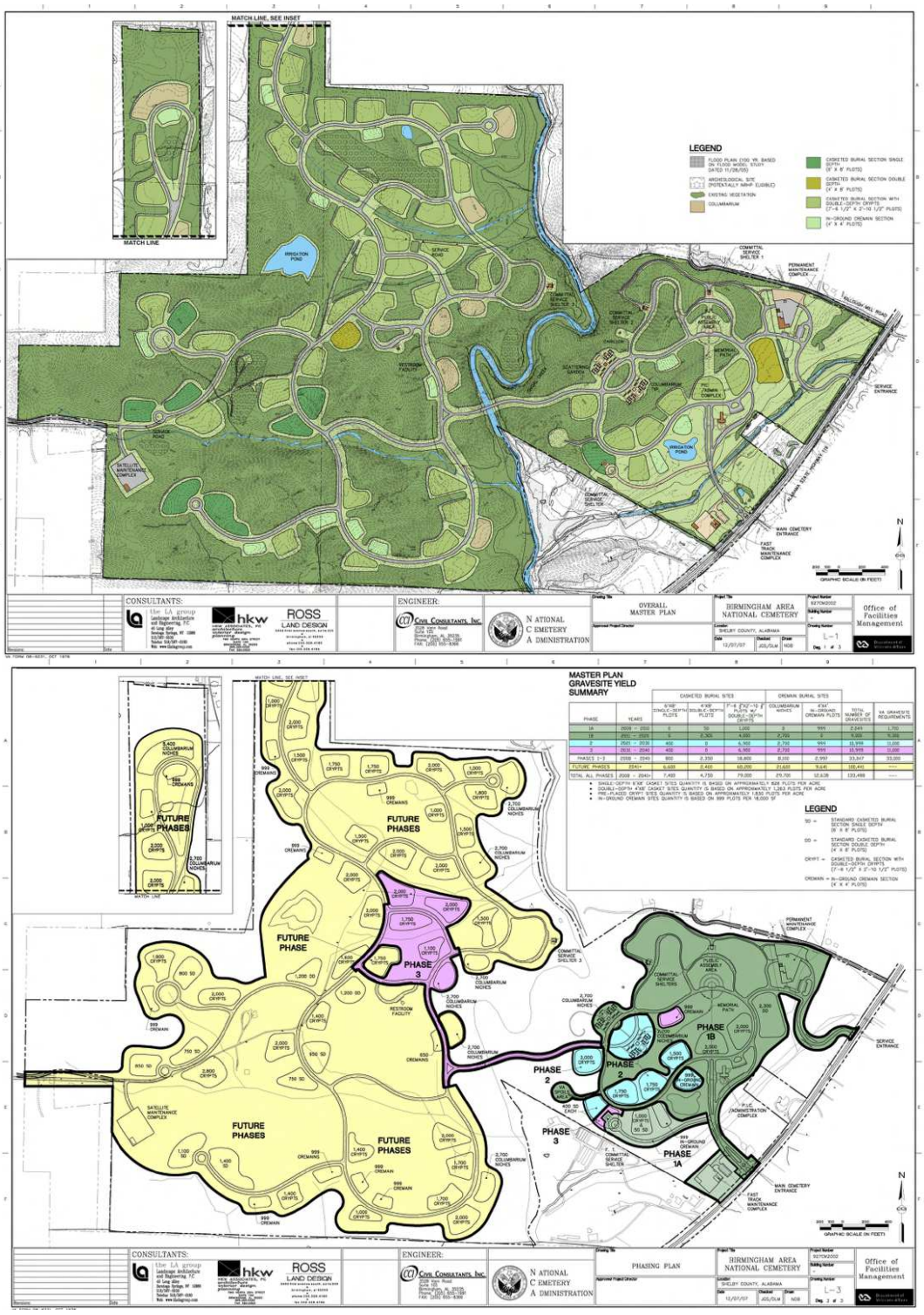
- Environmentally constrained areas (e.g., along Westmont Creek) and areas that are otherwise difficult to develop (e.g., steeper slopes) would be left undeveloped and remain as scenic locations at the cemetery. The utilized portions of the site would be developed to within 20 feet of the site boundaries.

- The standard for NCA design is to achieve on-site cut-and-fill soil balance as much as practical. Proposed development would primarily be located in relatively level areas, following natural contours to the extent possible. Areas may be minimally leveled to develop a consistent grade with each phase. Development would include the installation of grave sites, which would consist of gravel base, drainage piping, and pre-placed concrete vault/crypt system. Approximately 20-22 inches of soil would be placed on top of each vault/crypt. This design would provide the most space-efficient option. Each grave site would be marked with a small, upright marble headstone.

- Utilities, including potable and irrigation water, sewer, electric, and other supporting infrastructure would be extended to and throughout the site, as required.

Prior to construction, VA would obtain all applicable Federal, State, and local permits for the proposed cemetery development from appropriate government authorities. Due to the nature of the proposed cemetery, it is likely that VA would avoid any significant onsite environmental resources through sensitive site design, including avoidance of significant natural resources.

Figure 5. Representative (Example Only) National Cemetery Design Layout



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. "Unreasonable" alternatives would not enable VA to meet the purpose of and need for the Proposed Action.

2.3.1 Alternatives Development (Screening Criteria)

After identifying a need for a new National Cemetery in the Omaha area, VA advertised its need for an appropriate new site. VA identified that a reasonable site needs to be: at least 200 contiguous acres of land, located within a 25-mile radius of the interchange of Interstate 80 and Interstate 680 in eastern Nebraska or western Iowa. VA identified Douglas, Sarpy, and Saunders Counties in Nebraska, and Pottawattamie County in Iowa as preferred locations. In addition, VA required that the site must not contain unacceptable title encumbrances, be easily accessible via existing or planned major roadways, and that appropriate utility service and road access must already exist or be approved/planned by the appropriate jurisdiction. VA required full disclosure of any hazardous or toxic wastes or materials at the site.

VA received numerous responses (i.e., offering of sites) to this solicitation. A VA Site Selection Board (SSB), composed of VA professionals from various disciplines, visited each site that met the minimum advertised requirements. Each member of the SSB evaluated and scored each of the sites based on specific site selection criteria. Site ranking was determined by the aggregate scores of each individual SSB member for each site.

The following are the evaluation factors (under four broad headings) that VA's SSB applied to score and rank each site. VA completed this process based on the information that was available to the SSB at the time of the evaluation.

- **Compatibility of the Surrounding Area**
    - Site Adjacencies – preferred: locations in quite areas with little or no noise from the street or surrounding areas to disturb the cemetery setting; surrounding areas and land uses compatible with the ambiance of a National Cemetery.
    - Aesthetic Quality and Zoning – preferred: locations in an area characterized by pleasantly landscaped and architecturally appealing commercial, residential, or agricultural land uses compatible with a cemetery use; sites that offer aesthetically appealing views and surroundings; sites zoned for cemetery use; nearby zoning compatible with a cemetery setting.
- **Accessibility**
    - Distance from Focal Point and Travel Time – preferred: distance from focal point is less than 15 miles and travel time from focal point is less than 30 minutes.
    - Access to Major Highways and Connecting Roadways – preferred: sites located within 3 miles of a major highway interchange; the condition/capacity of

connecting access roadways are adequate for cemetery traffic; sites visible to the highway; locations well known to residents in the region and easily found.

- Vehicular Egress/Ingress – preferred: (build-up areas) sites located on a divided highway with a traffic-signaled entrance and full acceleration/deceleration lanes at multiple entrances; (rural areas) sites located on a broad roadway with ample linear road frontage and visual sightlines adequate to provide safe and unrestricted points of vehicular egress and ingress.

- Public Transportation – preferred: public transportation connections with population centers are regularly available.

- **Man-made Conditions**

  - Acreage - the site must include at least 200 acres of contiguous developable land.

  - Site Configuration – preferred: sites rectangular or regular in shape and not divided by public roads or easements.

  - Utilities – preferred: sites that have all utilities (i.e., electric, telephone/cable, potable water, sanitary sewer, storm sewer, water for irrigation) available onsite or in close proximity to the site.

  - Hazardous Substances and Materials – preferred: sites with no hazardous substances or materials on the site.

  - Restrictions or Obstructions to Development – preferred: sites clear of footings, roadways, ordinance, and other similar obstructions to development; sites with no known archaeological areas or resources on the site, including historic or other structures that offer little or no value to cemetery operations; sites with no known easements or rights-of-way (ROWs) that would impede development.

- **Environmental (Natural) Conditions**

  - Topography – preferred: sites that are level to gently rolling.

  - Soil/Geology – preferred: soil characteristics adequate for construction, burials, and top soil; sites that contain no rock or subsurface obstructions; natural drainage features and groundwater depths and capacity are acceptable for cemetery development.

  - Environmental Conditions – preferred: sites that contain no wetlands or watercourses and are not within the 100-year floodplain; sites with no significant flora, fauna, or natural habitats; no endangered species are present on-site.

Through this analysis, VA identified one suitable site that best met all of VA's screening criteria. This site includes approximately 235 acres located at the northeast corner of South 144th Street (Highway 50) and Schram Road, in Sarpy County, Nebraska (see Figures 1

through 4). This site, referred to as the Preferred Action Alternative Site in this PEA, is described in Section 2.3.2.

None of the other sites evaluated by VA were as able to fulfill VA's screening criteria. Table 1 presents a summary of VA's comparison of the Preferred Action Alternative Site, and the No Action Alternative against each of these criteria.

Table 1. Evaluation of Initial Alternatives against Established Screening Criteria

	Preferred Action Alternative Site	No Action Alternative
Size	Y	N/A
Compatibility of the Surrounding Area	Y	N/A
Accessibility	Y	**N**
Man-Made Conditions	Y	N/A
Environmental (Natural) Conditions	Y	N/A
Reasonable?	**Y**	**N**

Key:

Y = Alternative meets criterion/is reasonable based on initial screening.
N = Alternative does not meet criterion/is not reasonable based on initial screening.
N/A = Criterion is not applicable to the Alternative.

2.3.2 Evaluated Alternatives

Preferred Action Alternative

VA would select and acquire the approximately 235-acre Site for future establishment of a new National Cemetery. This site is located at the northeast corner of South 144th Street (Highway 50) and Schram Road near Omaha in Sarpy County, Nebraska (see Figures 1, 2, and 3).

The Site is currently owned by Jolene Ann Tomanek (eastern portion) and Gottsch Enterprises, LLC (western portion). The site is comprised of mostly unimproved farmland with six outbuilding associated with a former farmstead in the south-central portion. Westmont Creek crosses the northwestern portion of the Site. The area located adjoining to the north is currently comprised of unimproved farmland, a residential neighborhood, and a municipal water tower. The area located adjoining to the east is currently unimproved farmland and a farmstead. The area located adjoining to the south across Schram Road is unimproved farmland and a farmstead. The area located adjoining to the west across South 144th street is also unimproved farmland and a farmstead. The Preferred Action Alternative would be implemented as described in Section 2.2.

The Preferred Action Alternative effectively provides a suitable combination of land, location, and existing, required infrastructure (i.e., per the selection criteria described in Section 2.3.1), and meets the purpose of and need for the Proposed Action.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in eastern Nebraska and western Iowa would continue to be underserved and would continue to be required to travel a substantial distance to a National Cemetery. The distribution of VA National Cemeteries throughout the region would continue to be unequal and VA would not be in compliance with the requirements of the Service

Members Civil Relief Act. The Preferred Action Alternative Site likely would be developed for other uses by others in accordance with local zoning and/or planning regimes.

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

As described in Section 2.3.1, VA eliminated other potential alternative sites for the proposed National Cemetery through the selection process. Through this process, the Preferred Action Alternative Site located at the northeastern corner of South 144th Street and Schram Road in Sarpy County was determined to best meet all of VA's selection criteria. As such, other alternatives 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 Cemetery site located at the northeast corner of South 144th Street (Highway 50) and Schram Road near Omaha in Sarpy County, Nebraska (i.e., the Preferred Action Alternative Site or Site; see Figures 1, 2, 3, and 4) and its general vicinity, 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, indirect, and cumulative effects of implementing the Proposed Action and the No Action Alternative on this environment are identified.

In this PEA, 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 PEA, 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 PEA, 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.

Significance criteria for resource areas considered in this PEA are as follows:

- *Aesthetics.* An alternative could significantly affect visual resources if it resulted in abrupt changes to the complexity of the landscape and skyline (i.e., in terms of vegetation, topography, or structures) when viewed from points readily accessible by the public.

- *Air quality.* An alternative could have a significant air quality effect if it would result in substantially higher air pollutant emissions or cause established air quality standards to be exceeded.

- *Cultural resources.* An alternative could have a significant effect on cultural resources if it would: result in damage, destruction, or demolition to an archaeological site or building that is eligible or listed on the National Register of Historic Places (NRHP); promote neglect of such a resource, resulting in resource deterioration or destruction; introduce audio or visual intrusion to such a resource;

or decrease access to resources of value to federally recognized Native American tribes. Impact assessment for cultural resources focuses on properties that are listed in or considered eligible for the NRHP or are National Historic Landmarks.

- *Geology and Soils.* If an alternative would result in an increased geologic hazard or a change in the availability of a geologic resource, it could have a significant effect. Such geologic and soil hazards would include, but not be limited to, seismic vibration, land subsidence, and slope instability.

- *Hydrology and Water Quality.* If an alternative would result in a reduction in the quantity or quality of water resources for existing or potential future use, it could have a significant effect. A significant effect could occur if the demand exceeded the capacity of the potable water system.

- *Wildlife and Habitat.* The effect of an alternative on biological resources and ecosystems could be significant if it would disrupt or remove any endangered or threatened species or its designated critical habitat. The loss of a substantial number of individuals of any plant or animal species (sensitive or non-sensitive species) that could affect the abundance or diversity of that species beyond normal variability could also be considered significant. The measurable degradation of sensitive habitats, particularly wetlands, could also be significant.

- *Noise.* An alternative could have a significant noise effect if it would generate new sources of substantial noise, increase the intensity or duration of noise levels to sensitive receptors, or result in exposure of more people to unacceptable levels of noise.

- *Land use.* If an alternative would conflict with adopted plans and goals of the affected community or if it would result in a substantial alteration to the present or planned land use of an area, it could have a significant direct effect. If an alternative would result in substantial new development or prevent such development elsewhere, it could have a significant indirect effect. In addition, an alternative could significantly affect visual resources if it resulted in abrupt changes to the complexity of the landscape and skyline (i.e., in terms of vegetation, topography, or structures) when viewed from points readily accessible by the public.

- *Floodplains, Wetlands, and Coastal Zone Management.* An alternative could have a significant effect on water resources if it would cause substantial flooding or erosion, if it would subject people or property to flooding or erosion, or if it would adversely affect a significant water body, such as a stream or lake.

- *Socioeconomics.* If an alternative would substantially alter the location and distribution of the population within the geographic "region of influence (ROI)," cause the population to exceed historical growth rates, or substantially affect the local housing market and vacancy rates, the effect would be significant. Significant effects could occur if an alternative caused disproportionate risks to children that resulted from environmental health risks or safety risks. In addition, an alternative could have a significant effect if it would create a need for new or increased fire or police protection, or medical services, beyond the current capability of the local community, or would decrease public service capacities so as to jeopardize public safety. *It is important to note that, per CEQ Regulations (40 CFR 1508.14), social or economic effects are not intended by themselves to require preparation of an EIS.* Only when social or economic effects are interrelated with natural or physical

environmental effects would all of these effects be analyzed as part of the NEPA process.

- *Community Services.* An alternative could have a significant effect on infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or if it would result in substantial system deterioration over the current condition.

- *Solid and Hazardous Materials.* An alternative could have a significant effect if it would result in a substantial increase in the generation of hazardous substances, 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. Data provided in site-specific Environmental Site Assessments (ESAs) and other prior HTMW studies helps to identify these potential impacts, as well as their significance.

- *Transportation and Parking.* An alternative could have a significant effect on infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or if it would result in substantial system deterioration over the current condition. For instance, an alternative could have a significant effect on traffic if it would increase the volume of traffic beyond the existing road capacity, cause parking availability to fall below minimum local standards, or require new or substantially improved roadways or traffic control systems.

- *Utilities.* An alternative could have a significant effect on infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or if it would result in substantial system deterioration over the current condition.

- *Environmental Justice.* Significant effects could occur if an alternative would disproportionately affect minority or low-income populations.

3.2 Aesthetics

The approximately 235-acre Site is situated in a predominantly rural, agricultural area, at the northeast corner of South 144th Street (Highway 50) and Schram Road near Omaha in Sarpy County, Nebraska (see Figures 1, 2, 3, and 4). The Site is located approximately 11 miles southwest of the center of Omaha, Nebraska and approximately 36 miles northeast of Lincoln, Nebraska. Gottsch Enterprises, LLC owns the western one-third of the Site and Jolene Ann Tomanek owns the eastern two-thirds of the Site (Sarpy County 2011). The Site is mostly occupied by cultivated, agricultural land with six outbuildings associated with a former farmstead located in the south-central portion of the Site. Westmont Creek crosses the northwestern portion of the site. In addition, a series of intermittent drainage swales are located across the Site.

The area adjoining to the north is currently unimproved farmland, a municipal water tower, and a residential neighborhood (near northeast corner of the Site). The area adjoining to the east is currently unimproved farmland and a farmstead. The area adjoining to the south beyond Schram Road is currently unimproved farmland and a farmstead. The area adjoining to the west beyond South 144th Street is currently unimproved farmland and a farmstead. The surrounding land uses are depicted on Figure 4.

3.2.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct aesthetics effects, as no changes to the aesthetics would occur. Future development of a new National Cemetery on the Site would produce visual changes. Given the active agricultural use of the majority of the Site, future development of a new National Cemetery would not require significant tree clearing. VA would grade the site in concert with the site's natural contours, where possible.

Future proposed cemetery development plans would be designed to comply, as applicable, with Sarpy County Zoning and Subdivision Regulations. By complying with these ordinances, and given that the proposed cemetery would be designed to blend with the existing landscape, no significant adverse aesthetics effects would be anticipated.

3.2.2 Effects of the No Action Alternative

Under the No Action Alternative, no adverse aesthetics impacts would result from VA's actions. Should the Site ultimately be developed for another use, aesthetics impacts could result from that changed land use. The Sarpy County Economic Development Corporation (SCEDC) and Metro Area Planning Agency (MAPA) identified the Site vicinity as a prime area for future commercial/industrial use due to its proximity to key transportation corridors and essential utilities.

3.2.3 Mitigation/Management Measures

No project-specific mitigation measures are required. Future proposed cemetery development of the Preferred Action Alternative Site would comply, as applicable, with the Sarpy County Zoning Regulations (Section 35, Supplementary Regulations and Section 37, Landscaping) and Subdivision Regulations (Section 10, Minimum Design Standards and Section 12, Standards for Design Plans and Specifications). Compliance with these local established regulations would ensure that future 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 the following principal pollutants, called "criteria pollutants" (as listed under Section 108 of the CAA):

- Carbon monoxide (CO)
- Lead (Pb)
- Nitrogen oxides (NO_x)
- Ozone (O_3)
- Particulate matter (PM), divided into two size classes:
  - Aerodynamic size less than or equal to 10 micrometers (PM_{10})
  - Aerodynamic size less than or equal to 2.5 micrometers ($PM_{2.5}$)
- Sulfur dioxide (SO_2)

Areas are designated by the USEPA as "attainment", "non-attainment", "maintenance", or "unclassified" with respect to the NAAQS. Regions in compliance with the standards are designated as "attainment" areas. In areas where the applicable NAAQS are not being met, a "non-attainment" status is designated. Areas that have been classified as "non-attainment" but are now in compliance can be re-designated "maintenance" status if the state completes an air quality planning process for the area. Areas for which no monitoring data is available are designated as "unclassified", and are by default considered to be in attainment of the NAAQS. According to the Nebraska Department of Environmental Quality (NDEQ), Air Quality Division (AQD), the Omaha area is currently designated as a *full attainment area* (NDEQ 2012).

Operating Permits

The CAA regulates criteria pollutants as well as 187 specifically listed hazardous air pollutants (HAPs). The Title V Operating Permit Program under 40 CFR Part 70 requires sources that meet the definition of a "major source" of criteria pollutants or HAPs to apply for and obtain a Title V operating permit. A major source of HAPs has the potential to emit (PTE) more than 10 tons per year (tpy) of any individual HAP, or 25 tpy of any combination of HAPs. The definition of major source for criteria pollutants is dependent on the air quality attainment status of the region where the source is located (i.e., areas that are in attainment or non-attainment with the NAAQS). Major sources have a PTE more than 100 tpy of any criteria pollutant in an attainment area or lower levels in various classifications of non-attainment (i.e., marginal, moderate, serious, severe, and extreme).

Given current land use of the Site (i.e., unimproved farmland), no sources of regulated air emissions exist (e.g., from boilers, generators, or other minor equipment).

State and Local Regulations

The NDEQ, AQD coordinates State-wide air compliance and enforcement activities through Title 129 of the Nebraska Administrative Code (NAC). The AQD promotes air compliance through the department's district offices and the approved local program offices. AQD oversees air compliance and enforcement data management and provides required data to the USEPA. Responsibilities also include the coordination of air enforcement statewide and conducting special projects in air compliance assurance.

Nebraska's statewide air quality monitoring network is operated by State environmental programs. The air is monitored for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. The monitors tend to be concentrated in areas with the largest population densities. Not all pollutants are monitored in all areas.

Sarpy County does not maintain specific air quality regulations. Air quality issues are overseen by the NDEQ, AQD.

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. As Sarpy County is currently designated as a *full attainment area*, a Conformity Determination is not required for VA's Proposed Action.

3.3.2 Sensitive Receptors

Sensitive air quality receptors in the vicinity of the Site are limited and include a residential neighborhood adjoining to the northeast of the Site and scattered farmsteads adjoining to the Site (see Figure 4). In addition, Westmont Elementary School (13210 Glenn Street) is located approximately 1,600 feet northeast of the Site. There are no other schools or hospitals located within 0.5 mile of the Site. No other sensitive air quality receptors were identified.

3.3.3 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct air quality effects. However, future development of a new National Cemetery would produce air quality effects, discussed below.

Air emissions generated from the future proposed cemetery development 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) Demolition and construction activities and 2) Operation of the proposed National Cemetery and onsite activities.

Demolition and construction activities would be performed in accordance with Federal and State air quality requirements. Demolition and 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 demolition and construction can lead to adverse health effects and nuisance concerns, such as reduced visibility on nearby roadways. Implementing dust control measures (BMPs) significantly reduces dust emissions from construction. The amount of dust is dependent on the intensity of the activity, soil type and conditions, wind speed, and dust suppression activities used. 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 new National Cemetery. A net minor long-term increase in local vehicle miles (and associated emissions) is anticipated, as visitors would visit 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 site is located in a full attainment area; as such, a Record of Non-Applicability (RONA) under the Clean Air Act of 1990 is not required. A Title V operating permit is not anticipated to be required for the proposed minor equipment associated with the cemetery as, based upon preliminary sizing, this equipment is not anticipated to emit more than 100 tpy of any individual HAP or combination of HAPs. However, VA would secure any required, individual minor air emissions permits from the NDEQ, as appropriate and based on the final design.

3.3.4 Effects of the No Action Alternative

Under the No Action Alternative, no significant adverse air quality impacts would result. Should the Site ultimately be developed for another use, air quality impacts could result from that changed land use, and would depend upon the nature of the development. In addition, the additional driving required by area Veterans to visit 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.

3.3.5 Mitigation/Management Measures

No project-specific mitigation measures are required. Implementing BMPs to reduce fugitive dust emissions during 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 and local requirements:

- VA would comply with the NDEQ, Title 129 (Air Quality Regulations).
- Use appropriate dust suppression methods during onsite demolition and construction activities. 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 demolition and 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 demolition and 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, notably for nearby sensitive receptors (i.e., residential areas near the Site).

In addition, VA would secure any required, individual minor air emissions permits from the NDEQ, as appropriate and based on the final design and prior to operation of the proposed National Cemetery.

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

In a response to a request for input on the Proposed Action, the Nebraska State Historical Society (SHPO) stated that a review of their records identified no known historic resources for the Site. However, no historic resource surveys have been conducted for the Site area. The SHPO stated that archeological sites have been reported in the Site region, in similar terrain conditions. SHPO recommended that the Site be inspected by a qualified archeologist to determine if unreported sites would be impacted.

In response to SHPO's comments, VA retained RC Goodwin to conduct a cultural resources record review and archeological survey of the Site. RC Goodwin's Draft Cultural Resources Report, dated May 7, 2012, documents these activities and their findings. The report indicates that the file search revealed no cultural resources had previously been recorded in the Site area.

RC Goodwin indicated that the majority of the Site has a low potential for intact prehistoric archeological deposits due to its terracing and prolonged agricultural use. No archeological sites were identified in the cultivated agricultural fields at the Site.

RC Goodwin identified the Peterson Farm, the vacant former farmstead in the southern portion of the Site along Schram Road, as a historical archeological site/built resource and recorded it with the SHPO, as required. The archeological site consists of the demolished farmhouse and the associated current outbuildings; including a barn, two chicken houses, a granary, and a double corn crib. These structures were constructed between 1915 and 1925.

RC Goodwin evaluated the Peterson Farm applying the National Register of Historic Places Criteria for Evaluation (36 CFR 60.4). RC Goodwin noted that the farm is incomplete; the farmhouse and a second original corn crib have been demolished. Later additions to the farmstead since the mid-1950s (equipment shed and metal corn crib) and modifications to the existing structures have compromised the overall integrity of the farm and the individual buildings. In addition, historical research did not identify any significant persons or events associated with the farm.

Therefore, RC Goodwin concluded that this archeological site does not possess the qualities of significance defined by the National Register Criteria for Evaluation and does not present research potential. As such, RC Goodwin concluded that the Site does not contain cultural resources listed, or eligible for listing, in the NRHP and recommended no further investigations.

VA submitted the Draft Cultural Resources Report for the Site to the Nebraska SHPO for review and concurrence. On September 13, 2012, Nebraska SHPO concurred with the findings of the Draft Cultural Resources Report (that no historic properties would be affected by the Preferred Action Alternative and that no further cultural resource investigations are required).

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 six 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) and SHPO, were invited by VA to participate in the PEA process as Sovereign Nations per EO 13175. VA sent a coordination and consultation letter to each of these tribes, via certified mail, in January 2012. All correspondence was conducted by certified letters. A sample letter sent to the tribes and their responses are included in Appendix B. As of the date of this PEA, no responses have been received from the consulted tribes (VA 2012).

3.4.3 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct cultural resources effects. Future development of a new National Cemetery on the Site could produce cultural resources effects; however, based on the findings and conclusions of RC Goodwin's Draft Cultural Resources Report, no impacts to NRHP-listed or eligible historic structures or archeological resources are anticipated as a result of the Proposed Action. The Draft Cultural Resources Report was submitted to the SHPO for review and concurrence. SHPO concurred that no historic properties would be impacted and that no further cultural resource investigations are required. Through compliance with the NHPA and other applicable regulations identified in Section 3.4, as well as consultation with the SHPO and federally recognized Native American Tribes, VA would maintain cultural resources effects at acceptable, less-than-significant levels.

3.4.4 Effects of the No Action Alternative

Under the No Action Alternative, no significant cultural resources impacts would occur due to VA's proposed future cemetery development. No significant cultural resources were identified at the Site. As such, should the Site be developed by others, no significant adverse effects to cultural resources would occur.

3.4.5 Mitigation/Management Measures

No project-specific mitigations measures are required. Implementing BMPs to reduce impacts during construction would further minimize potential impacts to local cultural resources.

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 the 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 Site is located in the Nebraska/Kansas Loess hills of the Western Corn Belt Plains ecoregion in a formerly glaciated portion of Nebraska. This area is located in the Glaciated Central Lowlands region of the Great Plains physiographic province. Wind blow sediment (loess) ranges in thickness from approximately 10 to 100 feet and is underlain by Pennsylvanian age bedrock.

The Ralston and Gretna, Nebraska USGS Topographic Quadrangles [both dated 2011] indicate that surficial topography at the Site contains rolling hills with north-south oriented ridges. Onsite elevations ranging from approximately 1,210 feet above mean sea level (amsl) along most of the southern portion of the Site to approximately 1,125 feet amsl in the northern portion of the Site. Westmont Creek crosses the northwestern portion of the Site.

According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, the Site contains five soil types: Kennebec silt loam (7050), Judson silty clay loam (7234), Marshall-Contrary silty clay loams (8035), Contrary-Marshall silty clay loams (8153), and Contrary-Monona-Ida complex (8157).
The primary soil for the Site is Contrary-Marshall silty clay loams, which accounts for approximately 44% of the Site. This soil is located throughout the eastern and western portions of the Site and is described as a nearly level, well drained silty clay loam soil in loess hills. The NRCS description also states that the depth to the water table is greater than 80 inches.

The secondary soil for the Site is Marshall-Contrary silty clay loam, which accounts for nearly 24% of the Site. This soil is located primarily at the eastern and western portions of the Site and is described as nearly level, well drained silty clay loam soil to a depth of 80 inches. The water table is identified deeper than 80 inches.

The tertiary soil for the Site is Contrary-Monona-Ida complex, which accounts for nearly 21% of the Site. This soil is located in limited areas on the eastern, central, and western portions of the Site and is described as sloped, well drained silty clay loam soil to a depth of 80 inches. The water table is identified deeper than 80 inches.

The remainder of the soil types found on the Site each represents less than 12% of the total soil makeup. The northwestern portion of the Site (in the area of Westmont Creek) is occupied by Kennebec silt loam, which is formed in floodplains and consists of silt loam soils that are occasionally flooded. Site soils are illustrated on Figure 6.

A geotechnical investigation of the Site conducted by Thiele Geotech, Inc. (TGI) included 24 shallow soil borings. Clay soils were encountered during this investigation to the maximum explored depth of 8 feet below ground surface (bgs). Fill material was encountered in one soil boring (B-24) in the vicinity of the former farmstead in the south-central portion of the site. GTI did not identify any restrictive conditions that would prohibit excavations at the Site.

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 Kennebec silt loam, Judson silty clay loam, and Marshall-Contrary silty clay loam soils are characterized as prime farmland. The Contrary-Marshall silty clay loam soils are characterized as farmland of statewide importance (USDA NRCS 2012). These soils comprise approximately 175 acres or 75 percent of the overall Site. The Contrary-Monona-Ida complex soils are not characterized as prime farmland. Site soils are illustrated in Figure 6.

3.5.2 Effects of the Proposed Action

Acquisition of Preferred Action Alternative Site by VA would produce no direct geology or soils effects, as no changes to the geology or soils would occur. Future development of a new National Cemetery on the Site would produce geology and soils effects, as discussed below.

No significant changes to topography or drainage would be expected at the Site due to future proposed cemetery development. The proposed cemetery would be designed in concert with the natural topography and current drainage patterns. Paved areas would be designed to drain to a suitable, on-site, properly engineered and designed stormwater management system.

Less-than-significant impacts to geology would be anticipated. Based on the results of the onsite geotechnical investigation, soils at the Site are suitable for the Proposed Action.

Based on currently available data, 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.

During construction of the proposed cemetery, less-than-significant, direct and indirect, short-term soil erosion and sedimentation (E&S) impacts would be possible as the proposed buildings, parking areas, entrance road, grave sites, and other project components are constructed. Construction and grading activities would remove 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 increased sedimentation in the onsite stormwater management systems, and the potential for 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 NDEQ National Pollution Discharge Elimination System (NPDES) General Permit for Construction Activity; the Sarpy County Zoning Regulation (Section 35, Supplementary Regulations, Section 37, Landscaping Regulation, and Section 38, Stormwater Management Regulation); and the Sarpy County Subdivision Regulation (Section 10, Minimum Design Standards and Section 12, Standards for Design Plans and Specifications). Permit standards would be adhered to during all construction activities.

Sarpy County's Storm Water Management Regulation (Sarpy County Zoning Regulation, Section 38) states that all activities requiring a NDEQ NPDES permit will adhere to those permit requirements and will adhere to the requirements of the Sarpy County Storm Water Management Regulation, including a Post-Construction Stormwater Management Plan, an approved grading permit, maintenance of post-construction BMPs, and compliance with the county Stormwater Management Policies/Papillion Creek Watershed Partnership. In addition, Sarpy County Regulations include measures for erosion and sedimentation control in the Sarpy County Zoning Regulation (Section 35, Supplementary Regulations and Section 37, Landscaping Regulation), and the Sarpy County Subdivision Regulation (Section 10, Minimum Design Standards and Section 12, Standards for Design Plans and Specifications).

Once construction is complete, 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; these effects would be mitigated by including appropriately designed stormwater system as part of final site design.

Approximately 75 percent of the Site contains prime farmland soils and includes areas that are actively farmed (cropland). The Proposed Action would irreversibly convert prime farmland 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, the Preferred Action Alternative is anticipated to have a less-than-significant adverse impact on farmland soils.

3.5.3 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. No impacts to soils, topography, or geology would occur. Should the Site ultimately be developed for another use, impacts would result from that new development, and would depend upon the nature of the development.

3.5.4 Mitigation/Management Measures

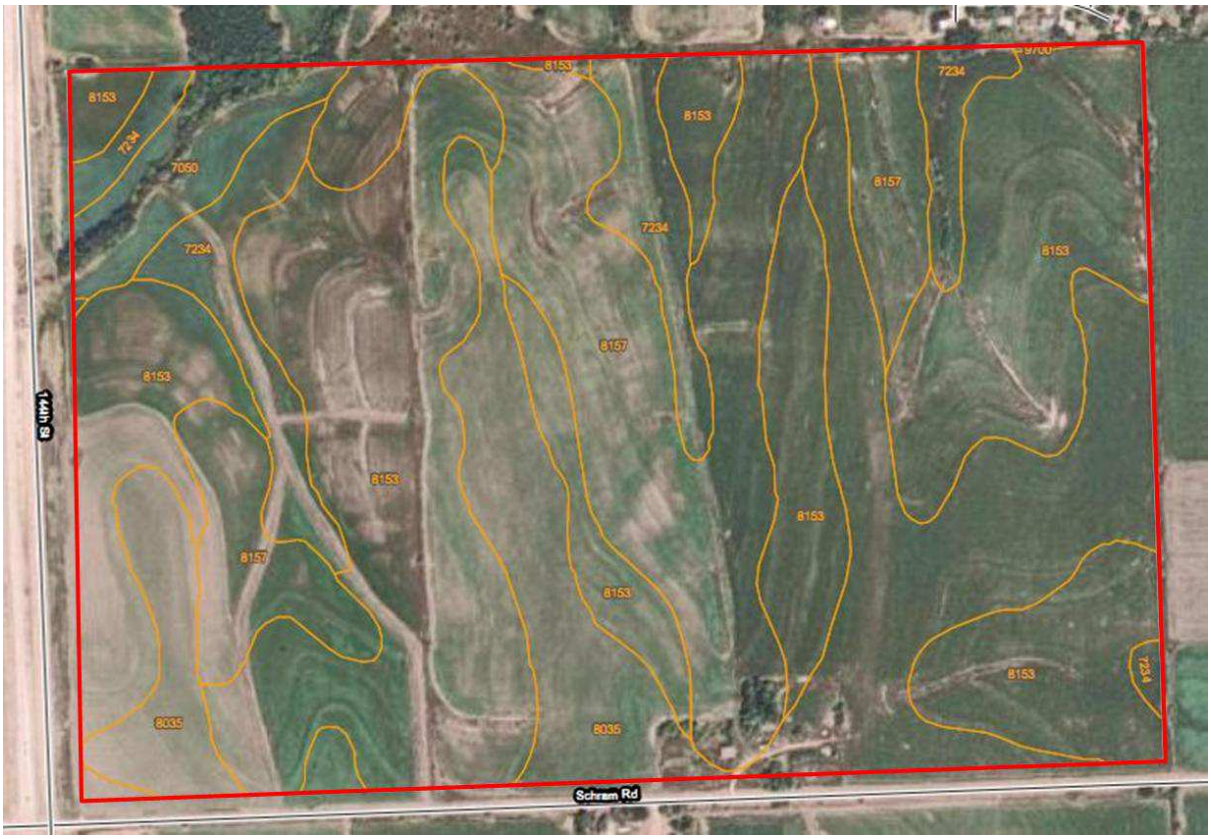
No project-specific mitigation measures are required. To satisfy the requirements of FPPA, VA would complete Form AD-1006, Farmland Conversion Impact Rating, and submit the completed form to the local NRCS office.

Implementing BMPs to reduce E&S impacts during construction would further minimize the potential impacts on local soils and water quality. The construction contractor would develop, submit to the NDEQ, and have approved, an NPDES permit for the Proposed Action. In addition, the construction contractor would comply, as applicable, with the Sarpy County Storm Water Management Regulations. The NPDES permit would require stormwater runoff and erosion management using BMPs, earth berms, detention basins, 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 Sarpy County Storm Water Management Regulations 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 local, 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.



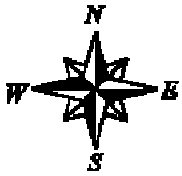


FIGURE 6
SOILS MAP

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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

TTL PROJECT NO.
7547.02

3.6 Hydrology and Water Quality

3.6.1 Surface Waters

The Site is located in the Papillion Creek Watershed. The Ralston and Gretna, Nebraska USGS Topographic Quadrangles indicate that Westmont Creek crosses the northwestern portion of the Site, includes approximately 1,350 linear feet on the Site, and discharges into a branch of the South Papillion Creek located approximately 3.2 miles northeast of the Site. The topographic maps also depict an intermittent stream crossing the central portion of the Site from south to north.

TTL prepared a Wetlands Determination of the Site on behalf of VA in accordance with the USACE Wetlands Delineation Manual, dated 1987 (1987 Manual) and the USACE Interim Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Midwest Region, dated August 2010 (Regional Supplement) (see Appendix D). Information pertaining to surface water is provided in this section; information specific to wetlands is provided in Section 3.10. On the site, Westmont Creek is extremely channelized, with up to 20-foot, moderately steep embankments (between 50 and 100 percent slope), typical of drainage-ways in agricultural areas. The channel portion of Westmont Creek ranged from approximately three to five feet in width with up to six inches of flowing water at the time of the survey. Based on an average width of four feet, Westmont Creek encompasses approximately 0.12 acre on the Site.

No other on-site evidence of surface waters was observed at the Site. However, a series of intermittent drainage swales was observed across the site. These intermittent drainage swales are a result of the rolling topography of the site. None of the intermittent drainage swales appears to be semi-permanent, as defined by the USACE (active hydrology for three or more months of the year). The locations of the intermittent drainage swales are depicted on Figure 4.

In a letter dated February 28, 2012, the Nebraska Game and Parks Commission (NGPC) stated that they have general concerns regarding impacts to wetlands, streams and riparian habitats. However, NGPC did not identify any specific wetlands or streams, or specific concerns at the Site. The NGPC generally stated that, if possible, impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. In addition, the NGPC stated that any fill materials placed into any wetlands or streams requires consultation with the USACE to determine if a Section 404 permit is needed.

In a letter dated February 2, 2012, the Nebraska Department of Natural Resources (NDNR) stated that no significant issues related to surface waters were identified for the Site.

The Nebraska Department of Roads (NDOR) stated that the drainage from the site needs to match NDR's design flow for drainage structures associated with South 144th Street and that a Drainage Study would be required.

3.6.2 Groundwater

According to the Groundwater Atlas of the United States, the Site is underlain by the Western Interior Plains aquifer, a deep aquifer system. The aquifer system consists mostly of beds of shale, limestone that comprise the aquifer system range from Wisconsian, Mississippian, and Devonian in age. The thickness of the aquifer system is typically less than 500 feet and up to 3,000 feet.

A Draft Phase I ESA prepared by TGI and dated March 26, 2012, identified three hand dug groundwater wells in the south-central portion of the Site (in the area of the former farmstead). No additional information was provided. One of these wells was reportedly filled with sand and was not observed. The remaining two wells were observed. TGI stated that the depth to groundwater at the Site is anticipated to range from 20 to 80 feet bgs.

The USEPA requested that soils, watersheds, biological contamination associated with post-mortem decomposition, potential need for an impermeable barrier, potential run-off concerns, compliance procedures, and the use of the most up-to-date compliance procedures be considered during the planning of the cemetery

In a letter dated February 2, 2012, the NDNR stated that no significant issues related to groundwater were identified for the Site.

The TGI Geotechnical Exploration Report did not identify the presence of groundwater in any of the 24 soil borings completed to 8 feet bgs at the Site.

3.6.3 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct hydrology or water quality effects. Future development of a new National Cemetery on the Site could produce hydrology and water quality effects, as discussed below.

Westmont Creek, which crosses the northwestern portion of the Site, is likely under the jurisdiction of the USACE (Section 404) and NDEQ (Section 401) due to its connection to Waters of the US. According to the USACE, a jurisdictional determination is required prior to impacts to "Waters of the US". Any activity within these surface waters or that may otherwise impact the Waters of the US would require a permit from the appropriate State or Federal agency(ies).

The Preferred Action Alternative could result in direct or indirect adverse impacts to a Water of the US (Westmont Creek). However, VA anticipates that through environmentally sensitive site design and following good engineering practices, as well as consultation with pertinent Federal, State, and local regulatory agencies, these potential impacts would be avoided or managed to less-than-significant levels. The Water of the US would be avoided to the extent possible (see Section 3.6.5).

In addition, VA would implement the BMPs described in Section 3.5.4 and 3.6.5. These BMPs would control future construction-related impacts of soil erosion and sedimentation, and would provide a proper onsite stormwater management system.

It is not anticipated that groundwater would be impacted by the Preferred Action Alternative; groundwater is present at depths greater than 8 feet bgs. Deep excavation, significantly below the water table, is not anticipated; therefore, no dewatering is likely. If limited areas of deeper excavation are required, appropriate groundwater engineering controls would be utilized during construction, if necessary, to ensure no long-term adverse effects to groundwater. As such, impacts to groundwater are anticipated to be less-than-significant.

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 are installed during site construction. Using this technique, the caskets are not buried directly in the soil, 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.

3.6.4 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. No impacts to hydrology or water quality by VA would occur. Should the Site ultimately be developed for another use, impacts would result from that new development, and would depend upon the nature of the development.

3.6.5 Mitigation/Management Measures

No project-specific mitigations measures are required. VA would implement the following avoidance and management measures to reduce potential adverse effects to Waters of the US to acceptable, less-than-significant levels. These measures would be more fully developed as part of the subsequent, site-specific, tiered EA, concurrent with site design efforts. It is anticipated that onsite, surface water features (i.e. Waters of the U.S.) would be avoided through sensitive design. VA would:

- ***Waters of the US.*** Avoid onsite surface water resources to the extent possible during the site design process. Consult with and obtain permits, as necessary, from the USACE under Section 404 and the NDEQ under Section 401 of the Clean Water Act to minimize adverse effects to jurisdictional surface water resources prior to construction. VA anticipates that final cemetery design would maintain a buffer of undisturbed land around the identified surface water resource. However, in those cases where impacts to the Waters of the US cannot be avoided, VA would obtain and comply with all necessary permits from State (NDEQ) and Federal (USACE) agencies.

In addition, to minimize potential adverse impacts to water resources, VA would implement the following BMPs:

- VA shall ensure, as part of the NPDES and Sarpy County permitting processes, the site design includes sufficient, properly engineered stormwater management infrastructure so as to not adversely affect the flood elevations or water quantity/quality in receiving waters and/or offsite areas. Post-project hydrology shall replicate pre-project hydrology through the appropriate engineering design and implementation of a proposed stormwater management system located at the Site.

- VA shall complete a Drainage Study as required by the NDOR.

- VA shall develop a site design that prevents surface water runoff to the onsite and adjacent surface waters, and avoids interaction with onsite and adjacent surface waters.

- VA shall implement BMPs to reduce soil erosion and sedimentation impacts as described in Section 3.5.4.

- VA shall properly abandon the out-of-service water wells associated with the former on-site farmstead in accordance with Nebraska Department of Health and Human Services guidelines.

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

None of the original natural vegetation communities, comprised of wooded land and prairie, are present on the Site. The majority of the Site is occupied by unimproved cultivated farmland, with limited, scattered trees along Westmont Creek, around the former farmstead in the south-central portion, and along fence rows and drainage swales. The lands immediately adjacent to Site are generally unimproved cultivated farmland with a residential development northeast of the Site. On-site vegetation is typical of disturbed, unimproved agricultural areas in the vicinity of the Site. Such vegetation communities support wildlife species associated with rural areas in Nebraska.

3.7.2 Threatened and Endangered Species

As part of the preparation of this PEA, the USFWS, NPGC, and NDNR were contacted to identify any potential for 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 indicated that it is unlikely that the proposed National Cemetery at the Site would have significant environmental impacts on trust resources under the jurisdiction of the USFWS (i.e., Federally-listed threatened and endangered species and their critical habitats). However, the USFWS stated that there may be non-Federal, State-listed species in the Site area and the NGPC should be contacted about State-listed species.

- The NGPC stated that the proposed National Cemetery site is located within the range of the State-listed threatened Western Prairie Fringed Orchid (*Platanthera praeclara*), a plant species that occurs in native tall or mixed-grass prairies that are associated with wet meadows. The NGPC stated that although this orchid can be a colonizer species and grow on disturbed areas, it is found in greatest abundance on high quality prairie and blooms in late June to July. The NGPC stated that the site is mostly composed of agricultural land uses and that land being used for agricultural purposes would not be suitable habitat for the orchid. The NGPC stated that if any area of native prairie vegetation is identified at the Site, then those areas should be assessed to determine if they could provide suitable habitat for the orchid and the results of the assessment, if conducted, should be provided to the NGPC for review. The NGPC indicated that no other State-listed threatened and endangered species would be adversely impacted by the proposed National Cemetery at the Site.

- The NGPC further stated that they have general concerns for impacts to wetlands, streams and riparian habitats. However, the NGPC did not identify any specific habitats or concerns at the Site. NGPC generally stated that impacts to wetlands, streams, and associated riparian corridors should be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated.

- The NGPC stated that under the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712: Chapter 128, as amended) construction activities in grassland, wetland, stream, and woodland habitats that would otherwise result in the taking of migratory birds, eggs, young, and/or active nests should be avoided. The primary nesting season for migratory birds is from April 1 to July 15. However, some species of migratory birds are known to nest outside of this period. The NGPC stated that construction activities should be scheduled to avoid impacting migratory bird nesting and the USFWS,

Ecological Services Office in Grand Island, Nebraska should be contacted for information on how to avoid the unnecessary take of migratory birds.

- The NDNR did not identify any issues regarding the proposed National Cemetery at the Site.

At the request of VA, TTL prepared a Biological Resources Survey and Documentation report, dated April 4, 2012, to evaluate for the potential presence and use of the Site by threatened and endangered species and/or critical habitat for such species (Appendix D).

As previously stated, the Site is currently occupied by cultivated land with six outbuildings located in the south-central portion of the Site. The majority of the vegetation at the Site consisted of corn and soybean crop remnants from the previous year's growing season.

Westmont Creek crosses the northwestern corner of the Site and includes approximately 1,350 linear feet on the Site. Vegetation adjacent to Westmont Creek included a scattered, wooded riparian area with invasive herbaceous species along the channel and tree lines.

In addition, a series of intermittent drainage swales were observed across the Site. These intermittent drainage swales are a result of the rolling topography of the Site. Although scattered trees are present along one intermittent drainage swale in the northeastern portion of the Site, the majority of the swale vegetation consisted of invasive herbaceous species. These areas are not currently cultivated to minimize erosion associated with surface water runoff.

Limited areas of scattered trees are also located around the former farmstead buildings in the south-central portion of the Site and along fence-rows in the northwestern and northeastern portions of the Site. However, the majority of the vegetation in these areas consisted of invasive herbaceous species along tree lines and fence rows, and among the scattered trees.

The limited, non-agricultural vegetation observed at the Site was predominantly invasive herbaceous species typically associated with disturbed areas. No indication of natural plant communities, such as native prairie vegetation areas suitable for the Western Prairie Fringed Orchid, was observed.

Based on the information received from the USFWS and NGPC and the findings of the Biological Resources Survey and Documentation report, no Federal or State-listed threatened and/or endangered species or critical habitat for such species were identified for the Site.

3.7.3 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct wildlife and habitat effects. Future development of a new National Cemetery on the Site is not likely to have biological resources effects. No Federal or State-listed threatened and/or endangered species or critical habitat for such species was identified for the Site. VA anticipates that the final cemetery design would maintain a buffer of undisturbed land around Westmont Creek and adjoining areas which would prevent impacts to riparian habitats.

3.7.4 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. No impacts to vegetation or wildlife habitat would occur other than through the ongoing agricultural use of the Site. Should the Site ultimately be developed for another use, impacts would result from that new development, and would depend upon the nature of the development.

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 should be timed to avoid overwintering periods of 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. Thus, it is recommended that tree removal at the Site be conducted outside the migratory bird nesting season of April through July so that nests are not disturbed. If it is not practical to clear the Site outside of this time frame, a qualified biologist should survey the Site prior to tree and brush clearing to ensure that no active nests are disturbed.

- Develop a site design that avoids impacts to Westmont Creek and adjoining areas.

- 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.

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 Preferred Action Alternative Site is dominated by vehicle traffic along adjoining roadways, specifically South 144th Street (Highway 50), an undivided highway adjoining to the west of the Site. 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.

Sarpy County does not maintain regulations related to noise, other than activities associated with livestock and non-livestock animals.

3.8.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct noise effects. Future development of a new National Cemetery on the Site would produce 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. 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 properties located adjacent to the northeast of the Site.

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; cranes; sheet pile drivers; man lifts; forklifts; 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 on the active construction site, decreasing with distance from the construction areas. Table 2 presents peak noise levels that could be expected from a range of construction equipment during proposed construction activities.

Generally speaking, peak noise levels within 50 feet of active construction areas and material transportation routes would most likely be considered "striking" or "very loud", comparable to peak crowd noise at an indoor sports arena. At approximately 200 feet, peak noise levels would be loud - approximately comparable to a garbage disposal or vacuum cleaner at 10 feet. At 0.25 mile, construction noise levels would generally be quiet enough so as to be considered insignificant, although transient noise levels may be noticeable at times.

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 2, 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 area located northeast 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 delivery 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. For this Proposed Action, persons in the residential areas near the Site would experience temporary increases in traffic noise during day-time hours. These effects are not considered significant because they would be temporary and similar to existing traffic noise levels in the area.

Table 2. Peak Noise Levels Expected from Typical Construction Equipment

Source	Peak Noise Level (dBA, attenuated)							
	Distance from Source (feet)							
	0	50	100	200	400	1,000	1,700	2,500
Heavy Truck	95	84-89	78-93	72-77	66-71	58-63	54-59	50-55
Dump Truck	108	88	82	76	70	62	58	54
Concrete Mixer	108	85	79	73	67	59	55	51
Jack-hammer	108	88	82	76	70	62	58	54
Scraper	93	80-89	74-82	68-77	60-71	54-63	50-59	46-55
Bulldozer	107	87-102	81-96	75-90	69-84	61-76	57-72	53-68
Generator	96	76	70	64	58	50	46	42
Crane	104	75-88	69-82	63-76	55-70	49-62	45-48	41-54
Loader	104	73-86	67-80	61-74	55-68	47-60	43-56	39-52
Grader	108	88-91	82-85	76-79	70-73	62-65	58-61	54-57
Pile driver	105	95	89	83	77	69	65	61
Forklift	100	95	89	83	77	69	65	61

Worst-Case Combined Peak Noise Level (Bulldozer, Jackhammer, Scraper)					
Combined Peak Noise Level	Distance from Source (feet)				
	50	100	200	¼ Mile	½ Mile
	103	97	91	74	68

Source: Tipler 1976

Proposed operational activities at the National Cemetery would include vehicle traffic to and from the Site, and use of powered equipment for grave site preparation, maintenance, and upkeep. These activities would not produce excessive noise, and would not produce a significant 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 adverse noise impacts presently occur at the Site. The noise environment of the Site would not be altered by activities of VA; however, the likely ultimate development of the Site by others would produce similar construction and operation noise impacts as identified under the Proposed Action.

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.

- Do not conduct construction activities between the hours of 7:00 p.m. and 7:00 a.m.
- Coordinate proposed construction activities in advance with adjacent sensitive receptors. Let the local residents 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 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 noisy equipment per manufacturer's recommendations.

- 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 reduce the potential for short-term adverse noise impacts to acceptable levels, notably for nearby sensitive receptors (i.e., the residential area northeast of the Site).

3.9 Land Use

Based on a review of historical resource utilized as part of EA, a Draft Phase I ESA prepared by TGI dated March 26, 2012, and the Draft Cultural Resources Report prepared by RC Goodwin, the Site has been mostly unimproved farmland with a farmstead near Schram Road since approximately 1915. The farmhouse was demolished between 1982 and 1994.

The area located adjoining to the north is currently occupied by unimproved farmland and a residential neighborhood. The area located adjoining to the east is currently occupied by unimproved farmland and a farmstead. The area located adjoining to the south beyond Schram Road, is currently occupied by unimproved farmland and a farmstead. The area located adjoining to the west beyond South 144th Street (Highway 50) is currently occupied by unimproved farmland and a farmstead.

The Site is currently zoned Agricultural Farming District (AG) with a planned future land use designation of Mixed Use, Mixed Use Center and Urban Residential. In addition, the western one-third of the Site is currently zoned as a Highway Corridor Overlay District (HCOD). The current land use designation for the Site (AG) includes cemeteries as a Special Permitted Use. The HCOD land use designation does not exclude cemeteries as a permitted use. The planned future land use designation of the Site (Mixed Use) does not include cemeteries as a permitted use. Mixed Use Center and Urban Residential land use designations are not currently defined in the Sarpy County Zoning Regulation.

The properties to the north are currently zoned Two-Family Residential District Planned Development (RD-50 PD/minimum 5,000-square foot lots per family unit) with a planned future land use designation of Mixed Use, Mixed Use Center, and Urban Residential. The properties to the east are currently zoned Agricultural Farming District with a planned future land use designation of Urban Residential. The properties to the south are currently zoned Agricultural Farming District with a planned future land use designation of Mixed Use, Mixed Use Center, Urban Residential, and Urban Residential II (higher density). The properties to the west are currently zoned Agricultural Farming District, Light Industrial District (IL), and

Highway Corridor Overlay District with a planned future land use designation of Mixed Use and Business Park. The current zoning classifications of the Site and the surrounding uses are depicted on Figure 7.

The Sarpy County Planning and Building Department (SCPBD) stated that Site is currently zoned as Agricultural Farming District and is included in a Highway Corridor Overlay District (western one-third of the Site). The SCPBD indicated that the planned future land use designations for the Site include Mixed Use and Urban Residential. According to the SCPBD, the Sarpy County Economic Development Corporation (SCEDC) has evaluated the area along South 144th Street (Highway 50) for a future business park and light industrial development. The SCPBD stated that the long range development plan for this corridor will be a mix of commercial, business park and light industrial development.

The Metro Area Planning Agency (MAPA) and the SCEDC stated the Site has been identified as a prime site for future commercial/industrial use due to its proximity to key transportation corridors and essential utilities. MAPA and SCEDC also expressed concerns about the permanent conversion of this site to a use other than for commercial/industrial activity, due to the diminished availability of suitable sites for key industry cluster development in the region, and also due to the lack of compatibility with existing and planned future land uses in the area of the Site. MAPA and SCEDC stated that the proposed cemetery at the Site does not appear to be compatible with local future land use plans and with the regional strategic economic development goal of identifying and preserving key sites and corridors for commercial/industrial development in the region, and recommended that an alternative site be considered.

3.9.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct land use effects. Future development of a new National Cemetery on the Site could have land use effects, as discussed below.

As a Federal agency, VA is not subject to local zoning regulations. However, the proposed cemetery is generally compatible with the current Site zoning. The entire Site is zoned Agricultural Farming District and the portion of the Site bordering South 144th Street is in a Highway Corridor Overlay District; both districts provide for cemeteries as a special permitted use on this site. In addition, use of the Site as a cemetery would also be generally consistent with the current surrounding land uses, mostly unimproved agricultural land.

Although long range planning by the SCEDC foresees rezoning the Site and the surrounding area along South 144th Street for future commercial/light industrial development, no such rezoning has been enacted, no specific development plans were identified, nor does development appear imminent. Much of the South 144th Street corridor remains in agricultural use. Therefore, although the proposed cemetery would not be consistent with the SCEDC's long-range vision for the Site, this potential adverse land use impact would be less-than-significant.

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

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 be developed by others in accordance with local zoning regulations. The land use impacts (and associated community benefits) of any future proposed development would be dependent upon the use proposed.

3.9.3 Mitigation/Management Measures

No project-specific mitigation measures are required.

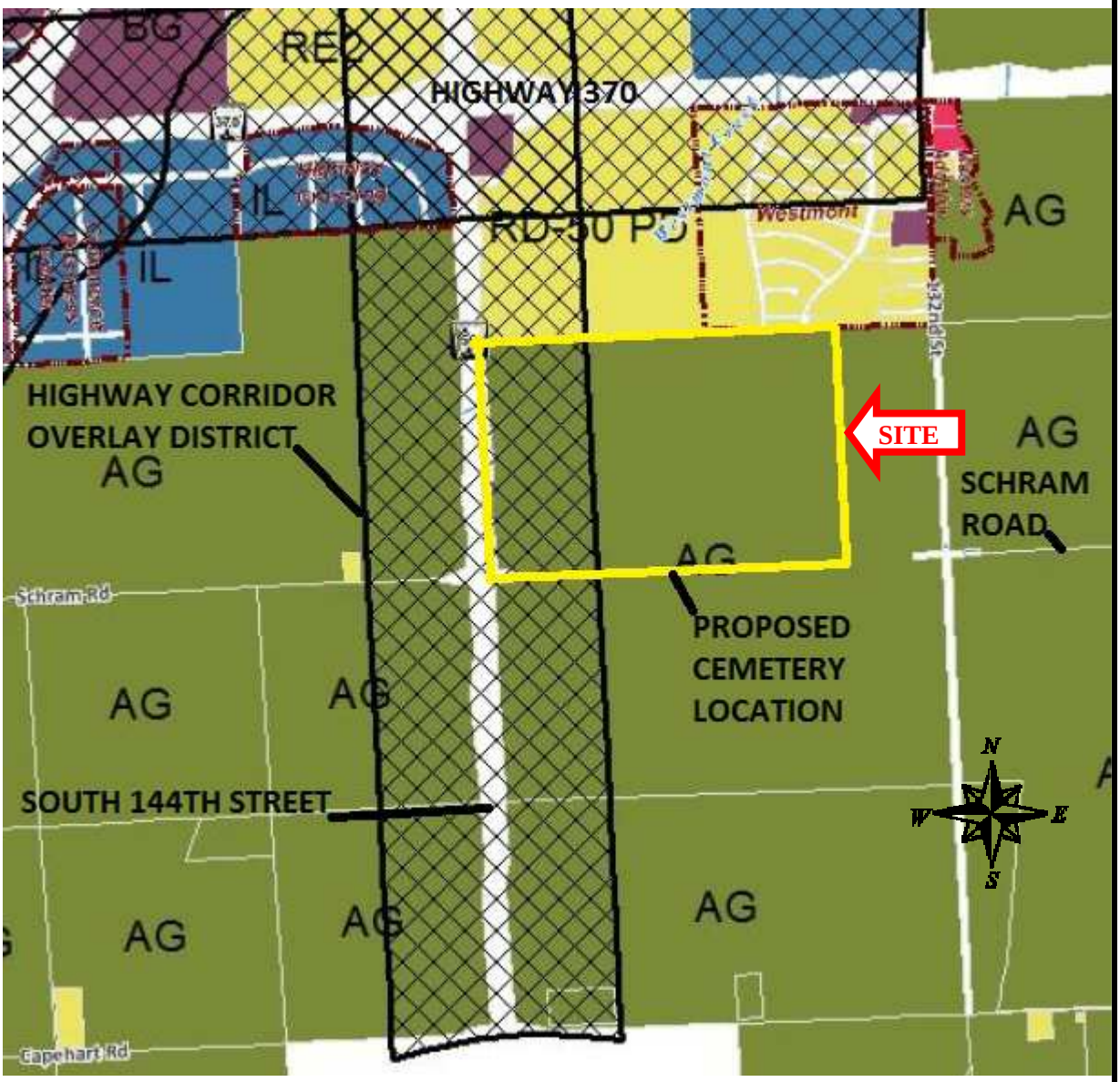


FIGURE 7
PREFERRED ACTION ALTERNATIVE SITE
CURRENT ZONING MAP

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT
PROPOSED NATIONAL CEMETERY
SARPY COUNTY, NEBRASKA

PREPARED FOR

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

TTL PROJECT NO.
7547.02

TTL associates inc

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 the Site.

TTL prepared a Wetlands Determination of the Site dated April 5, 2012 on behalf of VA in accordance with the USACE 1987 Manual and the Midwest Regional Supplement (see Appendix D). Westmont Creek crosses the northwestern portion of the Site and includes approximately 1,350 linear feet on the Site. The channel of Westmont Creek ranged from approximately three to five feet in width and contained up to six inches of flowing water at the time of they survey. Westmont Creek is likely to be considered a Waters of the US by the USACE and is discussed in Section 3.6. No other surface waters or wetlands were identified at the Site.

3.10.2 Floodplains

According to available FEMA floodplain mapping (FIRM Map Numbers 31153C0044H and 31153C0063H, both dated May 3, 2010), the Site is not located in the 100-year or 500-year floodplain (Zone X). Areas adjacent to the Site are also not included in the 100-year or 500-year floodplain.

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. Sarpy County and Nebraska as a whole are not located within a designated coastal zone (NOAA 2012).

3.10.4 Effects of the Preferred Action Alternative

No wetlands were identified on or near the Site. The Site is not included in the 100-year or 500-year floodplain or a designated coastal zone. No impacts to wetlands, floodplains or coastal zones would occur with the implementation of 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 mitigation or management measures are required.

3.11 Socioeconomics

The following subsections identify and describe the socioeconomic environment of Sarpy County, Nebraska. 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 within an unincorporated area of Sarpy County, Nebraska. Sarpy County's estimated population in 2010 was 158,840 citizens. The estimated population total for Nebraska was 1,842,641 residents in 2010.

Population totals for Sarpy County and the State of Nebraska have increased from 1990 to 2010 (see Table 3).

Table 3. Population Totals for Sarpy County and Nebraska

Area	1990	2000	2010
Nebraska	1,578,385	1,711,263	1,842,641
Sarpy County	102,583	122,595	158,840
Sources: US Census Bureau, Profile of General Demographic Characteristics.			

Baseline information identified that Sarpy County and Nebraska have similar minority populations (Table 4).

Table 4. Regional Population by Race and Ethnicity

Area	All Individuals	White (%)	African-American (%)	American Indian and Alaska Native (%)	Asian or Pacific Islander (%)	Other Race (%)	Hispanic or Latino* (%)
Nebraska	1,842,641	86.1	4.5	1.0	1.8	2.2	9.2
Sarpy County	158,840	87.4	4.0	0.5	2.1	3.1	7.3
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, 2010 Census, Profile of General Demographic Characteristics.							

According to the 2010 US Census statistics, Sarpy County has a higher percentage of high school graduates and persons with bachelor's degrees or higher than the State of Nebraska as a whole. Educational attainment data are presented in Table 5.

Table 5. Educational Attainment: Sarpy County and Nebraska

Educational Attainment	Sarpy County (%)	Nebraska (%)
High school graduate (incl. equivalency)	94.6	90.0
Bachelor's degree or higher	36.1	27.7
Source: US Census Bureau 2010.		

3.11.2 Employment and Income

The region's employment is primarily centered on educational services, health care, and social services; retail; professional and business services; finance and insurance; and arts, entertainment, and recreation.

Unemployment rates for Sarpy County and Nebraska are similar, as depicted in Table 6. Median household and per capita incomes for Sarpy County residents are higher than that of the rest of Nebraska. In addition, the population below the poverty level for Nebraska is higher than Sarpy County.

Table 6. Regional Income

Area	Number of Households	Median Household Income ($)	Per Capita Income ($)	Population Below Poverty Level (%)	Unemployment Rate (%) 2011
Nebraska	711,771	49,342	25,229	11.8	4.6
Sarpy County	56,512	68,280	29,212	5.7	4.8

Source: US Census Bureau 2006-2010.

3.11.3 Commuting Patterns

Residents of Sarpy County are largely dependent on personal automobiles for transportation to and from work. Other methods of transit include public transportation, carpooling, and walking. Local commuting times are approximately 20 minutes (one-way) due to the size and population density of Omaha and Sarpy County. Public transportation in Sarpy County is provided by Omaha Metro. The nearest public transportation stop is located approximately 4.2 miles east of the Site.

3.11.4 Housing

Rates of owner-occupied housing in Sarpy County are slightly higher than Nebraska and median housing values in Sarpy County are higher than the rest of Nebraska (see Table 7).

Table 7. Regional Housing Characteristics

Area	Total Housing Units	Occupied (%)	Owner-Occupied (%)	Median Value ($)	Renter-Occupied (%)	Median Contract Rent ($)
Nebraska	796,793	90.5	67.2	123,900	32.8	651
Sarpy County	61,938	93.8	71.2	158,600	28.8	813

Source: US Census Bureau 2008-2010.

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 used for agricultural purposes and contains no recreation areas. Children are present on the northeasterly neighboring residential properties. The percentage of the population under age 18 is slightly higher within Sarpy County as compared to Nebraska (see Table 8).

Table 8. Total Population Versus Population Under Age 18

Area	Total Population (2010)	Population Under 18	
		Number	Percent
Nebraska	1,842,641	462,503	25.1
Sarpy County	158,840	45,746	28.8

Source: US Census Bureau 2010.

3.11.6 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative site by VA would produce no direct socioeconomic effects. Future development of a new National Cemetery is not likely to have adverse socioeconomic effects.

Construction of the proposed cemetery is anticipated to result in short-term, direct, positive socioeconomic impacts to local employment and personal income. Construction of the proposed National Cemetery would potentially provide additional temporary construction jobs in the private sector, thus providing short-term socioeconomic benefit to the area. However, due to the intermittent and finite nature of these construction projects, no long-term impacts to the construction labor force are anticipated. Increased development in the region would indirectly benefit the local economy through the spending of business and personal income generated from the construction and operation of the proposed facility. As such, a long-term, indirect, positive impact to the local economy is anticipated from operation of the facility. The Proposed Action would result in long-term 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 construction or operation of the National Cemetery. In addition, children would only be present at the Site as visitors. Construction areas would be secured to prevent unauthorized access by children from the nearby residential areas. 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 in the area.

3.11.7 Effects of the No Action Alternative

The No Action Alternative would result in no new construction and no increased short- or long-term economic benefit due to VA's action. Under this alternative, no new construction or cemetery 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 cemetery would occur.

Most importantly, the inability of VA to provide adequate regional burial sites commensurate with the future need for these services would result in a significant adverse, long-term, indirect impact to US Veterans. Should the Site be developed in the future by others, similar short- and long-term, positive socioeconomic impacts as realized under the Proposed Action could occur, depending upon the use.

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 South Sarpy School District. This school district includes four schools. Westmont Elementary School is located approximately 1,600 feet northeast of the Site. No other public schools are located with 0.5 mile of the Site (South Sarpy School District No. 46, 2012).

The Sarpy County Sheriff's Department provides police protection to the Site and its vicinity. The Sarpy County Fire Department provides fire protection and emergency medical services to the Site and its vicinity. The Nebraska Department of Roads (NDOR) and the Sarpy County Public Works Department provide local road and bridge maintenance to the Site and its vicinity. No medical facilities are located within four miles of the Site.

Omaha Metro does not currently provide public transportation to the vicinity of the Site. The near public transportation stop is located approximately four miles east of the Site at the intersection of South Washington Street and Highway 370.

There are no developed recreational facilities on or in the immediate vicinity of the Site.

3.12.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct community services effects. Future development of a new National Cemetery 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 implementing the Proposed Action. Use of other public or community services as a result of the proposed National Cemetery 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 construction by VA would occur and no Community Services effects would be anticipated. Should the Site be developed in the future by others, impacts are likely to occur, depending upon the developed use.

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.

A Draft Phase I ESA was conducted for the Site on behalf of VA (TGI, dated March 26 2012). The Phase I ESA identified no Recognized Environmental Conditions (RECs) at the Site with the exception of debris and dumping identified along Westmont Creek in the northwestern portion of the Site. TGI stated that numerous areas where concrete had been dumped to impede erosion were identified along Westmont Creek. TGI stated that this material also included metal scrap, building debris, metal containers, cans, and plastic containers in a few areas. TGI indicated that neither the Site nor any of the surrounding properties were identified on any of the Federal, State or local environmental databases as a location of known environmental concern.

None of the agencies contacted as part of this EA were aware of any hazardous and toxic materials or wastes associated with the Site and its vicinity (see Appendix A).

3.13.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct solid and hazardous materials effects. Future development of a new National Cemetery would result in less-than-significant solid and hazardous materials effects.

TGI stated that numerous areas where concrete had been dumped to impede erosion were identified along Westmont Creek. TGI stated that this material included metal scrap, building debris, metal containers, cans, and plastic containers in a few areas. It appears that the majority of the material placed along the riverbanks is concrete and other inert materials. The miscellaneous other material dumped along Westmont Creek is a *de minimis* condition. In addition, VA would not likely include development activities that disturb Westmont Creek due to its location and the regulatory restrictions associated with direct or indirect impacts to the creek.

The buildings may contain asbestos-containing building materials (such as some asphalt roofing materials). Removal of regulated asbestos-containing materials (ACMs) prior to building demolition would reduce potential exposures to less-than-significant levels.

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. During construction, a small increase in construction vehicle traffic would increase the likelihood for 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 VA's solid and hazardous materials SOPs and applicable Federal and State laws. This 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 construction by VA would occur and no solid and hazardous materials use or effects would be anticipated. Hazardous substance use at the Site associated with the current agricultural use would continue. Should the Site be developed in the future by others, similar short-term solid and hazardous materials impacts as realized under the Proposed Action could occur, depending upon the use. In addition, depending upon the use, long-term solid and hazardous materials impacts could occur.

3.13.3 Mitigation/Management Measures

No project-specific mitigation measures are required. Construction effects would be minimized through BMPs. During operation, the National Cemetery would comply with existing VA SOPs and applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials. VA would remove any identified ACMs prior to demolition in accordance with Federal and State requirements.

3.14 Transportation and Parking

Access to the Site is currently provided directly from Schram Road (southern boundary). Although South 144th Street (Highway 50) is adjacent to the west of the Site, no direct access is currently available.

Schram Road is a generally east-west oriented, two-lane, unpaved road along the southern boundary of the Site with a current estimated Level of Service[1] (LOS) rating of B or better. South 144th Street (Highway 50) is generally north-south oriented, four-lane, paved, undivided highway with a current estimated LOS rating of B or better with an average daily traffic (ADT) of 11,405 vehicles. No LOS information was provided by NDOR or Sarpy County. Local roadway characteristics are shown in Table 9.

Traffic in the Site area is regulated by NDOR (South 144th Street) and Sarpy County (Schram Road). Under current conditions, all of the adjacent roadways operate above acceptable LOS ratings mainly due to the rural nature of the Site vicinity.

The NDOR provided the following comments regarding the Preferred Action Alternative:

- The South 144th Street (Highway 50) and Highway 370 access locations at Interstate 80 are established and will not be changed. Therefore any access from Interstate 80 via South 144th Street will be through existing access locations.

[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.

- A Traffic Impact Study (TIS) would be required by VA to determine whether any improvements need to be made on the highway (Highway 50) due to additional traffic or operational concerns. The design and construction of any highway improvements would be the responsibility of the VA.

- The drainage from the Site needs to match NDOR's design flow for drainage structures associated with Highway 50. Any retainage, if needed will occur on the cemetery property before being released to NDOR structures. A Drainage Study would be required.

- A NDOR right-of-way (ROW) permit shall be submitted and shall include the TIS, the Drainage Study, site plans for drainage control, driveway plans and highway improvements for NDOR approval. This submittal can be discussed and coordinated as this development proceeds.

Table 9. Area Roadways for the Site

Type	Route	Direction	Section	Road Width (feet)	Lanes	Average Daily Traffic (vehicles)	Level of Service
State Highway	South 144th Street (Highway 50)	North-South	Site	100	4	11,405	A-B
County Road	Schram Road	East-West	Site	30	2 (unpaved)	N/A	A-B

2010 Traffic Volume Data: NDOR, 2011
N/A – not available
Other Data Source: TTL Site Reconnaissance, February 2012

3.14.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct transportation and parking effects. Future development of a new National Cemetery would likely have less-than-significant adverse impacts to transportation and parking.

Construction traffic, consisting of trucks, workers' personal vehicles, and construction equipment, would increase traffic volumes in the local area, and could cause delays if this occurred during morning and evening peak periods. Installation and connection of utilities, located within or adjacent roadways, could also impact local roadways. These activities could result in additional traffic congestion, as well as a potential need to detour traffic around the area during utility work. However, all of the roadways adjacent to the Site are not heavily used and operate at LOS of B or better. Thus, only less-than-significant, short-term adverse impacts would be anticipated.

During operation, public roadways in the vicinity of the proposed National Cemetery would experience some additional traffic as a result of usage of the National Cemetery. As described in Section 2.2, the National Cemetery would be used every day throughout the year by approximately 150 visitors, 7 staff, and up to 6 funeral processions per day (averaging 20 cars per procession), generating about 250 vehicles (500 vehicle trips) day on average.

Although an increase in traffic would occur, these additional trips would likely be accommodated by the LOSs of the roadways adjacent to the Site, 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 the National Cemetery would travel at various times during the day during daylight hours. Staff at the Center would commute to and from work for at peak travel hours (i.e., at 8:00 a.m. and 5:00 p.m.).

Based on the proposed maximum usage estimates, operational traffic would not produce a significant adverse impact to local traffic conditions as defined at 38 CFR 26(2)(ii); this regulation defines a significant traffic impact as "an increase in average daily traffic volume of at least 20 percent on access roads to the Site or the major roadway network." The additional daily traffic associated with the Proposed Action (estimated 500 vehicle trips/day) would be a 4.4 percent increase over 2010 ADT levels for Highway 50. Although funeral processions could have some traffic impacts at peak times, the overall impacts would be less-than-significant, long-term adverse traffic impacts.

The NDOR requires that a TIS and Drainage Study be completed as part of the Proposed Action. The TIS and Drainage Study would be completed as part of the subsequent, site-specific, tiered SEA, concurrent with site design efforts.

No parking impacts are anticipated. The proposed cemetery would be designed and constructed to accommodate all parking on-site.

3.14.2 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. However, should the Site ultimately be developed by others, impacts as identified under the Preferred Action Alternative would occur. The type and magnitude of transportation effects would be dependent upon that proposed future use.

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 complete a TIS and Drainage Study for the Site, as required by NDOR, as part of the SEA.
- VA would submit a ROW permit to NDOR for approval.
- VA would work with NDOR to identify and implement roadway improvements as necessary, such as turn lanes and signalization.
- VA would ensure debris and/or soil is not deposited on local roadways during the construction period.
- VA would ensure construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.
- VA would coordinate with Sarpy County and the NDOR to ensure that construction and operational traffic are considered in the planning of future transportation improvements in this vicinity.

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 construction and operation.

3.15 Utilities

Basic utilities in Sarpy County (i.e., water, sewer, electric, and natural gas) are provided by various utility providers. As part of the preparation of this PEA, local utility providers were researched to determine the availability of required utilities in the vicinity of the site.

The following identifies the utility providers to the Site:

The **Metropolitan Utilities District (MUD)** supplies potable water to the Site area. According to the MUD, the potable water service in the vicinity of the Site is adequate for the Proposed Action. VA would be required to submit Proposed Action design plans to the MUD to obtain a permit to connect to the potable water service.

The **Omaha Public Works Department (OPWD)** supplies sanitary sewer service to the Site area. According to the OPWD, the sanitary sewer service in the vicinity of the Site is adequate for the Proposed Action. VA would be required to submit Proposed Action design plans to the OPWD to obtain a permit to connect to the sanitary sewer service.

Omaha Public Power District (OPPD) supplies the electric service to the Site. According to OPPD, the electrical service in the vicinity of the Site is adequate for the Proposed Action. VA would be required to submit Proposed Action design plans to the OPPD to obtain a permit to connect to the electrical service.

The **MUD** supplies the natural gas service to the Site. According to the MUD, the natural gas service in the vicinity of the Site is adequate for the Proposed Action. VA would be required to submit Proposed Action design plans to the MUD to obtain a permit to connect to the natural gas service.

Cox Communications provides telecommunication services to the Site vicinity. The Proposed Action is likely to require minimal telecommunication services; therefore, the telecommunications services in the Site vicinity are likely to be adequate for the Proposed Action. Cox Communications should be contacted in advance of construction activities in order to determine the service required.

3.15.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct utilities effects. Future development of a new National Cemetery would have impacts to utilities.

Construction of the proposed National Cemetery would result in an increase in the consumption of utilities, including electricity, potable water, and sanitary sewer discharges. All major utility services are available immediately next to or in close proximity to the Site. The proposed cemetery would be anticipated to have minimal utility needs. Water would be anticipated to have the largest demand due to the need for maintaining landscaped areas of the cemetery. Potable water would be obtained from MUD. Irrigation water may be obtained from MUD or an on-site water well may be used with oversight from the NDNR; this would be determined during the site design. If an on-site water well is used for irrigation, the well is required to be registered with the NDNR.

Activities at the proposed cemetery would likely be limited to daylight hours, minimizing the need for electric service. Additionally, telecommunications services would be limited to the needs of National Cemetery staff.

Based on consultation with local service providers, adequate utilities exist to supply the facility as currently proposed. However, each utility provider would require a review of the detailed final design plans to validate these preliminary findings and to determine connection/extension requirements to service the proposed cemetery. No significant adverse impacts to local utilities are anticipated.

3.15.2 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. However, should the Site ultimately be developed by others, impacts as identified under the Proposed Action would occur. The type and magnitude of utility effects would be dependent upon that proposed future use.

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 $22,050 for a family of four persons as reported in the 2010 census.

The Site is not located in area with a disproportionate concentration of low-income or minority citizens relative to the remainder of Nebraska. No low-income housing is located in the Site area.

3.16.1 Effects of the Preferred Action Alternative

Acquisition of the Preferred Action Alternative Site by VA would produce no direct environmental justice effects. Future development of a new National Cemetery at the Site is not anticipated to have adverse 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 adverse 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 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 development by VA would occur at the Site and there would be no adverse environmental justice effect. If the Site were to be developed by others, it is not likely to result in adverse 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 235-acre Site is situated in a predominantly agricultural area, at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska. The site is currently occupied by cultivated land with six outbuildings located in the south-central portion of the site.

The area adjoining to the north is currently unimproved farmland with a residential neighborhood to the northeast. The area adjoining to the east is currently unimproved farmland and a farmstead. The area adjoining to the south beyond Schram Road is currently unimproved farmland and a farmstead. The area adjoining to the west beyond South 144th Street is currently unimproved farmland and a farmstead.

The Proposed Action would retain many of the current features at the Site, while preserving natural resources through environmentally sensitive development. The Proposed Action is generally consistent with surrounding land uses, and as such would not produce any cumulative land use effects in the area.

The ROI for the Site is mostly unimproved agricultural land. Improvements have been made to the infrastructure of the surrounding area (i.e., Interstate 80 interchanges at South 144th Street and Highway 370, and the expansion of South 144th Street) with the purpose to promote development in the region. Recent development projects in the vicinity of the Site have included the development of commercial and light industrial parks located along South 144th Street approximately one mile north of the Site, and along Highway 370 approximately 0.25-mile northwest of the Site. In addition, the SCEDC and MAPA have identified the area along South 144th Street and Highway 370 as prime for future commercial/light industrial development due to its proximity to key transportation corridors and essential utilities.

Although land in the vicinity of the Site has been identified as a prime area for future commercial/light industrial development, the immediate surrounding area remains agricultural and no specific additional development plans were identified.

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 (short and long-term), soils (short and long-term), hydrology and water quality (short and long-term), wildlife and habitat (short and long-term), noise (short-term), land use (short-term and long-term), solid and hazardous materials (short- and long-term), transportation (short-term 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 and the area surrounding the Site, no significant cumulative adverse effects to any of these resource areas are anticipated.

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

As discussed in Section 3.6, Westmont Creek (Water of the US) crosses the northwest portion of the Site. VA would prevent significant impacts to the Water of the US largely through avoidance. If avoidance is not possible in the site design, VA would implement routine mitigation measures in accordance with USACE and NDEQ requirements to prevent significant impacts. Based on the site-specific, localized nature of the potential impacts to hydrologic features, no significant cumulative adverse impacts are anticipated.

No significant adverse cumulative impacts to the environment, induced by changes at the Site are anticipated within the region. Close coordination between the USACE, NDEQ, NDOR, and Sarpy County 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, cumulative impacts would be similar to those identified for the Proposed Action, as the Site would likely be developed for another use. The extent of cumulative effects under the No Action Alternative would depend upon that future use.

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. MAPA stated that the SCEDC has expressed concerns about the permanent conversion of the Preferred Action Alternative Site to a use other than for commercial/industrial activity, due to the diminished availability of suitable sites for key industry cluster development in the region, and also due to the lack of compatibility with existing and future land uses in the area of the Site. MAPA stated that the proposed cemetery does not appear to be compatible with local future land use plans and with the regional strategic economic development goal of identifying and preserving key sites and corridors for commercial/industrial development in the MAPA region, and recommended that an alternative site be considered. As discussed in Section 3.9, although long range planning by the SCEDC foresees rezoning the Site and the surrounding area along South 144th Street for future commercial/light industrial development,

such rezoning has not been enacted, no specific development plans were identified, nor does development appear imminent. Much of the South 144th Street corridor remains in agricultural use. Therefore, although the proposed cemetery would not be consistent with the SCEDC's long-range vision for the Site, this potential adverse land use impact would be less-than-significant. None of the remaining government agency input has identified opposition or controversy related to the Proposed Action or the Preferred Action Alternative.

VA, as the Federal proponent of this Proposed Action, published and distributed the Draft PEA for a 30-day public comment period, as announced by a Notice of Availability (NOA) published in the Omaha World-Herald from September 21 through September 23, 2012. Review copies were made available for public review at the Papillion Public Library in Papillion, Nebraska. VA also made a copy available for download via a link on the VA internet website. No public controversy regarding the Proposed Action was noted during the public comment period. However, public comments provided indicated that there is some controversy regarding the selection of the optimal site for the proposed National Cemetery. Refer to Section 4.0 for specific details pertaining to public comments.

SECTION 4: PUBLIC INVOLVEMENT

4.1 Public and Agency Involvement

The 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, the VA's policy for implementing the NEPA. Additional guidance is provided in the 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 PEA is provided in Appendix A and Appendix E.

4.1.1 Public Review

VA, as the Federal proponent of this Proposed Action, published and distributed the Draft PEA for a 30-day public comment period as announced by a Notice of Availability (NOA) published in the Omaha World-Herald from September 21 through September 23, 2012. Review copies were made available for public review at the Papillion Public Library in Papillion, Nebraska. VA also made a copy available for download via a link on the VA internet website. VA received:

- Sixty public comments were received via email. No other public comments were received. None of the comments received were in opposition with the Proposed Action (establishing a new National Cemetery near Omaha); the comments pertained to the site selection for the proposed cemetery. Many of the comments appeared to be in response to an email sent by the Bellevue, Nebraska Chamber of Commerce to its members that encouraged recipients to send emails to VA requesting that VA consider selecting a property near the intersection of 36th Street (South County Road G37) and Highway 370 (Strategic Air Command Memorial Highway) near Offutt Air Force Base in Bellevue for the proposed cemetery.

  Forty-one of the responders commented that the location noted by the Bellevue Chamber of Commerce would be a better location for the National Cemetery. Eighteen responders indicated a preference for the Preferred Action Alternative Site detailed in the PEA. One responder recommended an alternative location in Ashland, Nebraska.

  As detailed in Section 2.3.1, after identifying a need for a new National Cemetery in the Omaha area, VA advertised its need for an appropriate new site. VA received numerous responses (i.e., offering of sites) to this solicitation, including the Preferred Action Alternative Site and the site in Bellevue near the Offutt Air Force Base. A VA Site Selection Board (SSB) objectively evaluated and scored each of the sites based on specific site selection criteria. Site ranking was determined by the aggregate scores of each individual SSB member for each site. Through this analysis, VA identified one suitable site (the Preferred Action Alternative Site) that most reasonably met VA's screening criteria. None of the other sites offered to and evaluated by VA, including the site in Bellevue, were as able to fulfill VA's screening criteria as well as the Preferred Action Alternative Site.

The public comments received by VA are included in Appendix E. Where applicable, the Final PEA was modified to reflect these comments.

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 PEA. 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 PEA.

VA consulted with the following agencies during the preparation of this PEA: the US Fish and Wildlife Service (USFWS) Mountain-Prairie Region; US Environmental Protection Agency (USEPA) Region VII; US Army Corps of Engineers (USACE); Nebraska State Historical Society, State Historic Preservation Office (SHPO); Nebraska Game and Parks Commission (NGPC); Nebraska Department of Roads (NDR); Nebraska Department of Natural Resources (NDNR), Integrated Water Management Division (WMD) and Permits and Registrations Division (PRD); Nebraska Department of Environmental Quality (NDEQ), Waste Division, Water Division, Environmental Assistance Division, and Air Division; Natural Resource Conservation Service (NRCS); Sarpy County Public Works (SCPW); Sarpy County Planning and Building Department (SCPBD); Sarpy County Administration (SCA); Sarpy County Economic Development Corporation (SCEDC); and the Metro Area Planning Agency (MAPA).

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

VA received responses from the following agencies: USFWS, NCPC, USEPA, SHPO, NDNR, NDOR, SCPBD, MAPA, and SCEDC. Input provided by these agencies is detailed in the appropriate resource sub-sections of Section 3.

4.1.3 Native American Consultation

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. As part of this PEA, VA identified six Native American Tribes as having possible ancestral ties to the Proposed Action's ROI (i.e., Sarpy County, Nebraska), and invited each Tribe to consult on this Proposed Action. VA identified these Tribes based on the Native American Consultation Database and the SHPO. VA conducted all tribal correspondence by certified letters. A sample letter sent to the Tribes and their full responses are included in Appendix B. As of the date of this PEA, no responses have been received from the consulted tribes (VA 2012).

SECTION 5: MANAGEMENT AND MITIGATION MEASURES

This section summarizes the management and mitigation measures, if any, identified in Section 3 that are proposed to minimize and maintain adverse effects of the Preferred Action Alternative at acceptable, less-than-significant levels. Mitigation/Management measures would be fully developed, if necessary, for the identified resources during the Tiered SEA concurrent with site design efforts which cannot be fully analyzed at present. Anticipated avoidance and management measures for the Preferred Action Alternative, based on the analysis in this PEA, are presented below.

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 Preferred Action Alternative Site. These "management measures" are described in this PEA, and are included as components of each of the alternatives. "Management measures" are defined as routine BMPs and/or regulatory compliance measures that are regularly implemented as part of proposed activities, as appropriate, across Nebraska. 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.

5.1 Management Measures

With implementation of routine "management measures," the Preferred Action Alternative would not result in significant adverse impacts to, and would reduce any identified potential adverse effects to, the current environmental setting associated with the following technical resource areas.

Aesthetics. Comply, to the extent practical, with Sarpy County Zoning and Subdivision Regulations, as detailed in Section 3.2.

Air Quality. Control fugitive dust emissions during construction and obtain required air quality emissions construction and operations permits (if any are necessary based on the final design) from the NDEQ, as detailed in Section 3.3.

Cultural Resources. Properly address any unknown cultural resources discoveries during Site development, as detailed in Section 3.4.

Geology and Soils. Control soil E&S impacts during construction by complying with the NDEQ, NPDES and Sarpy County permitting processes, as detailed in Section 3.5. Complete the required Farmland Conversion Impact Rating (Form AD-1006) and submit to the NRCS.

Hydrology and Water Quality. As part of the design of the cemetery, conduct a Drainage Study to identify stormwater management requirements. Control soil erosion and sedimentation impacts during construction by complying with the NDEQ NPDES and Sarpy County permitting processes, as described in Section 3.6. Include sufficient stormwater management during project design. Properly abandon the out-of-service water wells associated with the former on-site farmstead.

Wildlife and Habitat. Avoid impacts to migratory birds, revegetate with native species, and avoid impacts to Westmont Creek as detailed in Section 3.7.

Noise. Manage construction activities and schedules to minimize noise impacts, as detailed in Section 3.8.

Solid and Hazardous Materials. Remove regulated ACMs from site buildings prior to demolition. Implement construction and operational BMPs to minimize effects and to comply with applicable regulations as detailed in Section 3.13.

Transportation and Parking. As part of the design of the cemetery, conduct a TIS to identify future traffic impacts on area roads. Work with NDOR and Sarpy County to implement required improvements identified by this analysis. Manage construction and operation activities as detailed in Section 3.14.

Utilities. Comply with utility provider requirements as detailed in Section 3.15.

No management measures are identified by this PEA's analysis for the following technical resource areas: ***Land Use, Wetlands, Floodplains, and Coastal Zones, Socioeconomics, Community Services, and Environmental Justice.***

5.2 Design Avoidance and Mitigation Measures

VA would implement the following design avoidance measures to reduce potential effects to the Waters of the US (Westmont Creek) to acceptable, less-than-significant levels. These avoidance measures would be more fully developed as part of the subsequent, site-specific, tiered SEA, concurrent with site design efforts. VA would:

- ***Waters of the US.*** Avoid the onsite and adjacent surface water resources to the extent possible during the site design process. Consult with and obtain permits, as necessary, from the USACE under Section 404 and NDEQ under Section 401 of the Clean Water Act to minimize adverse effects to jurisdictional surface water resources prior to construction. VA anticipates that final cemetery design would maintain a buffer of undisturbed land around the identified surface water resources. However, in those cases where impacts to the Waters of the US cannot be avoided, if any, VA would obtain and comply with all necessary permits from State (NDEQ) and Federal (USACE) agencies.

SECTION 6: CONCLUSIONS

This PEA evaluates the Proposed Action of VA to select and acquire a site for a new National Cemetery near Omaha in Sarpy County, Nebraska. This PEA discusses two alternatives: (1) *Preferred Action Alternative* - Select and acquire the approximately 235-acre site located at the northeast corner of South 144th Street (Highway 50) and Schram Road in Sarpy County, Nebraska for the future construction and operation of the proposed National Cemetery; and (2) the *No Action Alternative*. This PEA 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 (Executive Order [EO] 12898). The PEA 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 avoidance and management measures, and best management practices identified in this PEA are implemented. Site-specific impacts will be further evaluated in a subsequent, tiered EA (Site-Specific EA) once a Site has been selected and acquired, and the cemetery design process has been initiated. The avoidance and management measures identified in this PEA would be incorporated into that future process and analysis. Therefore, this PEA concludes that a FONSI is appropriate, and that an EIS is not required.

SECTION 7: LIST OF PREPARERS

DEPARTMENT OF VETERANS AFFAIRS STAFF

Mr. Thomas W. Moran, P.E.
Environmental Engineer
Department of Veterans Affairs
Office of Construction and Facilities Management

Mr. Glenn Madderom
Chief, Cemetery Development & Improvement Service
Department of Veterans Affairs
National Cemetery Administration

Mr. Edward Swift
Project Manager
Department of Veterans Affairs
Office of Construction and Facilities Management

TTL ASSOCIATES, INC. (CONSULTANTS)

Name	Role	Degree	Years of Experience
Paul J. Jackson	Site Reconnaissance, Document Preparation, Affected Environment, Environmental Impact Analysis, and Scoping Coordination	B.A., Biology/English 1992	13
Robin J. Clark	Project Manager, Technical Lead Technical QA/QC Review, Program Management/Project Coordination	B.S., Aquatic Environments/Environmental Science, 1985	26
Danielle Iott	Research and Data Gathering, and Document Preparation	B.E., Environmental Engineering, 2000	11
Clark Wittenberg	GIS Analysis, Mapping, Graphics	A.S. Civil Engineering Technology, 1995 A.S. Architectural Technology, 1995 B.S. Construction Management, 2001	16

SECTION 8: REFERENCES CITED

Association of Natural Burials, 2011 and 2012.

Biological Resources Survey and Documentation, prepared by TTL Associates, Inc., April 4, 2012.

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Code of Federal Regulations 40 CFR 261.3

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EO 13423, *Strengthening Federal Environmental, Energy, and Transportation Management.* 24 January 2007.

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Federal Clean Air Act 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.

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Migratory Bird Treaty Act (16 USC 703-712, 3 July 1918; as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989).

National Historic Preservation Act of 1966, as amended (36 CFR Part 800).

Native American Graves Protection and Repatriation Act, as amended (NAGPRA) (25 USC 3001 et seq.), 1990.

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Nebraska Department of Environmental Quality (NDEQ), 2012.

Nebraska Department of Natural Resources, 2012.

Nebraska Department of Roads (NDOR), 2012.

Nebraska Game and Parks Commission, 2012.

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Sarpy County Administration

Sarpy County Economic Development Corporation

Sarpy County Planning and Building Department, 2012.

Sarpy County Public Works

South Sarpy School District No. 46, 2012.

US Army Corps of Engineers, Omaha District, 2012.

US Fish and Wildlife Service (USFWS), Mountain-Prairie Region, 2012.

US Environmental Protection Agency (USEPA), Region 7, 2012.

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USFWS, NWI website: http://www.fws.gov/wetlands/data/Mapper.html

USEPA Superfund Site Information Systems website:
http://cfpub.epa.gov/supercpad/cursities.htm

VA website: http: http://www.va.gov

USEPA Environmental & Compliance History database: http://www.epa-echo.gov/echo/

US Bureau of Census (1990, 2000, and 2010 US Census Data): http://www.census.gov

USDA NRCS web soil survey: http://websoilsurvey.nrcs.usda.gov/app/WebSoil Survey.aspx.

Various mapping tools to locate properties, internet, www.mapquest.com,
www.maps.google.com , www.google.earth.com , etc.

SECTION 9: LIST OF ACRONYMS AND ABBREVIATIONS

ACA	Air Compliance Assurance
ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act of 1990
AIRFA	American Indian Religious Freedom Act
amsl	above mean sea level
AQD	Air Quality Division
ARPA	Archaeological Resources Protection Act
AST	Aboveground Storage Tank
BEA	Bureau of Economic Analysis
BMP	Best Management Practice
CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CMP	Coastal Management Program
CO	Carbon Monoxide
CWA	Clean Water Act
CZARA	Coastal Zone Act Reauthorization Amendments
CZMA	Coastal Zone Management Act
DRD	Demolition, Remediation, and Drainage
E&S	Erosion and Sedimentation
EA	Environmental Assessment
EDR	Environmental Data Resources
EIS	Environmental Impact Statement
EO	Executive Order
ERP	Environmental Resource Permit
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FS	Feasibility Study
GIS	Geographic Information System
HAP	Hazardous Air Pollutant
IICEP	Interagency and Intergovernmental Coordination for Environmental Planning
LOS	Level of Service
MAPA	Metro Area Planning Agency
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Association
NO_X	Nitrogen Oxides
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
NDEQ	Nebraska Department of Environmental Quality
NDNR	Nebraska Department of Natural Resources

NDR	Nebraska Department of Roads
NGPC	Nebraska Game and Parks Commission
O_3	Ozone
OSHA	Occupational Safety and Health Administration
Pb	Lead
PBF	Public Buildings and Facilities
PM	Particulate matter
ppm	parts per million
PTE	Potential to emit
RCRA	Resource Conservation and Recovery Act
RI	Remedial Investigation
ROD	Record of Decision
RONA	Record of Non-applicability
SCA	Sarpy County Administration
SCEDC	Sarpy County Economic Development Corporation
SCPBD	Sarpy County Planning and Building Department
SCPW	Sarpy County Public Works
SFHA	Special Flood Hazard Area
SHPO	Nebraska State Historical Department (State Historic Preservation Office)
SCPD	Sarpy County Planning and Development Department
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
TPY	Tons per year
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VA	Department of Veterans Affairs

SECTION 10: AGENCIES AND INDIVIDUALS CONSULTED

Agencies Consulted

U.S. Fish and Wildlife Service – Mountain-Prairie Region
Office of External Affairs
203 West 2nd Street
Federal Building, 2nd Floor
Grand Island, Nebraska 68801
Phone: (308) 384-8835

US Environmental Protection Agency, Region 7
Office of Public Affairs
901 North 5th Street
Kansas City, Kansas 66101
Phone: (913) 551-7003

US Army Corps of Engineers – Omaha District
Wehrspann Field Office
8901 South 154th Street
Omaha, Nebraska 68138-3635
Phone: (402) 896-0896

Nebraska Department of Environmental Quality
Omaha Regional Field Office – Air Division
8901 South 154th Street, Suite 5
Omaha, Nebraska 68138-3621
Phone: (402) 595-1766

Nebraska Department of Environmental Quality
Omaha Regional Field Office – Environmental Assistance Division
8901 South 154th Street, Suite 5
Omaha, Nebraska 68138-3621
Phone: (402) 595-1766

Nebraska Department of Environmental Quality
Omaha Regional Field Office – Waste Division
8901 South 154th Street, Suite 5
Omaha, Nebraska 68138-3621
Phone: (402) 595-1766

Nebraska Department of Environmental Quality
Omaha Regional Field Office – Water Division
8901 South 154th Street, Suite 5
Omaha, Nebraska 68138-3621
Phone: (402) 595-1766

Nebraska Department of Natural Resources
Integrated Water Management Division
301 Centennial Mall South
Lincoln, Nebraska 68509-4676
Phone: (402) 471-1114

Nebraska Department of Natural Resources
Permits and Registrations Division
301 Centennial Mall South
Lincoln, Nebraska 68509-4676
Phone: (402) 471-1696

Nebraska Department of Roads, District 2
4425 S 108th St
PO Box 45461
Omaha, Nebraska 68145-0461
Phone: (402) 595-2534

Nebraska Game and Parks Commission
2200 North 33rd Street
Lincoln, Nebraska 68503
Phone: (402) 471-5438

Nebraska State Historical Society (State Historic Preservation Office)
PO Box 82554
Lincoln, Nebraska 68501-2554
Phone: (402) 471-4787

Metro Area Planning Agency
2222 Cuming Street
Omaha, Nebraska 68102-4328
Phone: (402) 444-6866

Natural Resource Conservation Service
Omaha Service Center
8901 South 154th Street
Omaha, Nebraska 68138-3621
Phone: (402) 896-0121

Sarpy County Planning and Building Department
1210 Golden Gate Drive
Papillion, Nebraska 68046
Phone: (402) 593-1555

Sarpy County Public Works
15100 South 84th Street
Papillion, Nebraska 68046
Phone: (402) 537-6900

Sarpy County Administration
1210 Golden Gate Drive, Suite 1126
Papillion, Nebraska 68046-2845
Phone: (402) 593-2347

SECTION 11: LIST OF ENVIRONMENTAL PERMITS REQUIRED

11.1 Regulatory Framework

This PEA 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 PEA 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 PEA, and include:

- Migratory Bird Treaty Act (MBTA; 16 USC 703-712, 3 July 1918; as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989).
- 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.).
- National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR Part 800).
- 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 11988, *Floodplain Management* (24 May 1977).
- Executive Order 11990, *Protection of Wetlands* (24 May 1977).
- Executive Order 12898, *Environmental Justice* (11 February 1994).
- Executive Order 13423, *Strengthening Federal Environmental, Energy, and Transportation Management* (24 January 2007).
- Executive Order 13514, *Federal Leadership in Environmental, Energy, and Economic Performance* (5 October 2009).
- 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).
- USACE, Section 404 of the Federal Clean Water Act for projects that disturb any jurisdictional "Waters of the United States".
- NDEQ, Section 401 of the Federal Clean Water Act for Water Quality Certification.
- NDEQ, NPDES permit for General Construction Activity.

- Sarpy County Zoning Regulation.
- Sarpy County Subdivision Regulation.
- Sarpy County Stormwater Management Regulation.

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 (O_3), carbon monoxide (CO), sulfur dioxide (SO_2), lead (Pb), nitrogen dioxide (NO_2), 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 (NO_2), ozone (O_3), particulate matter, and sulfur dioxide (SO_2).

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

APPENDIX B

Native American Consultation

APPENDIX C

Photograph Log

APPENDIX D

Other Relevant Environmental Data

APPENDIX E

Public Notices and Comments