
**FINDING OF NO SIGNIFICANT IMPACT
U.S. DEPARTMENT OF VETERANS AFFAIRS
PROPOSED ALBUQUERQUE NATIONAL CEMETERY
RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO**

Introduction

A Final Environmental Assessment (EA), included herein by reference, was prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the U.S. Department of Veterans Affairs' (VA's) Proposed Action to acquire approximately 340 acres of land near Albuquerque, New Mexico for the development and operation of a new National Cemetery. The EA included the initial phase of cemetery development (approximately 40 to 60 acres). Supplemental NEPA analyses will be conducted for subsequent phases of cemetery development. The EA was prepared in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code 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 *Environmental Effects of the Department of Veterans Affairs Actions* (38 CFR Part 26).

The purpose of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of Veterans in the central New Mexico area for at least the next 100 years.

The proposed new National Cemetery is needed to address the depletion of National Cemetery burial space in central New Mexico. The existing Santa Fe National Cemetery (SFNC), located at 501 North Guadalupe Street in Santa Fe, New Mexico, is the only National Cemetery in central New Mexico and is nearing its burial capacity; VA estimates that the existing burial space at the SFNC will be depleted in 10 years. The new cemetery would provide additional burial capacity, as well as improved cemetery access (reduced travel time), for central New Mexico Veterans and their families, the majority of whom live in the Albuquerque area.

1. Description of the Proposed Action and Alternatives

Proposed Action

VA's Proposed Action is to acquire approximately 340 acres of land located south of U.S. Highway 550, at its junction with Old State Highway 44, in Rio Rancho, Sandoval County, New Mexico (Site) for the development and operation of a new National Cemetery. The new cemetery would provide burial facilities for Veterans and eligible family members in central New Mexico.

VA would acquire the land in 2021 and would begin the cemetery master planning and design approximately 6 months after acquisition. The master planning and design process is anticipated to require 2 years. VA would follow the National Cemetery Administration (NCA) *Facilities Design Guide* in the proposed National Cemetery design. The cemetery would include a gated entrance and perimeter fencing, an administration and public information building, an assembly area, a memorial wall, committal shelters, a loop road through the cemetery, casket gravesites, columbarium niches, and a maintenance building/facility. The cemetery would be developed in phases, with the first phase (approximately 40 to 60 acres) including the buildings and infrastructure needed to support the first 15 years of burial capacity. It is anticipated the first phase of cemetery development would be completed within 2 years of the completion of the cemetery design.

The proposed National Cemetery would be open to the public every day throughout the year. VA anticipates approximately 20 to 25 funeral processions per week at the cemetery, averaging approximately 20 cars per procession. VA estimates that the cemetery, once fully established, would receive approximately 1,000 visitors per week.

Alternatives Considered

VA initially considered the expansion of SFNC; however, land contiguous to the SFNC was not available for reasonable acquisition. As a result, VA concluded that a new National Cemetery near Albuquerque, best suited its purpose and need to fully serve the burial needs of central New Mexico area Veterans, the majority of whom live in the Albuquerque area.

In 2019, VA published a Solicitation for Federal Business Opportunity, seeking offers for at least 200 acres of land suitable for cemetery development, located within an 8-mile radius of the intersection of Interstate 25 and State Highway 556, northeast of Albuquerque toward Santa Fe. VA received several responses to this solicitation. Through a comprehensive screening process, VA identified one site, an approximately 340-acre property located south of U.S. Highway 550 in Rio Rancho, that best met all of the established screening criteria.

The EA examined in-depth two alternatives, the Proposed Action and the No Action Alternative.

Proposed Action

VA proposes to acquire approximately 340 acres of unimproved land, located just south of where Old State Highway 44 meets U.S. Highway 550 in Rio Rancho, Sandoval County, New Mexico (Site) and to develop it into a new National Cemetery. The Site is the western portion of an approximately 586-acre parcel of land owned by the State of New Mexico. The majority of the Site is desert grassland and scrub land with a slight slope to the southwest. The northeastern portion of the Site contains the peak of a prominent hill (Loma Barbon) and an associated, scrub-covered ridge. From the ridge, the Site slopes moderately to the east and southeast. An abandoned segment of Old State Route 44 remains in the northeastern portion of the Site. Several unpaved roads/trails crisscross the Site. A seasonal pond associated with a normally dry tributary of Arroyo Venada is located in the southwestern portion of the Site. The majority of the Site would be developed with the proposed cemetery; however, the eastern and northern portions of the Site associated with Loma Barbon and natural drainage areas would likely remain undeveloped and incorporated into the cemetery design.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in central New Mexico would continue to use the SFNC until burial space is no longer available. Once SFNC reaches capacity, Veterans and their families would no longer be served by a National Cemetery in central New Mexico and would be required to travel a substantial distance for burial at a National Cemetery. The distribution of National Cemeteries throughout the region would be unbalanced and inadequate. The Site likely would remain undeveloped for the foreseeable future.

2. Environmental Analysis

Environmental Consequences

Proposed Action

The Final EA concluded that the Proposed Action would result in short-term and/or long-term adverse impacts to aesthetics, air quality, cultural resources, geology and soils, hydrology and water quality, wildlife and habitat, noise, land use, solid waste and hazardous materials, transportation, and utilities. All of these potential impacts are less than significant and would be further reduced through careful implementation of the general best management practices

(BMPs); management, minimization, avoidance, and mitigation measures; and compliance with regulatory requirements, as identified in the Final EA.

An archaeological survey of the Site conducted on behalf of VA in 2020 identified seven archaeological sites recommended as eligible for listing on the National Register of Historic Places (NRHP) and three archaeological sites that were undetermined as to their NRHP eligibility at the Site and were recommended to be treated as eligible for listing on the NRHP. Eight of these ten archaeological sites are located in the northeastern corner or southernmost portions of the Site; only two of the archaeological sites are located within the central portion of the Site. Based on their locations, VA anticipates the cemetery would be designed to avoid the identified archaeological sites; each archaeological site would remain undisturbed, with a buffer of undisturbed land between the site and the cemetery development. On May 7, 2021, VA executed a procedural Programmatic Agreement (PA) under Section 106 of the National Historic Preservation Act (NHPA) that establishes procedures to address potential adverse effects to eligible archaeological sites during the cemetery design and development. Under the PA, as each phase of the cemetery is designed, VA would establish appropriate additional identification efforts necessary for the identified archaeological sites and would consult with the designated consulting parties regarding potential adverse effects which can be addressed by design avoidance or appropriate negotiated mitigation measures, as applicable. VA and the New Mexico State Historic Preservation Office (NM SHPO) are signatories to the PA, while the Pueblo of Santa Ana, and the Pueblo of Tesuque are invited signatories and the New Mexico State Land Office (NM SLO), and the City of Rio Rancho, Development Services Department are concurring parties. On January 29, 2021, the Advisory Council on Historic Preservation (ACHP) indicated that they would not participate in the consultation. With the execution of the procedural PA requirements, potential impacts to cultural resource associated with the proposed cemetery development would be addressed and would be in compliance with the NHPA.

The Proposed Action would provide VA additional capacity to continue to provide National Cemetery burial benefits to the regional Veteran community, at a location closer to where they reside, a significant beneficial socioeconomic effect.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. No beneficial impacts attributable to the Proposed Action would occur. Veterans and their families residing in northern New Mexico would continue to use the SFNC until space is no longer available. Once SFNC reaches capacity, Veterans and their families in the region would be required to travel much longer distances to the nearest National Cemetery for burial and subsequent visits, at increased cost and time.

Cumulative Impacts

The EA also examined the potential cumulative effects of implementing each of the considered alternatives. This analysis found that the Proposed Action, with the implementation of the BMPs; management, minimization, avoidance measures and mitigation measures; and regulatory compliance measures specified in the EA, would not result in significant adverse cumulative impacts to the human environment.

Management, Minimization and Mitigation Measures

VA will include the BMPs, management, minimization and avoidance measures, mitigation measures, and regulatory compliance measures summarized in Table 4-1 of the Final EA (attached herein as Appendix A) in the Proposed Action to minimize and maintain adverse effects at less-than-significant levels.

3. Regulations

The Proposed Action will be consistent with federal, state, and local environmental regulations, including those listed in Appendix A of the Final EA.

4. Commitment to Implementation

VA affirms its commitment to implement the BMPs, management, minimization and avoidance measures, mitigation measures, and regulatory compliance measures identified in the Final EA and this Finding of No Significant Impact (FONSI).

5. Agency and Public Involvement

VA has consulted with appropriate federal, state, and local regulatory agencies, and federally recognized Native American Tribes identified as having possible ancestral ties to the Site area. This consultation is documented in the Final EA. Comments and input submitted by regulatory agencies and Tribes have been addressed in the Final EA.

VA published and distributed the Draft EA for a 30-day public comment period, as announced by a Notice of Availability published in the Albuquerque Journal, a local newspaper of general circulation, from December 20, 2020 through December 22, 2020. A copy of the Draft EA was made available for public review on the VA Office of Construction and Facilities Management Environmental Program website. VA also emailed notification of the Draft EA for review and comment, with a link to the Draft EA on VA's website, to each of the government agencies that were contacted during the NEPA scoping. VA received no public or government agency comments regarding the Draft EA.

6. Finding of No Significant Impact

After careful review of the Final EA, VA has concluded that the Proposed Action would not generate significant controversy or have a significant impact on the quality of the human environment, provided VA implements the BMPs, management, minimization and avoidance measures, mitigation measures, and regulatory compliance measures identified in Appendix A to this FONSI. VA will implement these measures.

This analysis fulfills the requirements of the NEPA and is consistent with the VA and CEQ regulations implementing the Act. An environmental impact statement is not required.

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**Management, Minimization, Avoidance, and Mitigation Measures
 Incorporated into the Proposed Action**

Technical Resource Area	Measure
Aesthetics	Develop the cemetery in concert with the Site’s natural topography. Maintain some natural areas.
	Use natural buffers and/or berms between the developed portions of the cemetery and adjacent residential properties.
	Comply, to the extent practicable, with the development standards of the Rio Rancho Municipal Code (RRMC) during the cemetery design.
Air Quality	Use appropriate dust suppression methods (such as the use of water, dust palliative, covers, suspension of earth moving in high wind conditions) during onsite construction activities.
	Stabilize disturbed areas through re-vegetation or mulching if the areas would be inactive for several weeks or longer. Specific requirements would be identified with the Stormwater Pollution Prevention Plan (SWPPP).
	Implement measures to reduce diesel particulate matter emissions from construction equipment, such as reducing idling time and using newer equipment with emissions controls.
	Comply with the applicable New Mexico Environmental Department (NMED) Air Quality Bureau (AQB) regulations.
Cultural and Historic Resources	Design cemetery to avoid the ten identified National Register of Historic Places (NRHP)-eligible or potentially eligible archaeological sites. Establish avoidance measures such as a buffer of undisturbed land between each of these archaeological sites and the cemetery development. Execute and implement the National Historic Preservation Act procedural Programmatic Agreement (PA) requirements to address potential adverse effects to eligible archaeological sites during the cemetery design and development.
	Should potentially historic or culturally significant items be discovered during project construction, the construction contractor would immediately cease work until VA, a qualified archaeologist, New Mexico State Historic Preservation Office (SHPO), Tribes and other consulting parties are contacted to properly identify and appropriately treat discovered items in accordance with applicable state and federal laws.
Geology, Topography, and Soils	Control soil erosion and sedimentation impacts during construction by implementing erosion prevention measures and complying with the NMED Surface Water Quality Bureau (SWQB) National Pollutant Discharge Elimination System (NPDES) permitting process. Implement effective controls per a site-specific SWPPP. The NPDES permit would require stormwater runoff and erosion management using BMPs, such as earth berms, vegetative buffers and filter strips, and spill prevention and management techniques. The construction contractor would implement the sedimentation and erosion control measures specified in the NPDES permit and the SWPPP to protect surface water quality.

Hydrology and Water Quality	Control soil erosion and sedimentation impacts during construction by complying with the NPDES permit and the SWPPP.
	Maintain the two existing arroyo tributaries in southern portion of the Site.
	Design improvements in accordance with the requirements of Energy Independence and Security Act Section 438 with respect to stormwater runoff quantity and characteristics.
	Ensure the cemetery design includes sufficient on-site stormwater management so as not to adversely affect the water quantity/quality in receiving waters and/or offsite areas.
	Use native, low-moisture tolerant species to the extent practicable to reduce the need for irrigation.
Wildlife and Habitat	Conduct ground-disturbing construction activities associated with the cemetery development outside of the burrowing owl nesting season (April through September). If ground-disturbing activities cannot be conducted outside of the nesting season, a qualified biologist would survey the Site for active nests in accordance with New Mexico Department of Game and Fish (NMDGF) burrowing owl survey protocols. Contact NMDGF and/or USFWS for recommendations for owl relocation or avoidance if nesting owls are identified.
	Follow New Mexico Department of Game and Fish (NMDGF) guidelines to minimize disturbance to roosting bats.
	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.
Noise	Limit, to the extent possible, construction and associated heavy truck traffic to occur between 7:00 a.m. and 6:00 p.m. on Monday through Friday, or during normal, weekday, work hours.
	Locate stationary operating equipment as far away from sensitive receptors as possible.
	Shut down noise-generating heavy equipment when it is not needed.
	Maintain equipment per manufacturer's recommendations to minimize noise generation.
	Encourage construction personnel to operate equipment in the quietest manner practicable (such as speed restrictions, retarder brake restrictions, and engine speed restrictions).
Land Use	Comply, to the extent practicable, with the development standards of the RRMC during the cemetery design.
Wetlands, Floodplains, and Coastal Zone Management	None required.

Socioeconomics	Secure construction areas to prevent unauthorized access by children from nearby residential areas.
Community Services	None required.
Solid Waste and Hazardous Materials	Comply with applicable federal and state laws governing the use, generation, storage, transportation, and disposal of solid waste and hazardous materials.
Transportation and Parking	Coordinate with the Rio Rancho Department of Public Works and New Mexico Department of Transportation (NMDOT), as applicable, during the cemetery design to identify and implement roadway improvements in the vicinity of the Site, if necessary.
	Ensure cemetery construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.
	Ensure debris and/or soil is not deposited on local roadways during the construction activities.
Utilities	Contact the utility providers to determine the connection/extension requirements and implement the necessary requirements.
	Obtain permits for the installation of an on-site septic system, if necessary and applicable.
	Plant low moisture tolerant species suited to central New Mexico to minimize irrigation needs.
	Develop a site design that avoids impacts to the existing overhead electrical lines in the northern portion along Old State Route 44 and the 30-foot wide waterline easement in the central and southern portions of the Site.
Environmental Justice	None required.