

For Official Use Only

**Final  
Environmental Assessment  
for the Proposed Transfer of Land  
from the Marion Veterans Affairs Medical Center  
to the Marion National Cemetery  
Marion, Indiana**



Prepared by:  
Scout Environmental  
169 Saxony Road, Suite 214  
Encinitas, CA 92024

Submitted to:  
Department of Veterans Affairs  
Office of Construction  
and Facilities Management  
425 I Street NW  
Washington, DC 20001

**Contract: 36C10F22F0027  
June 13, 2023**

## EXECUTIVE SUMMARY

The United States (U.S.) Department of Veterans Affairs (VA) has prepared this environmental assessment (EA) to identify, analyze, and document the potential environmental impacts associated with the proposed transfer of land from the Marion VA Medical Center (VAMC) to the Marion National Cemetery for the future phased expansion of the cemetery. This EA broadly evaluates the future phased expansion of the Marion National Cemetery within the transferred land. This EA also evaluates Marion VAMC's retention of an easement and the construction of sewer mains and road within the land proposed for transfer. The project is located within the Marion VAMC Campus in the City of Marion, Indiana.

VA prepared this EA in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4370h), as implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] 1500-1508); *Environmental Effects of the Department of Veterans Affairs Actions* (38 CFR Part 26); and relevant guidance from VA's *NEPA Interim Guidance for Projects* (VA 2010).

### **Purpose and Need**

The workload for the Marion VAMC has decreased over time and the facility no longer needs the amount of land that it once did to perform its mission. Conversely, the Marion National Cemetery has limited land area available to accommodate future burial sites for Veterans and eligible family members.

The purpose of the Proposed Action is to expand the Marion National Cemetery. The Proposed Action is needed to meet the anticipated demands of Veterans and eligible family members in northern Indiana and the surrounding area for the next 100 or more years.

### **Proposed Action**

The Proposed Action consists of three main elements:

1. The transfer of approximately 16.8 acres of land from the Marion VAMC to the Marion National Cemetery.
2. Marion VAMC's retention of an easement within the 16.8 acres for the
  - a. construction and operation of replacement sewer mains and
  - b. the construction of a road overlying the sewer mains.
3. Marion National Cemetery's future phased expansion of the cemetery within the transferred land.

Of the three elements of the Proposed Action, VA has specific plans and timelines for the first two elements. Thus, this EA analyzes the first two elements in detail. Conversely, because the future phased expansion of the Marion National Cemetery is conceptual at this time, this EA only broadly analyzes the potential impacts associated with the future phased expansion of the cemetery. When future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis and regulatory agency consultations, as necessary.

## **Alternatives**

VA explored and considered potential reasonable alternatives to the Proposed Action. Through this process, VA determined that the Proposed Action and the No Action Alternative would be evaluated in this EA. Under the No Action Alternative, VA would not implement the Proposed Action. The land would remain in its current state and Marion VAMC would maintain the property. The Marion National Cemetery would not expand the cemetery and proposed improvements would not occur. The No Action Alternative does not meet the purpose of and need for the Proposed Action. However, as required by VA NEPA regulations (39 CFR Part 26), the No Action Alternative is evaluated in VA EAs and provides a description of the baseline conditions against which VA can compare the impacts of the Proposed Action.

## **Environmental Resource Areas Evaluated**

This EA examined the potential environmental impacts on the following resource areas:

- 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 Waste and Hazardous Materials
- Transportation and Parking
- Utilities
- Environmental Justice

## **Summary of Potential Environmental Consequences of the Alternatives**

Table ES-1 summarizes the potential impacts to each resource area from implementation of the Proposed Action and No Action Alternative. As demonstrated in Table ES-1, the proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact or no impact to resource areas. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to all resource areas; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis and consultations, as necessary, to confirm that the findings of this EA are still valid.

**Table ES-1 Summary of Potential Environmental Consequences**

Resource Area	Proposed Action	No Action Alternative
Aesthetics	Less than significant impact	No impact
Air Quality	Less than significant impact	No impact
Cultural Resources	Less than significant impact	No impact
Geology and Soils	Less than significant impact	No impact
Hydrology and Water Quality	Less than significant impact	No impact
Wildlife and Habitat	Less than significant impact	No impact
Noise	Less than significant impact	No impact
Land Use	Less than significant impact	No impact
Floodplains, Wetlands, and Coastal Zone Management	No impact	No impact
Socioeconomics	Less than significant impact	No impact
Community Services	Less than significant impact	No impact
Solid Waste and Hazardous Materials	Less than significant impact	No impact
Transportation and Parking	Less than significant impact	No impact
Utilities	Less than significant impact	No impact
Environmental Justice	Less than significant impact	Less than significant impact

**Public Involvement and Agency Consultations**

VA published a project scoping notice in the Marion Chronicle-Tribune on Friday, September 30 and Saturday, October 1, 2022, and posted the scoping notice to the VA Office of Construction and Facilities Management (CFM) website. VA also emailed scoping notices to federal, state, tribal, and local stakeholders. VA received five responses to the scoping notification and has addressed relevant comments throughout the EA, where applicable.

VA made the Draft EA available for public review by announcing its availability in a notice of availability (NOA) of the Draft EA published in the Marion Chronicle-Tribune on Friday, February 17 and Saturday, February 18, 2023. VA also posted the NOA and Draft EA to the VA CFM website, placed a copy of the NOA and Draft EA in the Marion Public Library, and notified stakeholders of the availability of the Draft EA via email. VA received only one response during the 30-day public review period for the Draft EA. The comment letter was from the Indiana Department of Natural Resources (IDNR) and it contained the same comments they provided during public scoping.

In accordance with Section 106 of the National Historic Preservation Act, VA notified and invited the following stakeholders to participate in Section 106 consultation: the Miami Tribe of Ohio, the Grant County Historian, the Grant County Historical Society, and Indiana Landmarks. None of the invited stakeholders elected to provide comments or participate in Section 106 consultation. In response to VA’s Section 106 consultation letter, on March 21, 2023, the IDNR Division of Historic Preservation & Archaeology concurred with VA’s March 2, 2023, finding of No Adverse Effect for the Proposed Action.

**Conclusion**

Based on the analysis contained in this EA, VA concludes that implementation of the Proposed Action (specifically the proposed land transfer, easement retention, sewer main construction, and road construction) would not result in a significant impact to the resource areas evaluated in this EA. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to all resource areas; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis and consultations, as necessary, to confirm that the findings of this EA are still valid.

**FINAL  
ENVIRONMENTAL ASSESSMENT FOR  
PROPOSED TRANSFER OF LAND FROM THE  
MARION VETERANS AFFAIRS MEDICAL CENTER TO THE  
MARION NATIONAL CEMETERY  
MARION, INDIANA**

**TABLE OF CONTENTS**

<b>EXECUTIVE SUMMARY .....</b>	<b>ES-1</b>
<b>ABBREVIATIONS AND ACRONYMS .....</b>	<b>IV</b>
<b>CHAPTER 1. INTRODUCTION AND PURPOSE OF AND NEED FOR THE ACTION .....</b>	<b>1-1</b>
1.1 INTRODUCTION .....	1-1
1.2 PURPOSE AND NEED .....	1-1
1.3 BACKGROUND .....	1-3
1.3.1 Marion Veterans Affairs Medical Center .....	1-3
1.3.2 Marion National Cemetery .....	1-3
1.4 PROJECT AREA .....	1-3
<b>CHAPTER 2. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES .....</b>	<b>2-1</b>
2.1 DEVELOPMENT OF ALTERNATIVES .....	2-1
2.2 ALTERNATIVES .....	2-1
2.2.1 Proposed Action .....	2-1
2.2.2 No Action Alternative .....	2-6
2.3 ALTERNATIVES IDENTIFIED BUT ELIMINATED FROM FURTHER CONSIDERATION .....	2-6
<b>CHAPTER 3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES .....</b>	<b>3-1</b>
3.1 AESTHETICS .....	3-1
3.1.1 Affected Environment .....	3-2
3.1.2 Environmental Consequences .....	3-2
3.2 AIR QUALITY .....	3-3
3.2.1 Affected Environment .....	3-3
3.2.2 Environmental Consequences .....	3-4
3.3 GEOLOGY AND SOILS .....	3-5
3.3.1 Affected Environment .....	3-5
3.3.2 Environmental Consequences .....	3-6
3.4 HYDROLOGY AND WATER QUALITY .....	3-7
3.4.1 Affected Environment .....	3-7
3.4.2 Environmental Consequences .....	3-8
3.5 WILDLIFE AND HABITAT .....	3-10
3.5.1 Affected Environment .....	3-10
3.5.2 Environmental Consequences .....	3-11
3.6 NOISE .....	3-12
3.6.1 Affected Environment .....	3-12
3.6.2 Environmental Consequences .....	3-13
3.7 CULTURAL RESOURCES .....	3-14

3.7.1	Affected Environment .....	3-14
3.7.2	Environmental Consequences.....	3-17
3.8	LAND USE .....	3-18
3.8.1	Affected Environment .....	3-18
3.8.2	Environmental Consequences.....	3-18
3.9	FLOODPLAINS, WETLANDS, AND COASTAL ZONE MANAGEMENT .....	3-19
3.9.1	Affected Environment .....	3-19
3.9.2	Environmental Consequences.....	3-20
3.10	SOCIOECONOMICS.....	3-20
3.10.1	Affected Environment .....	3-20
3.10.2	Environmental Consequences.....	3-20
3.11	COMMUNITY SERVICES .....	3-21
3.11.1	Affected Environment .....	3-21
3.11.2	Environmental Consequences.....	3-21
3.12	SOLID WASTE AND HAZARDOUS MATERIALS.....	3-22
3.12.1	Affected Environment .....	3-22
3.12.2	Environmental Consequences.....	3-23
3.13	TRANSPORTATION AND PARKING.....	3-24
3.13.1	Affected Environment .....	3-24
3.13.2	Environmental Consequences.....	3-25
3.14	UTILITIES .....	3-26
3.14.1	Affected Environment .....	3-26
3.14.2	Environmental Consequences.....	3-26
3.15	ENVIRONMENTAL JUSTICE .....	3-27
3.15.1	Affected Environment .....	3-27
3.15.2	Environmental Consequences.....	3-28
3.16	CUMULATIVE EFFECTS.....	3-29
3.16.1	Air Quality .....	3-29
3.16.2	Cultural Resources .....	3-29
3.16.3	Hydrology and Water Quality.....	3-30
3.16.4	Utilities .....	3-30
<b>CHAPTER 4.</b>	<b>PROTECTION, MITIGATION, AND COMPLIANCE MEASURES .....</b>	<b>4-1</b>
4.1	MITIGATION MEASURES .....	4-1
<b>CHAPTER 5.</b>	<b>PUBLIC PARTICIPATION, COORDINATION, AND CONSULTATION.....</b>	<b>5-1</b>
5.1	PUBLIC INVOLVEMENT .....	5-1
5.2	AGENCY AND TRIBAL COORDINATION AND CONSULTATION.....	5-1
5.2.1	Coordination and Consultation .....	5-1
5.2.2	Stakeholder Notification.....	5-1
5.2.3	Responses to Comments .....	5-2
<b>CHAPTER 6.</b>	<b>LIST OF PREPARERS .....</b>	<b>6-1</b>
<b>CHAPTER 7.</b>	<b>REFERENCES CITED .....</b>	<b>7-1</b>

**APPENDICES**

<b><u>Appendix</u></b>	<b><u>Page</u></b>
A Environmental Permit and Compliance Requirements .....	A-1
B Public Participation and Agency Correspondence .....	B-1

**FIGURES**

<b><u>Figure</u></b>	<b><u>Page</u></b>
1-1 Marion Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN....	1-2
1-2. Recent Satellite Image Depicting the Project Area .....	1-4
2-1 Location of Proposed Project Area, Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN. ....	2-3
2-2 Location of Land Transfer Area, Sewer Mains, and Road .....	2-4
2-3 Depiction of Potential Future Cemetery Expansion in Project Area .....	2-5
3-1 APE and Historic District .....	3-16

**TABLES**

<b><u>Table</u></b>	<b><u>Page</u></b>
3-1. Federally Listed Species and Habitat Potentially Present within the Vicinity of the Action Area.....	3-10
3-2 Environmental Justice Data for the Broader Project Area.....	3-27
5-1 Summary of Scoping Comments and VA Responses.....	5-2

**PHOTOS**

<b><u>Photo</u></b>	<b><u>Page</u></b>
1-1. Looking northeast towards Marion National Cemetery from Indiana Avenue, just up from intersection with Chapman Avenue. ....	1-5
1-2. Looking north from intersection of Indiana and Chapman Avenue; the former hospital buildings used to occupy the area now heavily vegetated at left. ....	1-5
3-1: Overview Showing Disturbed Ground Surface and Replanting. Looking NE.....	3-17

## ABBREVIATIONS AND ACRONYMS

ACHP	Advisory Council on Historic Preservation
ACM	asbestos-containing material
APE	area of potential effect
bgs	below ground surface
BMP(s)	best management practice(s)
CEQ	Council on Environmental Quality
CFM	Construction and Facilities Management
CFR	Code of Federal Regulations
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalents
CSGP	Construction Stormwater General Permit
db	decibels
dBA	A-weighted decibel
DHPA	Division of Historic Preservation and Archaeology
EA	environmental assessment
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
GHG	Greenhouse Gas
IDEM	Indiana Department of Environmental Management
IDNR	Indiana Department of Natural Resources
IPaC	Information for Planning and Consultation
LBP	lead based paint
MOA	Memorandum of Agreement
MS4	Municipal Separate Storm Sewer System
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NIHCS	Northern Indiana Health Care System
NO <sub>2</sub>	nitrogen dioxide
NOA	Notice of Availability
NRCS	National Resources Conservation Service
NRHP	National Register of Historic Places

NWI	National Wetlands Inventory
O <sub>3</sub>	ozone
OSHA	Occupational Safety and Health Administration
Pb	lead
PM <sub>10</sub>	particulate matter less than or equal to 10 microns in diameter
PM <sub>2.5</sub>	particulate matter less than or equal to 2.5 microns in diameter
SHPO	State Historic Preservation Office
SO <sub>2</sub>	sulfur dioxide
SWMP	Stormwater Quality Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
U.S.	United States
U.S.C.	U.S. Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VA	U.S. Department of Veterans Affairs
VAMC	Veterans Affairs Medical Center

# **CHAPTER 1. INTRODUCTION AND PURPOSE OF AND NEED FOR THE ACTION**

## **1.1 INTRODUCTION**

The United States (U.S.) Department of Veterans Affairs (VA) has prepared this environmental assessment (EA) in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code [U.S.C.] 4321-4370h), as implemented by the Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500-1508); *Environmental Effects of the Department of Veterans Affairs Actions* (38 CFR Part 26); and relevant guidance from VA's *NEPA Interim Guidance for Projects* (VA 2010).

NEPA requires federal agencies to consider the environmental effects of their proposed actions. This EA evaluates the potential effects on the natural and built environment resulting from the proposed transfer of land from the Marion Veterans Affairs Medical Center (VAMC) to the Marion National Cemetery. The Marion VAMC is located adjacent to the Marion National Cemetery at 1700 East 38<sup>th</sup> Street in Marion, Indiana (Figure 1-1).

VA will use this environmental impact analysis of the Proposed Action to determine whether it supports a finding of no significant impact (FONSI) or if it is necessary to prepare an environmental impact statement (if there is a potential for significant impacts).

As required under NEPA, this EA considers public, agency, and tribal input into the federal decision-making process, provides the federal decision-maker with an understanding of potential environmental effects of the decision before making it, identifies measures to reduce potential environmental effects, and documents the NEPA process.

## **1.2 PURPOSE AND NEED**

The workload for the Marion VAMC has decreased over time and the facility no longer needs the amount of land that it once did to perform its mission. Conversely, the Marion National Cemetery has limited land area available to accommodate future burial sites for Veterans and eligible family members.

The purpose of the Proposed Action is to expand the Marion National Cemetery. The Proposed Action is needed to meet the anticipated demands of Veterans and eligible family members in northern Indiana and the surrounding area for the next 100 or more years.

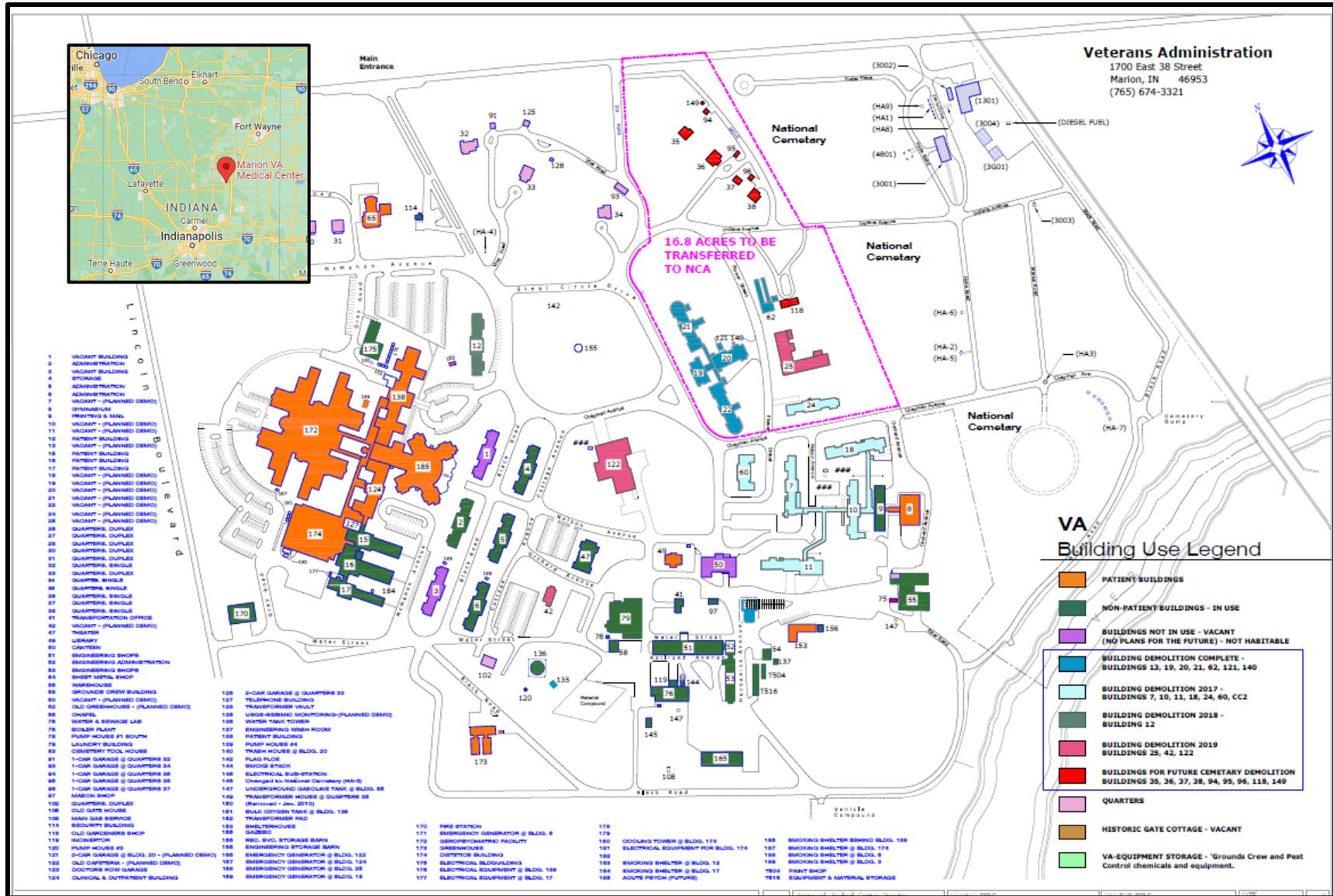


Figure 1-1 Marion Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN

## **1.3 BACKGROUND**

### **1.3.1 Marion Veterans Affairs Medical Center**

Marion VAMC was constructed in 1889 as the Marion branch of the National Home for Disabled Volunteer Soldiers. Marion VAMC is now part of the VA Northern Indiana Healthcare System (NIHCS), which provides health care, trains America's future health care providers, and conducts important medical research (VA NIHCS 2022). The campus currently covers 106 acres.

Over the years, the services and associated structures at the campus have evolved to meet the changing needs of Veterans. Today, the Marion VAMC provides primary care and specialty health services, including rehabilitation services, mental health care, nutrition counseling, hospice and palliative care, pain management, and more (VA NIHCS 2022).

The Marion VAMC facility is listed on the National Register of Historic Places as the *Marion Branch, National Home for Disabled Volunteer Soldiers* Historic District.

### **1.3.2 Marion National Cemetery**

In 1888, Colonel George W. Steele identified the need for a Soldier's Home in Grant County. Subsequently, the 31-acre Marion Branch of the National Home for Disabled Volunteer Soldiers opened in 1889 to provide shelter and comfort for the region's Veterans. Along with the home, a cemetery was established for the interment of the men who died there. The first burial occurred in 1890. For most of its history, the Marion National Cemetery has quietly and efficiently cared for the needs of Veterans with few changes (National Cemetery Administration 2022a). The Marion National Cemetery currently covers approximately 68.4 acres, of which 42.4 acres are developed and 26 acres are undeveloped (National Cemetery Administration 2022b).

Marion National Cemetery is the final resting place for more than 8,000 soldiers, including Veterans of every major conflict from the Civil War to the wars in Iraq and Afghanistan. The cemetery contains 12 burial sections and features several monuments, including one that honors the sailors who died aboard the *U.S.S. Maine* in 1898 (National Park Service 2022).

With the passage of the National Cemeteries Act in 1973, the cemetery became part of the National Cemetery System and its name was changed to Marion National Cemetery. The Marion National Cemetery is a contributing property to the Historic District and is included within its historic boundary (National Cemetery Administration 2022a).

## **1.4 PROJECT AREA**

The project area consists of the approximately 16.8 acre parcel of land as depicted in Figure 1-1. The property is described as bound by the North border of 38<sup>th</sup> Street, South border of Chapman Ave, East border of the Marion National Cemetery, and West border of Dix Road and Steel Circle Drive. The property is set back approximately 15 feet from surrounding roads.

The project area now consists of maintained vegetation, trees, and roads as shown on Figure 1-2. Several surplus structures (Buildings 24, 25, 35, 36, 37, 38, 94, 95, 96, 118, and 149) were recently removed as part of a different VA project. Photos 1-1 and 1-2 depict the current condition of the project area.

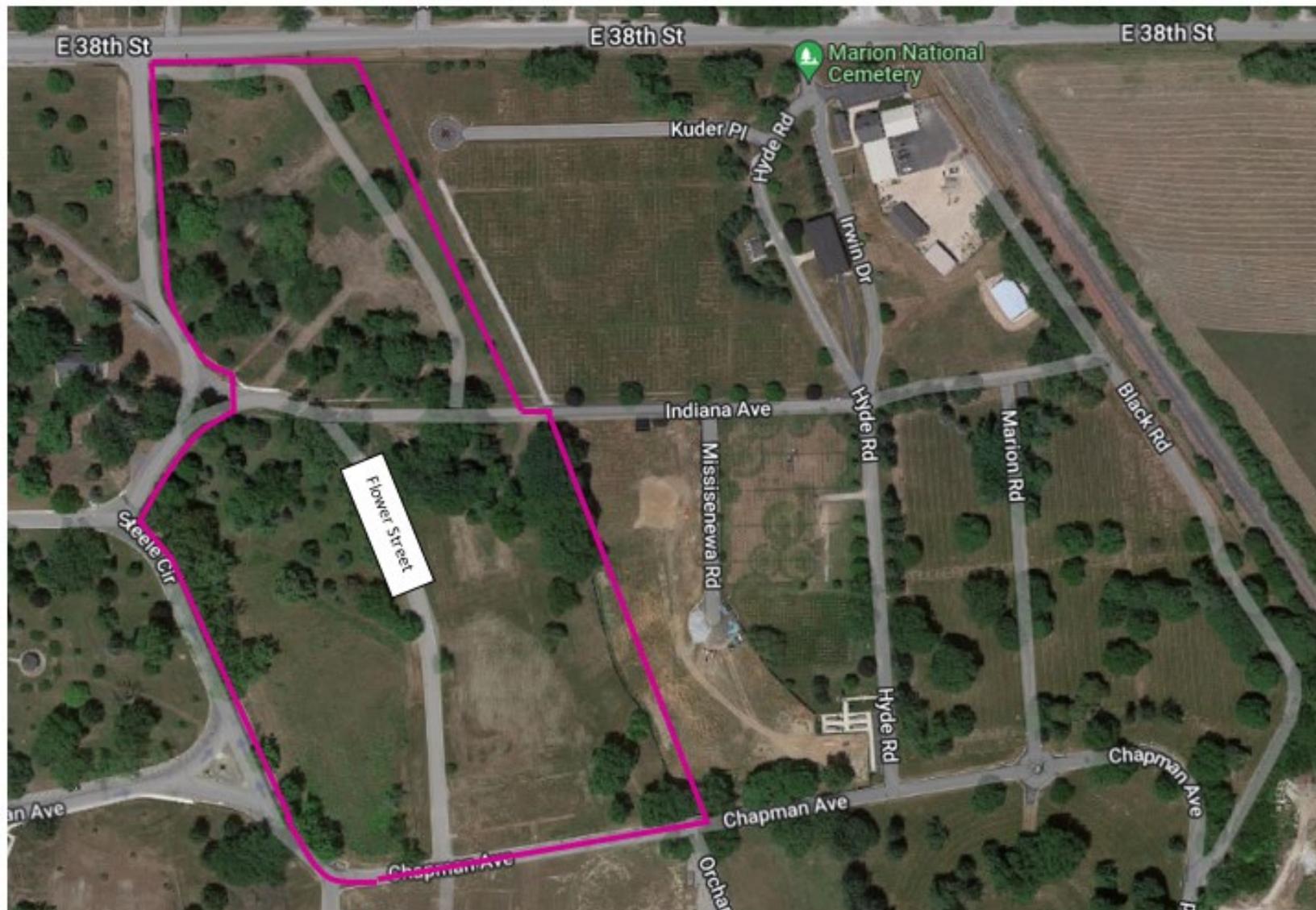


Figure 1-2. Recent Satellite Image Depicting the Project Area (in red outline)



**Photo 1-1. Looking northeast towards Marion National Cemetery from Indiana Avenue, just up from intersection with Chapman Avenue.**



**Photo 1-2. Looking north from intersection of Indiana and Chapman Avenue; the former hospital buildings used to occupy the area now heavily vegetated at left.**

## **CHAPTER 2. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES**

### **2.1 DEVELOPMENT OF ALTERNATIVES**

NEPA implementing regulations require that the federal agency evaluate reasonable alternatives for meeting the purpose of and need for action, including a “No Action Alternative.” VA explored and considered potential reasonable alternatives to the Proposed Action. Through this process, VA determined that the Proposed Action and the No Action Alternative would be evaluated in this EA (Section 2.2).

### **2.2 ALTERNATIVES**

#### **2.2.1 Proposed Action**

The Proposed Action consists of three elements:

1. The transfer of approximately 16.8 acres of land from the Marion VAMC to the Marion National Cemetery.
2. Marion VAMC’s retention of an easement within the 16.8 acres for the
  - a. construction and operation of replacement sewer mains and
  - b. the construction of a road overlying the sewer mains.
3. Marion National Cemetery’s future phased expansion of the cemetery within the transferred land.

Of the three elements of the Proposed Action, VA has specific plans and timelines for the first two elements. Thus, this EA analyzes the first two elements in detail. Conversely, because the future phased expansion of the Marion National Cemetery is conceptual at this time, this EA only broadly analyzes the potential impacts associated with the future phased expansion of the cemetery. When future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis and regulatory agency consultations, as necessary.

##### **2.2.1.1 Land Transfer**

Under the Proposed Action, the Marion VAMC would transfer approximately 16.8 acres to Marion National Cemetery as depicted on Figure 2-1. Once the property is transferred, Marion National Cemetery would be responsible for the continuing maintenance of the grounds to include lawn mowing, grounds upkeep and snow removal for all roads on the property. Marion National Cemetery would also allow Marion VAMC easements on the property for utilities that are present on the property after the property is transferred to the National Cemetery Administration.

The Northern Indiana Health Care System (NIHCS) and the Marion National Cemetery signed a Memorandum of Understanding in 2018 that defines the expectations of both the NIHCS and the Marion National Cemetery, with regard to the transfer of approximately 16.8 acres of land from NIHCS to Marion National Cemetery.

VA recently demolished 13 buildings in the land transfer area. Seven of these buildings were determined to be “contributing” elements to the historic district. In accordance with Section 106 of the National Historic Preservation Act (NHPA), VA consulted with the Indiana Department of

Natural Resources (IDNR) Division of Historic Preservation and Archaeology (DHPA). The consultations concluded in a determination that demolition of the seven contributing buildings would constitute an “Adverse Effect,” per the NHPA. Therefore, VA signed a Memorandum of Agreement (MOA) to partially resolve these adverse effects prior to transfer of the subject parcel on February 21, 2018 (VA et al 2018). The proposed easement, sewer mains, road, and future phased expansion of the cemetery were not included as part of the 2018 MOA.

### **2.2.1.2 Easement, Sewer Mains, and Road**

Under the Proposed Action, Marion VAMC would retain an easement within the land proposed for transfer (Figure 2-2). The easement would contain replacement sewer mains which would follow the existing natural swale. The existing sewer mains would be abandoned in-place.

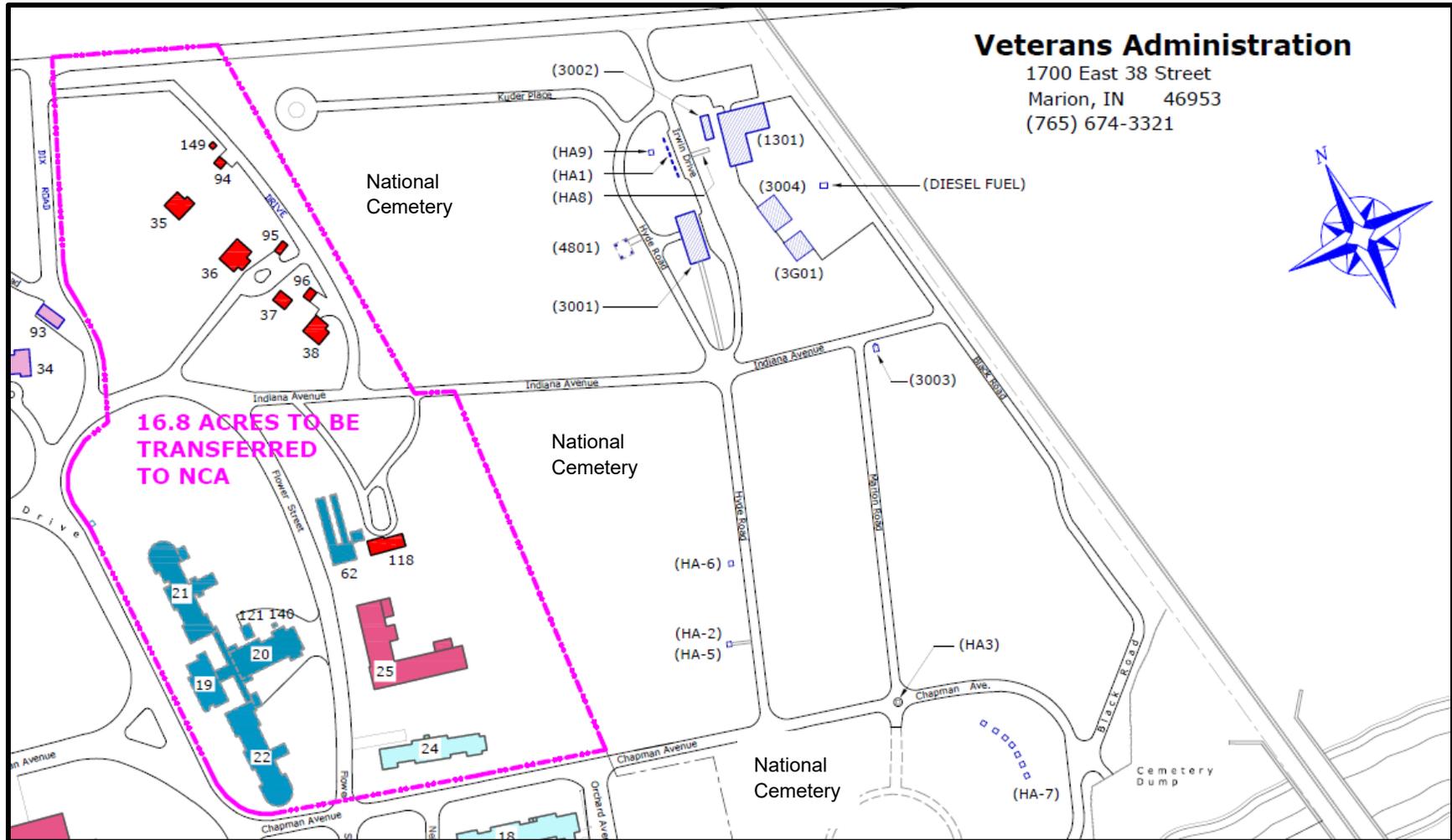
The segment of the sewer mains through the easement is part of a larger Marion VAMC project (Project 610-21-104: *Improve Sewer System and Water Loop*) that proposes to remove existing 24” and 18” diameter mains and combine them into one 48” diameter storm sewer system. The new and improved sewer mains would increase the capacity and prolong the lifespan of the existing substandard storm sewer, serving a critical function for the VAMC. VA is preparing separate NEPA documentation for the entirety of the 610-21-104 project; as such, this EA only considers the segment within the easement (Figure 2-2).

Following installation of the sewer mains, Marion VAMC would construct a two-lane asphalt internal access road overlying the sewer mains and within the easement boundary to facilitate future vehicle circulation and protection of the utility, and as needed, maintenance access to the sewer mains. The road would run between two existing roads (Indiana Avenue and Chapman Avenue [Figure 2-2]). The new road would facilitate existing and future internal access to the cemetery and VAMC.

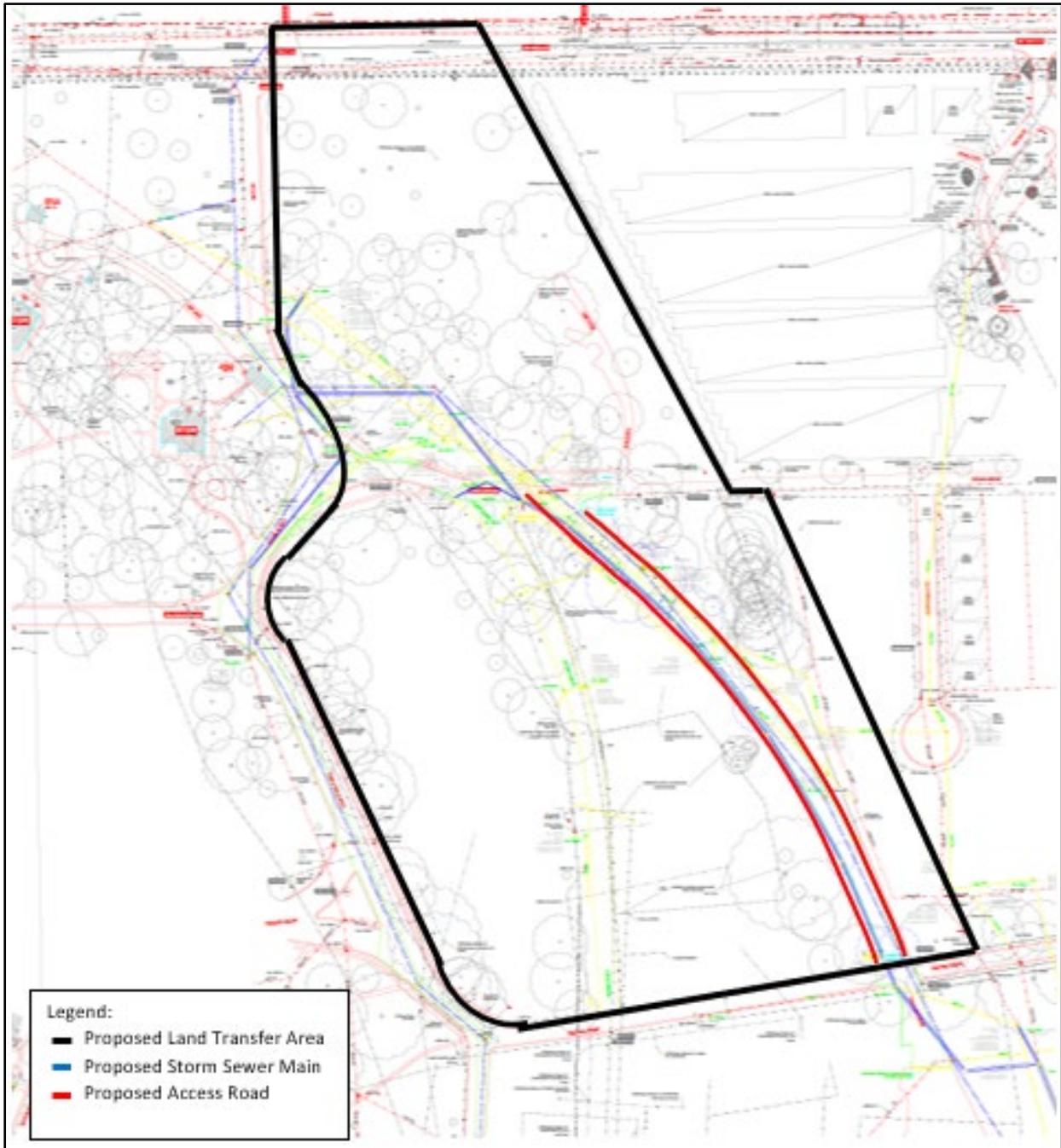
### **2.2.1.3 Future Phased Cemetery Expansion**

Once the property is transferred, Marion National Cemetery intends to expand the cemetery within the land in phases. Marion National Cemetery’s Master Plan envisions expanding the cemetery in approximately 10 phases over a period of approximately 150 years (a phase would occur approximately every 15 years). The Marion National Cemetery would also install supporting infrastructure, service buildings, and other features to support the expansion. This EA broadly analyzes the future phased expansion of the cemetery because expansion detailed plans/designs have not been developed. When Marion National Cemetery develops their phased future cemetery expansion plans, VA would perform additional NEPA analysis and conduct additional regulatory coordination (e.g., NHPA compliance) as needed. Figure 2-3 presents a conceptual layout of the potential future cemetery expansion (Marion National Cemetery 2023).

As of July 2022, there have been 14,146 people interred in 12,754 gravesites. The phased expansion would create an additional 22,448 burial sites including both burial and areas for cremated remains as follows: 6,950 pre-placed crypts, 6,484 in-ground cremains, 8,790 niches (or columbarium sites) and 234 traditional (direct or green burial). The phased expansions would be visually consistent with the existing cemetery.



**Figure 2-1** Location of Proposed Project Area (in pink outline), Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN. *Note: As part of a separate project, VA has removed all the buildings indicated within the transfer area. Grass, trees, and roads currently cover the majority of the transfer area.*



**Figure 2-2** Location of Land Transfer Area (black polygon), Sewer Mains (blue lines), and Road (red line)

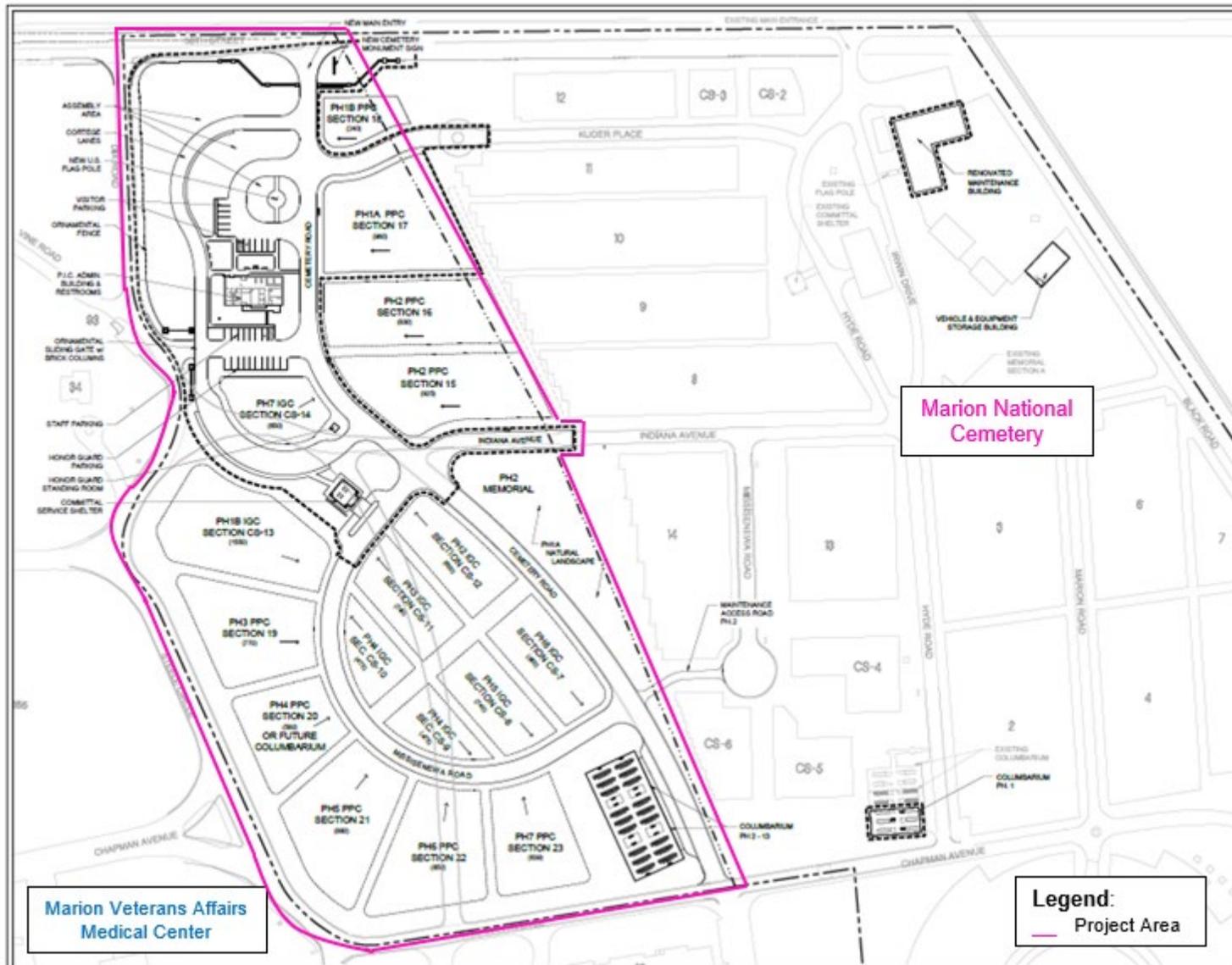


Figure 2-3 Depiction of Potential Future Cemetery Expansion in Project Area

During construction of the proposed cemetery expansion, temporary traffic barriers, maintenance trailers, staging areas, and stockpiles would be mobilized and later removed upon completion of the construction activities. Soils removed from the cemetery would either remain on site to be used later or removed from the site. For the purposes of analysis, this EA assumes all 16.8 acres would be disturbed, and in time, the landscape would transition to be consistent with the existing cemetery.

### **2.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. The land would remain in its current state and Marion VAMC would maintain the property. The Marion National Cemetery would not expand the cemetery. The No Action Alternative does not meet the purpose of and need for the Proposed Action. However, as required by VA NEPA regulations (39 CFR Part 26), the No Action Alternative is evaluated in VA EAs and provides a description of the baseline conditions against which VA can compare the impacts of the Proposed Action.

## **2.3 ALTERNATIVES IDENTIFIED BUT ELIMINATED FROM FURTHER CONSIDERATION**

VA did not identify any potential alternatives to the Proposed Action that meet the purpose of and need for the project.

## **CHAPTER 3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

This chapter describes the affected environment and evaluates the potential environmental effects. The affected environment includes the project area, and depending on the resource area, a region surrounding the project area.

CEQ regulations (40 CFR 1501.3) specify that in considering whether the effects of a proposed action are significant, agencies shall analyze the potentially affected environment and degree of the effects of the action. In considering the potentially affected environment, agencies should consider, as appropriate to the specific action, the affected area (national, regional, or local) and its resources, such as listed species and designated critical habitat under the Endangered Species Act (ESA). Significance varies with the setting of the proposed action. For instance, in the case of this site-specific Proposed Action, significance usually depends only upon the effects at and within the immediate vicinity of the Marion VAMC and Marion National Cemetery.

In considering the degree of the effects, this EA considers the following:

- Both short- and long-term effects.
- Both beneficial and adverse effects.
- Effects on public health and safety.
- Effects that would violate federal, state, tribal, or local laws protecting the environment.

For each resource area, this EA identifies the methodology and general assumptions used in the analysis and identifies management measures such as best management practices (BMPs), as well as mitigation and monitoring measures, where applicable.

The Proposed Action would comply with all applicable federal, state, and local laws and regulations, including those listed in Appendix A. In many instances, the existence of such laws and regulations renders impacts that might have occurred in the absence of such laws highly unlikely and not reasonably foreseeable. In other instances, such laws and regulations lessen potential impacts to levels that are not significant. Because compliance with applicable laws is mandatory, this EA does not identify compliance with the requirements of such laws and regulations as mitigation.

This EA broadly analyzes the future phased expansion of the cemetery because expansion plans/designs have not been developed. As the phased future cemetery expansion plans are developed, VA would perform additional NEPA analysis and conduct additional regulatory coordination as needed.

### **3.1 AESTHETICS**

Aesthetics refers to the visual interaction between an individual and the environment. Visual resources may consist of natural landscapes and views or built features. Rare or unique natural settings or historic properties are considered to have a high sensitivity. Landscapes that are not unique or have been altered through modern development tend to have lesser sensitivity and thus lower aesthetic quality.

### **3.1.1 Affected Environment**

The 106-acre Marion VAMC is comprised of brick buildings, beige stone buildings, white sided buildings, and landscaped areas. The buildings are both -19<sup>th</sup> Century construction and of more modern design. Building heights range from one to five stories. Surface parking lots, roads, sidewalks, and ornamental vegetation surround Marion VAMC buildings.

The Marion National Cemetery covers approximately 68.4 acres (National Cemetery Administration 2022b). The cemetery contains 12 burial sections and features several monuments, crypts, and columbarium sites. The perimeter of Marion VAMC contains mature trees, which effectively screen Marion VAMC from offsite VAMC viewers. Overall, the Marion VAMC and Marion National Cemetery have a high aesthetic quality. The high aesthetic quality is further supported by the presence of the Historic District.

### **3.1.2 Environmental Consequences**

#### **3.1.2.1 Proposed Action**

##### **3.1.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and as such would not change existing conditions. There would be no change to the existing visual setting.

##### **3.1.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing visual conditions. The sewer mains would be an underground feature and once constructed, not visible. The proposed road would be consistent with the surrounding setting, which consists of several internal access roads.

##### **3.1.2.1.3 Phased Future Expansion of the Marion National Cemetery**

Subject to future designs/plans for the phased expansion of the cemetery, this EA analysis anticipates that during the future phased expansion of the cemetery, visual changes, including potential removal of maintained vegetation, trees, and roads to accommodate the cemetery expansion would occur. The built elements associated with the phased expansion would be visually consistent with the existing cemetery and no major changes in topography requiring grading or fill are anticipated. In addition, the cemetery would plant new vegetation consistent with the existing cemetery as areas are developed.

Given the low visual impact of cemetery development, which would be designed in concert with the existing topography and landscape, the phased expansion would be entirely consistent with the surrounding visual setting characteristic of the cemetery.

##### **3.1.2.1.4 Summary**

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to aesthetics. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to aesthetics; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm that the findings of this EA are still valid.

### 3.1.2.2 No Action Alternative

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. The Marion VAMC and Marion National Cemetery would continue to exhibit a high aesthetic quality. Therefore, the No Action Alternative would result in no impact to aesthetics.

## 3.2 AIR QUALITY

### 3.2.1 Affected Environment

The U.S. Environmental Protection Agency (USEPA) and the Indiana Department of Environmental Management (IDEM) developed and enforce air quality regulations related to activities at the Marion VAMC. The Clean Air Act of 1970, 42 U.S.C. Section 7401 et seq. amended in 1977 and 1990, is the primary federal statute governing air pollution. One purpose of the Clean Air Act is to establish national ambient air quality standards (NAAQS) and classify areas as to their attainment status relative to NAAQS. Attainment is the achievement of ambient concentrations below specified levels determined to be protective of human health by the USEPA.

The six criteria pollutants for the NAAQS are: particulate matter less than or equal to 10 and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), lead (Pb), and ozone (O<sub>3</sub>). The USEPA and IDEM also regulate greenhouse gas emissions (GHG) including carbon dioxide (CO<sub>2</sub>) and many other GHGs. GHGs are related to climate change and are expressed in carbon dioxide equivalents (CO<sub>2</sub>e), or the total GHG potential of all combined GHG equivalent to the potential of CO<sub>2</sub>.

The Marion VAMC is in Grant County, Indiana within the East Central Indiana Intrastate Air Quality Control Region (40 CFR 81.215). Grant County is in attainment for all NAAQS according to EPA Greenbook listings (USEPA 2022b).

The General Conformity Rule (40 CFR Part 93, Subpart B) requires any federal agency responsible for an action in a nonattainment area or maintenance area to determine that the action conforms to the appropriate State Implementation Plan or that the action is exempt from the General Conformity Rule requirements. Marion VAMC is not subject to the General Conformity Rule because it is not within a nonattainment area or maintenance area.

Sensitive receptors for air quality impacts are those persons that are the most sensitive to pollution effects, such as the very young, elderly, or people with respiratory and other related illnesses. As the Marion VAMC is a medical facility, the Marion VAMC itself is the nearest sensitive receptor. Other nearby potential sensitive receptors within an approximately one-mile radius of the Marion VAMC are various private homes and Indiana Wesleyan University.

Guidance from CEQ dated August 1, 2016, recommends that agencies consider both the potential effects of a proposed action on climate change, as indicated by its estimated GHG emissions, and the implications of climate change for the environmental effects of a proposed action. In the December 18, 2014 fact sheet on considering climate change in NEPA reviews, CEQ recommended that agencies consider 25,000 metric tons of CO<sub>2</sub>e emissions on an annual basis as a reference point below which a quantitative analysis of GHG is not recommended unless it is easily accomplished based on available tools and data.

USEPA issued the Final Mandatory Reporting of Greenhouse Gases Rule on September 22, 2009. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of mobile sources and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions as CO<sub>2</sub>e are required to submit annual reports to USEPA.

## **3.2.2 Environmental Consequences**

### **3.2.2.1 Proposed Action**

#### **3.2.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and as such would not generate emissions. No impacts to air quality would occur.

#### **3.2.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions or generate emissions. The construction of the sewer mains and road would generate short-term and negligible emissions from the use of standard construction equipment, mainly excavators, graders, and pavers.

#### **3.2.2.1.3 Phased Future Expansion of the Marion National Cemetery**

Emissions generated from the phased future cemetery expansion would result in direct and indirect short-term and long-term minor adverse impacts to air quality. The operation of equipment to create, maintain, and utilize burial sites, maintain the cemetery, and host visitors would all generate temporary and minor emissions. Short-term direct increased air emission levels would occur during each phase of cemetery construction. Long-term direct and indirect emissions would occur during the operation of the cemetery as a result of cemetery operations and visitor vehicle emissions.

Construction-related emissions may also include dust, which can result from a variety of activities, including excavation, grading, and vehicle travel on paved and unpaved surfaces. The amount of dust is dependent on the intensity of the activity, soil type and conditions, wind speed, and dust suppression activities used. Implementing dust control measures (via BMPs) greatly reduces dust emissions from construction. Construction workers daily commuting in their personal vehicles would also result in negligible increased criteria pollutant emissions.

The operation of the phased expansion areas of the cemetery would generate vehicular emissions associated with visits. The burial traffic and visitors are anticipated to be similar to existing conditions. As such, only a minor increase in visitors as a result of the cemetery expansion would occur. Accordingly, operational mobile emissions would be similar to existing conditions.

The future phased expansion of the cemetery would have a negligible contribution to long-term global climate change. Direct GHG emissions from the short-term use of vehicles and mechanical equipment during construction activities would cease after the construction has been completed. Indirect GHG emissions from the vehicle traffic to and from the cemetery expansion areas would be negligible. As such, potential GHG emissions from construction and operational activities would be well below the threshold established by CEQ of 25,000 metric tons of carbon dioxide annually.

#### 3.2.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to air quality and climate change. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to air quality and climate change; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### 3.2.2.2 **No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. VA would continue to produce mobile and stationary source emissions. Therefore, the No Action Alternative would result in no impact to air quality and climate change.

### 3.3 **GEOLOGY AND SOILS**

Geology includes the geology, topography, and soil conditions of a given area. The geology of an area includes surface and bedrock materials, its orientation and faulting, and geologic resources such as mineral deposits, petroleum reserves, and fossils. Topography is the elevation, slope, aspect, and surface features found within a given area.

Soil refers to unconsolidated earthen materials overlaying bedrock or other parent material. Excavation, soil erosion, soil compaction, soil horizon removal, grading, and cutting and filling operations can result in a potential loss of soils and/or changes in geology.

#### 3.3.1 **Affected Environment**

The project area is situated in the physiographic province called the Tipton Till Plain. The Tipton Till Plain is a flat to gently rolling surface that is the product of continental glaciation during the Ice Age. Sediments borne by the ice sheets were deposited as till (an unsorted mixture of sand, silt, clay and boulders with the most common type of sediment being “till.”) The general geology of Marion County is characterized by gently dipping sedimentary rocks overlaid by glacial deposits and is similar to many other areas of the Midwest (Indiana Geological and Water Survey 2022).

The project area topography is gently rolling landscape with elevations ranging from approximately 830 feet to 850 feet above sea level (Google Earth 2022). Overall, the parcel topography trends slightly down gradient southeast towards the Mississinewa River.

The soils in Marion County are developed mostly from glacial deposits and to a lesser extent from the alluvial strips along the major valley bottoms. The most widespread soils in the county are the Brookston silty clay loam (composed of sand and clay), very deep soils formed in as much as 20 inches (51 centimeters) of silty material and the underlying loamy till, and the Miami and Crosby silt loams that develop from glacial till on upland gentle slopes and that have a seasonal high-water table at 0.5 to 2.0 feet. Other soils include Fox and Ockley silt loam, very deep, soils that form on outwash terraces along the White River valley and parts of the Eagle Creek valley, and Genessee silt loam that forms on the alluvial bottomlands (floodplains) of these valleys. The Brookston and Crosby soils are poorly drained, whereas the other soils are well-drained (Indiana Geological and Water Survey 2022).

The majority of the soil type found in the project area belong to the hydrologic soil group D based on the National Resources Conservation Service (NRCS) data (FMF Pandion 2022). Hydrologic soil group D soils are soils that have a high runoff potential when thoroughly wet. Water movement through the soil is restricted or very restricted. Group D soils are typically composed of sand and clay and have a very low rate of infiltration (FMF Pandion 2022).

The IDEM Stormwater Program is responsible for issuing permit coverage and monitoring compliance for stormwater associated with industrial activity, construction activity, and municipal separate storm sewer systems (MS4). Coverage is issued via a Construction Stormwater General Permit (CSGP). The CSGP is a performance-based regulation designed to reduce pollutants that are associated with construction and/or land-disturbing activities (IDEM 2022).

The requirements of the CSGP applies to all persons who are involved in construction activity (which includes clearing, grading, excavation and other land-disturbing activities) that results in the disturbance of one (1) acre or more of total land area. If the land-disturbing activity results in the disturbance of less than one (1) acre of total land area but is part of a larger common plan of development or sale, the project must obtain permit coverage under the CSGP (IDEM 2022).

Prime farmland soils are protected under the Farmland Protection Policy Act. The intent of the act is to minimize the extent to which federal programs contribute to the unnecessary or irreversible conversion of farmland soils to non-agricultural uses. There are no prime or unique farmland soils within the project area (U.S. Department of Agriculture 2022).

### **3.3.2 Environmental Consequences**

#### **3.3.2.1 Proposed Action**

##### **3.3.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and as such would not change existing conditions. No impacts to geology or soils would occur.

##### **3.3.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing geological conditions. The construction of the sewer mains would require the excavation of soil and placement of the main, resulting in a negligible impact to soil and geology. The resulting surface and road would mirror the existing topography. The proposed road would be co-located with the sewer mains and would be similar to the other internal access roads and would not impact geology, topography, or soil conditions.

##### **3.3.2.1.3 Phased Future Expansion of the Marion National Cemetery**

The future phased expansion of the cemetery would have minor impacts on geology and soils within the project area. No major changes to topography or drainage would occur and the future phased cemetery expansions would be designed to conform with the natural topography and drainage patterns. Because the expansion would occur in phases, bare dirt would not be exposed for a prolonged period of time so as to generate the potential for dust, erosion, or down-gradient sedimentation.

Implementation of the future phased expansion of the cemetery would require a CSGP. As part of the CSGP, VA would develop and implement a site-specific Stormwater Pollution Prevention

Plan (SWPPP). Permit standards would be adhered to during all construction activities. Erosion and sediment control BMPs as identified in the SWPPP would be employed during future phased construction activities to minimize erosion. There would be no long-term risk to soils and erosion and ground cover would be maintained as a normal part of landscaping operations. Because there are no prime or unique farmland soils in the project area, no impacts to these soils would occur.

#### 3.3.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to geology and soils. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to geology and soils; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.3.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to geology and soils.

### **3.4 HYDROLOGY AND WATER QUALITY**

To review detailed information and analysis prepared in support of this section's resource description, assessment, findings, and measures, please refer to the Final Hydrology/Stormwater Report for the Proposed Transfer of Land from the Marion VAMC to the Marion National Cemetery, Marion, Indiana (FMF Pandion 2022). This section summarizes the report and provides detailed information on the discussion and analysis presented in the following assessment.

#### **3.4.1 Affected Environment**

The project area is in the Upper Mississinewa watershed which encompasses approximately 415,000 acres with roughly 55 miles of Mississinewa River flowing through the watershed. The Mississinewa River headwaters originate in Ohio and flow northwest through Indiana where the river terminates into the Wabash River. The project area is in the Branch Creek-Mississinewa River sub watershed (HUC) 051201030510 (FMF Pandion 2022). The nearest receiving waterbody is the Mississinewa River located along the southeastern border of the Marion VAMC, approximately a quarter mile southeast of the project area. Drainage from the project area flows into the Marion VAMC storm drain network which ultimately flows to the Mississinewa River (FMF Pandion 2022).

As mentioned in the Geology and Soils section of this EA, the majority of the soil type found in the project area belong to the hydrologic soil group D based on the NRCS data (NRCS 2022). Hydrologic soil group D soils are soils which have a high runoff potential when thoroughly wet. Water movement through the soil is restricted or very restricted. Group D soils are typically composed of sand and clay and have a very low rate of infiltration (FMF Pandion 2022).

Surface runoff from the area is collected in multiple inlets which connect to the underground stormwater network system. The storm water tends to drain primarily to the southeastern area of

the Marion VAMC and ultimately discharges via a discharge pipe into the Mississinewa River (FMF Pandion 2022).

The stormwater sewer system is currently operated and managed in accordance with the City of Marion and Indiana Wesleyan University Joint MS4 Phase II General Permit which requires small MS4 registrants to implement a Stormwater Quality Management Program (SWMP). Marion VAMC is developing plans to complete a project to improve the stormwater conveyance capacity within the broader project area.

#### **3.4.1.1 303(d) List**

Section 303(d) of the 1972 Clean Water Act requires states, territories, and authorized tribes to develop lists of impaired waters. Under section 303(d) of the Clean Water Act, states, territories, and authorized tribes, collectively referred to in the act as "states," are required to develop lists of impaired waters. These are waters for which technology-based regulations and other required controls are not stringent enough to meet the water quality standards set by states. The law requires that states establish priority rankings for waters on the lists. The Clean Water Act Section 303(d) impairments for the Mississinewa River include polychlorinated biphenyls, and bacteria (IDEM 2022).

Once a water body has been listed as impaired on the 303(d) list, a Total Maximum Daily Load (TMDL) for the constituent of concern (pollutant) must be developed for that water body. The project is not within a TMDL watershed as TMDLs have not yet been established for impaired water bodies in the project area (FMF Pandion 2022).

Existing sources of water quality degradation and surface water runoff within the project area include runoff associated with landscaping, grounds, and road maintenance. The primary contaminants consist of nutrients, sediment, and pesticides.

#### **3.4.1.2 Groundwater**

The U.S. Geological Survey (USGS) has collected groundwater monitoring well data from a well located in Grant County, Indiana approximately 10 miles north of the project area. The well was installed in 1987 and was completed in the Pleistocene Series (112PLSC) local aquifer. Groundwater monitoring well data indicates that the highest water level was recorded in the year 1988 at 107.59 feet below ground surface (bgs). Groundwater was most recently observed at 119.98 feet bgs on November 3, 2022 (USGS 2022). However, groundwater is anticipated to be encountered at a shallower depth given the project area's proximity to the Mississinewa River. A recent Phase II Environmental Site Assessment that including borings to 25 feet bgs did not encounter groundwater (DLZ Indiana 2019).

### **3.4.2 Environmental Consequences**

#### **3.4.2.1 Proposed Action**

##### **3.4.2.1.1 Land Transfer**

The proposed land transfer and retainment of the storm sewer easement is an administrative action and as such would not change existing conditions. No impacts to hydrology or water quality would occur.

#### 3.4.2.1.2 Easement, Sewer Mains, and Road

The proposed easement is also an administrative action and as such would not change existing hydrology or groundwater conditions. The sewer mains would replace the current system and once constructed would improve drainage capacity. The proposed road would result in a slight increase in the impervious surfaces in the project area; however, the new sewer mains would be designed to account for any potential increase in runoff (FMF Pandion 2022). The proposed project would not result in a change to the boundary and acreage of the tributary drainage area and would follow the natural drainage patterns throughout the VAMC property.

#### 3.4.2.1.3 Phased Future Expansion of the Marion National Cemetery

As part of the phased expansion of the cemetery, VA would implement erosion control measures identified in the SWPPP. The measures would be appropriately designed measures for controlling erosion and sediment to prevent sediment from entering the waterbody or leaving the construction site. VA would also maintain these measures until construction is complete and all disturbed areas are stabilized. If erosion control blankets are used, they shall be heavy-duty, biodegradable, and net free or use loose-woven/Lenowoven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

The future phased expansion of the cemetery would not be expected to impact the groundwater resources in the area given that past cemetery development has not encountered groundwater and a recent investigation did not encounter groundwater at 25 feet bgs.

As part of the future phased expansion, VA would consider the incorporation of on-site green stormwater management techniques via use of bioswales, permeable pavement, rain gardens, retention ponds, and/or over-sized culverts or bridges.

The future phased expansion of the cemetery would not include any new activities which may have the potential to generate additional pollutants which could impact hydrology and water quality, as future cemetery operations would be consistent with existing activities. VA would continue to manage and implement the requirements of the MS4 and SWMP permits and implement operational BMPs as required to protect the facility's hydrologic and water quality resources.

#### 3.4.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to hydrology and water quality. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to hydrology and water quality; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

### **3.4.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. VA would continue to manage the hydrology and address water quality in accordance with BMPs and control and manage stormwater in accordance with current stormwater management requirements. Therefore, the No Action Alternative would have no impact to hydrology and water quality.

### 3.5 WILDLIFE AND HABITAT

The ESA, as amended, provides protections for those species that are listed as threatened or endangered, along with their critical habitat. The act grants the U.S. Fish and Wildlife Service (USFWS) primary responsibility in administering the species and habitat designations and protections granted under the ESA. “Endangered” means that a species is in danger of extinction throughout all or a significant portion of its range. “Threatened” means that a species is likely endangered in the foreseeable future. “Candidate” species are plants and animals for which the USFWS has sufficient information on their biological status and threats to propose them as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities (USFWS 2022a).

“Critical habitat” is a specific geographic area or areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection. Critical habitat may also include areas that are not currently occupied by the species but will be needed for its recovery.

#### 3.5.1 Affected Environment

The USFWS developed the Information for Planning and Consultation (IPaC) database to assist as a project planning tool to streamline the threatened and endangered species review process. A query of the IPaC database for the Proposed Action area revealed one endangered bat species, one threatened bat species, and one insect that is a current candidate for listing as having a potential to be found within the project area (USFWS 2022b).

Table 3-1 summarizes the listed species and their potential presence in the action area (USFWS 2022b, USFWS 2022c, USFWS 2022d). There is no critical habitat in the project area (USFWS 2022b).

**Table 3-1. Federally Listed Species and Habitat Potentially Present within the Vicinity of the Action Area**

Species	Status	Habitat	Potential Habitat in Action Area?
Indiana Bat ( <i>Myotis sodalists</i> )	Endangered	Restricted to underground or cave hibernacula in winter; in summer found in forested areas, riparian zones, bottom lands, floodplains, wooded wetlands, and upland communities.	No, but perhaps in certain trees in the region.
Northern Long-eared Bat ( <i>Myotis septentrionalis</i> )	Threatened	Spend winter hibernating in caves and mines; rest of year may be found in live or dead trees, barns, and sheds.	No, but perhaps in certain trees or forested areas in the region.
Monarch Butterfly ( <i>Danaus plexippus</i> )	Candidate	Migratory. Usually found in open fields and meadows with milkweed.	No, but perhaps in open fields nearby.

The long-standing developed and landscaped areas within and adjacent to the project area have marginal value for wildlife because of high levels of human disturbance and activity, and limited vegetation development. Any potential habitat that exists is actively managed ornamental vegetation. However, common wildlife species that are tolerant of human disturbance do occur throughout the project area. The predominant wildlife and habitat consist mainly of small fauna living within or around the area's flora, or those visiting on their migratory paths.

No plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity (USFWS 2022a).

### **3.5.2 Environmental Consequences**

#### **3.5.2.1 Proposed Action**

##### **3.5.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and as such would not change existing conditions. No impacts to wildlife or habitat would occur.

##### **3.5.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions. The construction of the sewer mains and road would remove existing ground cover (no trees are planned to be removed) and replace the existing ground cover with pavement. Construction would temporarily disturb species in the area.

##### **3.5.2.1.3 Phased Future Expansion of the Marion National Cemetery**

The future phased expansion of the cemetery within the transferred land would result in the removal of ornamental low-habitat value vegetation, which would displace some of the existing wildlife within the area as well as some species that use the project area intermittently or seasonally for nesting. This may include the removal of particular trees used as potential summer roosting habitat for federally listed Indiana and northern long-eared bats.

If tree clearing cannot be conducted outside of the bat roosting season, a summer presence/absence survey would be conducted to confirm that protected bats are not present prior to tree clearing. Due to the long-duration of the phased expansion of the cemetery, VA would re-evaluate the potential for listed species in the project area during the cemetery expansion design and would coordinate and consult with USFWS and the IDNR prior to any cemetery construction, as necessary.

The Migratory Bird Treaty Act prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the USFWS. If tree clearing cannot be conducted outside of the nesting season, a summer presence/absence survey would be conducted to confirm that nesting birds are not present prior to tree clearing.

Further, as pollinators (insects and wildlife such as bees, butterflies, beetles, hummingbirds and bats) are important contributors to food production (responsible for up to 35 percent of global crop production, which equates to more than one out of three bites of food people eat) (IDNR 2022a), and require vegetation for habitat, VA would look to improve and increase pollinator habitat as part of the phased future expansion.

#### 3.5.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to wildlife and habitat. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to wildlife and habitat; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.5.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to wildlife and habitat.

### **3.6 NOISE**

Noise is generally defined as an unwanted sound. Sound is most commonly measured in decibels (dB). The Noise Pollution and Abatement Act of 1972 initiated a federal program of regulating noise pollution with the intent of protecting human health and minimizing annoyance of noise to the general public.

#### **3.6.1 Affected Environment**

Noise is an unwanted or annoying sound that interferes with or disrupts normal human activities. Although continuous and extended exposure to high noise levels (for example, through occupational exposure) can cause hearing loss, the principal human response to noise is annoyance. The response of different individuals to similar noise events is diverse. The type of noise, perceived importance of the noise, its appropriateness in the setting, time of day, type of activity during which the noise occurs, and sensitivity of the individual influence the response to the noise.

Sound characteristics include the sound power, which relates to the source of the sound and sound pressure, which is the sound received at a receptor. Sound power is the amount of energy of sound at the source. Sound pressure is the pressure vibrations caused by the source but perceived at the ear.

The dB is the common unit to measure levels of noise. However, several factors affect how the human ear perceives sound: the actual level of noise, frequency, period of exposure, and fluctuations in noise levels during exposure. Daytime noise levels of 40 dB are generally perceived as quiet, 60 dB as moderate, and greater than 70 dB as loud.

Because the human ear cannot equally perceive all pitches or frequencies, scientists adjust noise measurements metrics to compensate for the human lack of sensitivity to low- and high-pitched sounds. This commonly used adjusted unit is known as the A-weighted decibel, or dBA. The A-weighted metric de-emphasizes very low and very high-pitched sound generated by motor vehicle traffic and construction equipment. The City of Marion controls noise using the regulations promulgated in the City of Marion, Code of Ordinances, Nuisances, Chapter 95. Maximum noise levels at residential areas for most activities are 65 dB between the hours of 11:00 P.M. and 6:00 A.M. There are no specific noise levels for construction under Chapter 95 (City of Marion 2022a).

Existing noise levels within the project area are consistent with typical wooded residential noise levels or rural areas with ambient noise levels around 40 to 50 dB (USEPA 1978). In addition to Veterans receiving medical care at the Marion VAMC, residential areas north of the project area are the nearest sensitive receptors to the Marion National Cemetery. To the east and south are rural and open space areas.

### **3.6.2 Environmental Consequences**

#### **3.6.2.1 Proposed Action**

##### **3.6.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and as such would not change existing conditions. No impacts to noise or vibration would occur.

##### **3.6.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions. The construction of the sewer mains and road would result in a temporary increase in construction-related noise. Due to the relatively small area of disturbance, short duration of activity, and interior location of the construction, noise levels are not anticipated to affect neighboring properties.

##### **3.6.2.1.3 Phased Future Expansion of the Marion National Cemetery**

The future phased expansion of the cemetery would result in short-term adverse impacts to the existing noise environment during construction activities and briefly during operations. 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 areas. 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 requirements to prevent hearing damage.

Areas that could be most affected by noise from construction include those closest to the construction footprint, such as patients at the Marion VAMC and nearby residences. Indoor noise levels would be expected to be 15-25 db lower than outdoor levels. In addition, construction noise impacts would be temporary and would occur during normal working hours (7 A.M. to 5 P.M.).

Indirect impacts to the noise environment would also 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 project area. Because trucks are present during most phases of construction and leave and enter the area via local thoroughfares, truck noises tend to impact more people over a wider area. For this Proposed Action, persons in the area near the cemetery would experience temporary increases in traffic noise during normal working hours, similar to existing traffic noise levels in the area.

Future Cemetery operations would be similar to the current operations and would include vehicle traffic to and from the cemetery; the use of powered equipment for grave site preparation, maintenance, and upkeep; and periodic (during weekday, normal working hours) ceremonial rifle discharges. The expanded cemetery 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, consistent with the existing cemetery.

No activities current or planned generate sufficient noise to cause or involve vibratory equipment or operations that could cause vibration impacts. Therefore, the Proposed Action would result in a less than significant impact to noise and vibration.

#### 3.6.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to noise and vibration. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to noise and vibration; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.6.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to noise and vibration.

### **3.7 CULTURAL RESOURCES**

Cultural resources include both archeologically significant elements and historic elements. The Archeological Resources Protection Act prohibits the excavation of archeological resources on federal lands. NHPA, as amended, provides for the preservation of historic properties. Section 106 of the NHPA requires that federal agencies consider the effects of their actions on such properties. Section 110 requires the heads of all Federal agencies to assume responsibility for the preservation of historic properties which are owned or controlled by such agency.

Adverse impacts to historic properties can include physical damage or destruction, alterations inconsistent with standards, relocation, change in the property use or setting, introduction of incompatible uses or elements, or neglect and deterioration.

#### **3.7.1 Affected Environment**

Section 106 of the NHPA and its implementing regulations (Title 36 CFR Part 800) require that federal agencies take into account the effects of their actions (referred to as “undertakings” under Section 106) on properties that may be eligible for or listed in the National Register of Historic Places (NRHP) and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment.

In accordance with Section 106 of the NHPA, VA notified and invited the following stakeholders to participate in Section 106 consultation: the Miami Tribe of Ohio, the Grant County Historian, the Grant County Historical Society, and Indiana Landmarks.

### 3.7.1.1 Area of Potential Effect

An area of potential effect (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist (36 CFR Part 800.16(d)). The APE consists of the Marion VAMC and Marion National Cemetery given the VAMC's National Register status as a historic district, referred to as "*the Marion Branch, National Home for Disabled Volunteer Soldiers*" (NR-1474), as well as an overview of known cultural resources in the vicinity. The Marion Branch of the National Home for Disabled Volunteer Soldiers Historic District was listed in 1999 under Criterion A (for its association with significant events and/or broad patterns of history) and Criterion C (for its architectural features). The adjacent Marion National Cemetery is a contributing property to the District and is included within its historic boundary. The Historic District is shown on Figure 3-1.

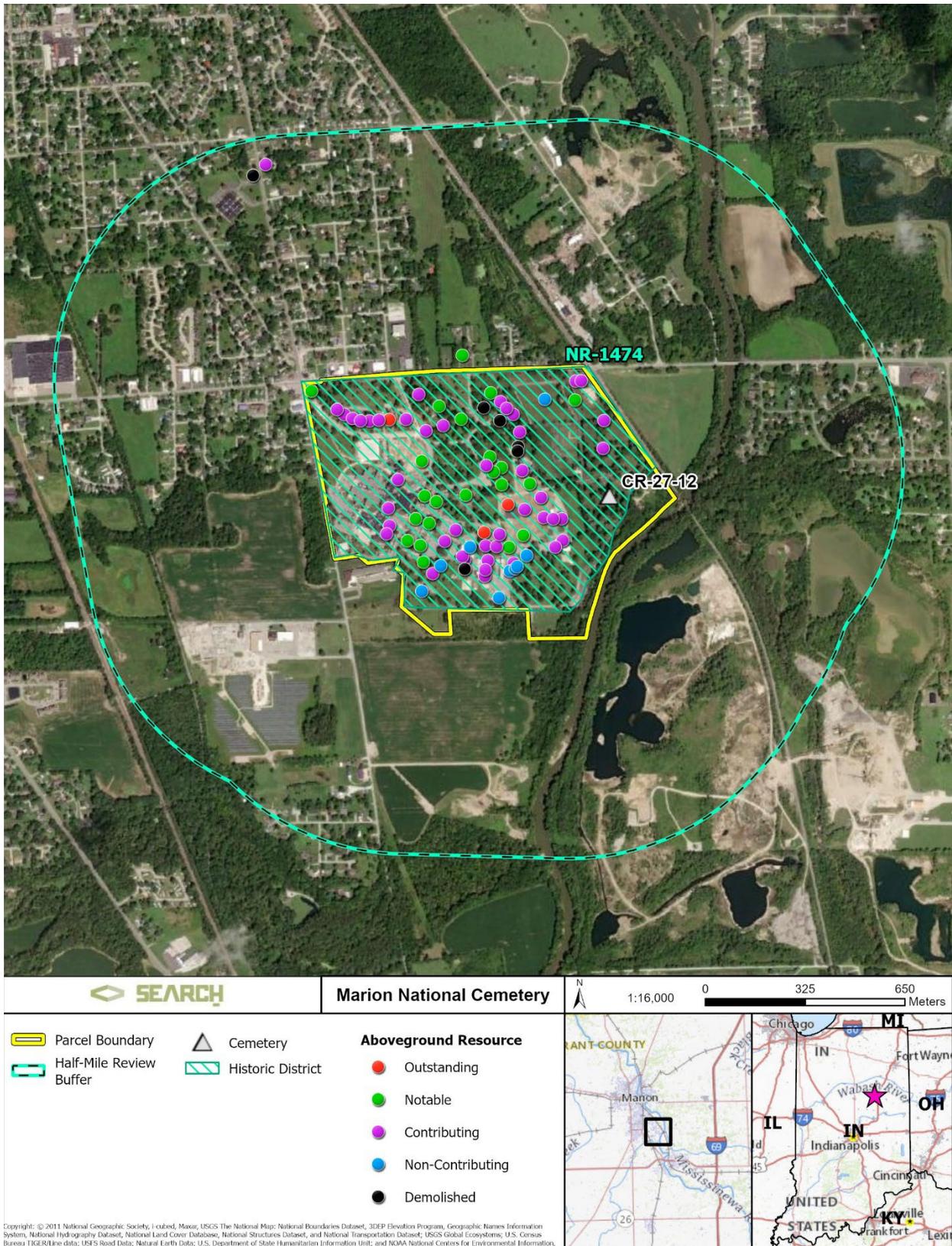
VA recently demolished 13 buildings in the project area. Seven of these buildings were determined to be "contributing" elements to the historic district. VA's consultation with the IDNR, DHPA concluded in a determination that demolition of the seven contributing buildings would constitute an "Adverse Effect," per the NHPA. Therefore, the VAMC entered into a MOA to partially resolve these adverse effects prior to transfer of the subject parcel (see Appendix A in SEARCH 2022; VA et al 2018).

The MOA was executed on February 21, 2018. Signatories included:

- Department of Veterans Affairs, Marion VA Medical Center,
- Indiana State Historic Preservation Officer, and
- ACHP
- Additionally, Indiana Landmarks entered into the MOA as a Concurring Party.

As per the MOA, mitigation included recordation and documentation of contributing buildings prior to their demolition (Part I, Subparts A through D). The MOA also required offering the buildings for relocation or salvage (Part II, Subparts A and B). VA met both of these requirements. However, following transfer, a third requirement must be met (Part III, Subparts A and B), which involves reevaluation of the historic district, including evaluation of remaining resources and discussion of a potential historic boundary revision, both of which will necessitate the need to reengage with the DHPA.

According to the MOA and confirmed via research using the IDNR State Historic Architectural and Archaeological Research Database, no other sites of archaeological or historical significance are located in the project area (beyond the 75 buildings listed as part of the National Register property).



**Figure 3-1 APE (yellow) and Historic District (green cross-hatch)**

As part of the current study, a Secretary of the Interior-qualified archaeologist observed the land which previously contained the seven contributing buildings on August 9, 2022. The field visit confirmed that no structures remain in the parcel and suggested that there is little to no potential for future activities to impact unrecorded archaeological resources. The existing ground surface included displaced and disturbed soils resulting from demolition and subsequent grading of the property (Photograph 3-1).



**Photo 3-1: Overview Showing Disturbed Ground Surface and Replanting. Looking NE.**

### **3.7.2 Environmental Consequences**

#### **3.7.2.1 Proposed Action**

The proposed easement, sewer mains, and road were not included in the scope of the previous consultation that led to the 2018 MOA. As such, VA initiated Section 106 consultation for the proposed easement, sewer mains, and road.

##### **3.7.2.1.1 Land Transfer**

VA has met the MOA conditions for the proposed transfer of the 16.8-acre parcel from VAMC to Marion National Cemetery. Recordation of buildings contributing to the significance of the National Register property is completed, and an effort for resale/salvage of the buildings was conducted, per the MOA. Therefore, transfer of ownership is unlikely to result in further impacts to cultural resources. However, following transfer, Part III/Subparts A and B (reevaluation of the historic district) will be conducted to conclude the MOA stipulations. Also, following transfer and per the MOA, the Marion National Cemetery will need to submit design plans to the DHPA on the cemetery expansion prior to construction to ensure that conditions of the MOA are still being met.

##### **3.7.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is an administrative action and as such would not change existing cultural resources. The proposed construction of the sewer mains and overlying road would occur in an area containing no built infrastructure. Given this and the parcel's noted lack of archaeological potential, construction activities are not anticipated to impact cultural resources. Furthermore, the National Register boundary is unlikely to change because the easement is already included within the historic boundary. On March 21, 2023, the IDNR Division of Historic Preservation & Archaeology concurred with the VA's March 2, 2023, finding of No Adverse Effect for the Proposed Action.

##### **3.7.2.1.3 Phased Future Expansion of the Marion National Cemetery**

Given the level of care already exercised, as well as the parcel's noted lack of archaeological potential, future phased cemetery expansion activities are not likely to impact cultural resources. The future phased development is anticipated to result in features consistent with the existing cemetery and not detract from the existing setting.

#### 3.7.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in no adverse effect on historic properties. However, as noted in Section 2.2.2, VA does not currently have detailed plans for the phased expansion. Therefore, once VA has enough documentation pursuant to 36 CFR Part 800.11(e), VA would initiate new and separate Section 106 consultation for the future phased expansion of the cemetery into burial sections for the Marion National Cemetery, and would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid. Therefore, the Proposed Alternative would result in a less than significant impact to cultural resources.

#### 3.7.2.2 **No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. VA would still need to complete Part III/Subparts A and B to fulfill the 2018 MOA requirements. Therefore, the No Action Alternative would result in no impacts to cultural resources.

### 3.8 **LAND USE**

Land use is defined as the current and planned use of a subject property as determined by governing authorities.

#### 3.8.1 **Affected Environment**

Marion VAMC is located in the City of Marion, Indiana near the intersection of East 38<sup>th</sup> Street and South Lincoln Boulevard in Marion. The City of Marion has designated the land that Marion VAMC and the Marion National Cemetery occupies for professional business uses. The areas immediately surrounding Marion VAMC and the cemetery are all outside of the corporate boundary (City of Marion 2022b). The Marion 2030 Comprehensive Plan governs land use for the areas surrounding Marion VAMC (City of Marion 2010).

The project area now consists of maintained vegetation, trees, and roads. All surplus buildings located in the project area (Buildings 24, 25, 35, 36, 37, 38, 94, 95, 96, 118, and 149) were removed during 2020 and 2021 as part of a VA demolition project. Photos 1-1 and 1-2 depict the current condition of the project area.

#### 3.8.2 **Environmental Consequences**

##### 3.8.2.1 **Proposed Action**

###### 3.8.2.1.1 Land Transfer

The proposed land transfer would facilitate the future change in land use from existing conditions to use as a cemetery and would be a compatible land use with current and future activities.

###### 3.8.2.1.2 Easement, Sewer Mains, and Road

The proposed easement is an administrative action and as such would not change existing conditions. The sewer mains would be an underground feature and once constructed, not visible

and consistent with existing land use. The proposed road would be also consistent with the surrounding land use, which consists of several internal access roads.

#### 3.8.2.1.3 Phased Future Expansion of the Marion National Cemetery

The future phased expansion of the cemetery would transform the land surface in phases from maintained vegetation, trees, and roads to part of the Marion National Cemetery. The resulting cemetery would be consistent with the adjacent, existing development, and consistent with the low-impact development of the area and compatible with the surrounding land uses.

Cemetery operations would result in no land use impacts and would be consistent and compatible with the surrounding land uses. As a federal agency, VA is not subject to local zoning regulations; however, the future cemetery development would be generally consistent with local zoning.

#### 3.8.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to land use. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to land use; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

### **3.8.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to land use.

## **3.9 FLOODPLAINS, WETLANDS, AND COASTAL ZONE MANAGEMENT**

### **3.9.1 Affected Environment**

As determined by reviewing Federal Emergency Management Agency (FEMA) data (FEMA 2022), despite the presence of nearby Mississinewa River (a large tributary of the Wabash River) and a few small ponds, neither the Veteran's Administration Hospital or the parcel of land to be transferred, or the cemetery are in a designated floodplain. Similarly, according to both National Wetlands Inventory (NWI) map data (NWI 2022) and the IDNR-designated wetlands website (IDNR 2022b) none of the land included in the Proposed Action area is located within a wetland (NWI 2022 and IDNR 2022b).

The Indiana Coastal Management Program (Program), approved by the National Oceanic and Atmospheric Administration in 2002, is led by the IDNR. The Program is networked, built upon a framework of state laws and authorities addressing key coastal priorities. The State's Coastal Advisory Board, which represents various stakeholder groups, determines the priorities for each grant funding cycle and provides a forum for public input on regional issues affecting Lake Michigan coastal resources. The Indiana coastal zone is based on watershed boundaries and varies from a little less than two miles to 17 miles from the shore of Lake Michigan (National Oceanic and Atmospheric Administration [NOAA] 2022). As the action area is located approximately 141 miles southeast of Lake Michigan, it is not located within the boundaries of the State of Indiana's coastal zone and is, therefore, not governed by any associated laws or regulations.

## **3.9.2 Environmental Consequences**

### **3.9.2.1 Proposed Action**

As the project area is not located within a floodplain, wetland, or Indiana's coastal zone, the entirety of the Proposed Action would have no effect on these resources. Therefore, the Proposed Action would result in no impact to floodplains, wetlands, or coastal zone management.

### **3.9.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to floodplains, wetlands, or coastal zone management.

## **3.10 SOCIOECONOMICS**

Socioeconomics refers to the effect that a proposed action may have on the social or economic conditions in the surrounding area.

### **3.10.1 Affected Environment**

Marion VAMC employs hundreds of people and is responsible for generating economic benefits to the region by way of local employment, Veteran health care visits, and providing goods and services to Veterans. Marion VAMC procures goods and services from local, regional, and in some cases, global markets.

As of 2021, the rental vacancy rate in the City of Marion was approximately 17.64 percent, which is higher than the Indiana-wide rate of 9.13 percent (U.S. Census Bureau 2021a). As of 2020, the population of the City of Marion was approximately 28,310 (U.S. Census Bureau 2022).

### **3.10.2 Environmental Consequences**

#### **3.10.2.1 Proposed Action**

##### **3.10.2.1.1 Land Transfer**

The proposed land transfer is an administrative action and would not generate jobs, stimulate local expenditures, or adjust populations. No impacts to socioeconomics would occur.

##### **3.10.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions. The construction of the sewer mains and road would result in minor short-term, beneficial socioeconomic impacts to local employment and personal income by providing temporary construction related jobs. The proposed road would be consistent with the surrounding setting, which consists of several internal access roads.

##### **3.10.2.1.3 Phased Future Expansion of the Marion National Cemetery**

The future phased expansion of the cemetery would result in minor short-term, beneficial socioeconomic impacts to local employment and personal income by providing temporary

construction related jobs. Due to the short-term finite nature of the future construction project, no long-term impacts to the construction labor force are anticipated.

The future phased expansion of the cemetery would result in long-term significant beneficial socioeconomic impacts by providing additional land to continue providing burial benefits to regional Veterans and eligible family members. The Proposed Action would ensure that the Marion National Cemetery can continue to provide burial services to Veterans and their family members.

#### 3.10.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to socioeconomics. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to socioeconomics; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.10.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to socioeconomics.

### **3.11 COMMUNITY SERVICES**

Services provided by VA or surrounding communities such as police, fire, ambulance, and emergency services are considered community services.

#### **3.11.1 Affected Environment**

Marion VAMC is located within the Marion Community School District. The district consists of one preschool, four elementary schools, one intermediate school, one junior high school, and one high school (Marion Community Schools 2022).

The City of Marion Police Department provides police protection to Marion VAMC and the City of Marion Fire Department provides fire protection and emergency medical services to the VAMC and surrounding areas.

There are no hospitals or other major medical facilities (other than the VAMC) located within one mile of the project area. The nearest hospital is the Marion General Hospital located approximately 4.4 miles northwest of the project area.

#### **3.11.2 Environmental Consequences**

##### **3.11.2.1 Proposed Action**

The proposed land transfer and retainment of the sewer mains and road easement is an administrative action. There would be no changes to schools or emergency services. Marion VAMC would continue to be able to provide medical services to Veterans. No impacts to community services would occur.

The construction of the sewer mains, road, and phased future expansion of the cemetery would not increase the demand for community services, as construction and operational activities do not generally create a need for such services. Therefore, the proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to socioeconomics. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to socioeconomics; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

### **3.11.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to community services.

## **3.12 SOLID WASTE AND HAZARDOUS MATERIALS**

Hazardous materials include, but are not limited to, hazardous and toxic substances and waste, and any materials that pose a potential hazard to human health and the environment due to their quantity, concentration, or physical and chemical properties.

Hazardous wastes are characterized by their ignitability, corrosivity, reactivity, and toxicity. Hazardous materials and wastes, if not controlled, may either (1) cause or significantly contribute to an increase in mortality, serious irreversible illness, or incapacitating reversible illness; or (2) pose a substantial threat to human health or the environment.

### **3.12.1 Affected Environment**

The project area now consists of maintained vegetation, trees, and roads. Photos 1-1 and 1-2 depict the current condition of the project area. Following demolition, VA re-vegetated the exposed surfaces with a mix of grasses.

Prior to demolition of the structures on the parcel, VA conducted a Phase I and II Site Investigation which included the buildings formerly located in the proposed transfer area. The investigation determined that the buildings and associated property were used for housing and no known or potential recognized environmental conditions were evident. The investigation did note that an underground storage tank was associated with Building 25. Accordingly, soil sampling conducted during tank excavation did not exceed method detection limits and groundwater was not encountered during excavation (DLZ Indiana 2018 and 2019).

VA contracted with a qualified environmental firm in 2020 (RH Environmental LLC) to design a waste determination sampling plan and conduct composite waste characterization testing including Toxicity Characteristic Leaching Procedure lead analysis. Laboratory analysis of the building structure debris/waste reported a lead concentration < 5 parts per million. As such, the waste stream for the demolition project was confirmed to be a lead non-hazardous waste (RH Environmental 2020).

Current regulations prohibit the use of asbestos-containing material (ACM) and lead based paint (LBP) in buildings, ACM and LBP may still be present in older buildings. Waste disposal records provided by VA document the removal and disposal of various waste products, including asbestos

and LBP during the demolition of the surplus structures. Records indicate that regulated wastes were properly managed and disposed of in accordance with the IDEM Asbestos Program and the Lead Abatement Notification Procedure as outlined in 410 Indiana Administrative Code 32-4-6, as well as National Emission Standards for Hazardous Air Pollutants and Title 40 of the CFR.

As defined by the Occupational Safety and Health Administration (OSHA), any detectable concentration of lead creates the requirement for implementing worker protection, and in some cases, environmental protection. The current OSHA standard (29 CFR 1926.62) requires that when the permissible exposure limit is exceeded, the hierarchy of controls requires employers to institute feasible engineering and work practice controls as the primary means to reduce and maintain employee exposures to levels at or below the permissible exposure limit.

VA requires contractors and staff to handle and dispose of solid wastes in such a manner that would prevent contamination of the environment, including disposal of waste in compliance with federal, state, and local laws.

### **3.12.2 Environmental Consequences**

#### **3.12.2.1 Proposed Action**

##### **3.12.2.1.1 Land Transfer**

The proposed land transfer is an administrative action. There would be no changes to the amounts of solid or hazardous wastes generated (for example, fuels, oils, lubricants, or solvents). No impacts to solid waste and hazardous materials would occur.

##### **3.12.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions. The construction of the sewer mains and road is not anticipated to encounter any hazardous materials or wastes, based on recent Phase I and II investigations. Construction activities would require the use of minor amounts of hazardous materials and may generate small amounts of construction waste. As required, any solid or hazardous waste, including construction-related waste, would be properly stored, handled, recycled, or properly disposed of in accordance with federal and state disposal requirements, local laws, and BMPs.

##### **3.12.2.1.3 Phased Future Expansion of the Marion National Cemetery**

Future cemetery expansion activities may require the use of minor amounts of hazardous materials and may generate small amounts of construction waste. As required, any solid or hazardous waste, including construction-related waste, would be properly stored, handled, recycled, or properly disposed of in accordance with federal and state disposal requirements, local laws, and BMPs.

There are no structures located within the project area that are identified for future demolition at this time. If the future phased expansion identifies the need to demolish a structure, demolition would occur in compliance with all ACM and LBP regulations. VA would continue to manage hazardous materials and solid waste in accordance with all applicable regulations and BMPs.

#### 3.12.2.1.4 Summary

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to solid waste and hazardous materials. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to solid waste and hazardous materials; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.12.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to solid waste and hazardous materials.

### **3.13 TRANSPORTATION AND PARKING**

Transportation and parking refer to the movement and parking of people, goods, and equipment on a local and regional transportation network, consisting of streets, railroads, transit facilities, bicycle lanes, and other modes of transportation, including walking.

#### **3.13.1 Affected Environment**

Surface transportation refers to the movement of people, goods, and equipment on a local and regional transportation network, consisting of streets, railroads, transit facilities, bicycle lanes, and other modes of transportation. Interstate highways and other freeways maximize travel speed or relatively long distances while providing minimal or no access to fronting land uses. By contrast, local roads provide direct access to adjacent property while having substantially lower speeds than freeways or arterial highways. Collector roads typically provide a connection between local streets and arterial highways, and their design balances capacity and access to adjoining land. Transit facilities consist of local and regional bus services and both light rail and heavy rail transit.

A network of freeways, multi-lane arterial highways, and collector and local roadways provide access to the Marion VAMC and Marion National Cemetery. Interstate 69 to Indiana State Road 22 provides primary access to 38<sup>th</sup> Street which provides the primary entry access to the Marion National Cemetery and a secondary entry access point for the Marion VAMC. Within the project area, perimeter roads (38<sup>th</sup> Street, S. Lincoln Boulevard, and Black Road) and internal roads (Chapman Avenue, Steele Circle, and Indiana Avenue) are the major roads.

Approximately ten internments occur on average per week at Marion National Cemetery (National Cemetery Administration 2022c), with approximately 10 to 20 vehicles associated with each service. Services are scheduled throughout the day and typically do not coincide with peak morning and evening travel times. Traffic impacts associated with the funeral processions are minor, intermittent, and of short duration.

### **3.13.2 Environmental Consequences**

#### **3.13.2.1 Proposed Action**

##### **3.13.2.1.1 Land Transfer**

The proposed land transfer is an administrative action. There would be no changes that would result in a change in transportation conditions or parking supply or demand. No impacts to transportation or parking would occur as a result of the land transfer.

##### **3.13.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing visual conditions. The construction of the sewer mains and road would result in a minor and temporary increase in construction-related traffic. The resulting road would improve circulation on the property.

##### **3.13.2.1.3 Phased Future Expansion of the Marion National Cemetery**

The construction traffic associated with the future cemetery expansion, consisting of trucks, workers' personal vehicles, and construction equipment, would temporarily increase traffic volumes in the local area, but would not likely cause long delays. It is expected that the current driveways would be used by construction traffic to prevent disruption of cemetery operations. Only minor, future short-term adverse transportation impacts would occur.

The future phased expansion of the cemetery would increase the burial capacity and, consequently, the length of time (years) that interments are conducted at the cemetery, but would not increase the rate of burials, burial vehicle trips, or burial parking demand. VA anticipates the burial rate at the expanded cemetery would remain consistent with existing rates, with approximately 10 to 20 vehicles for each of approximately ten interments each week. As the cemetery is enlarged and the total number of interments increases, the number of cemetery visitors would increase slightly. Consequently, the future cemetery expansion would have only minor traffic impacts.

No parking impacts are anticipated. The expanded cemetery would be designed and constructed to accommodate all cemetery parking within the grounds. Therefore, implementation of the Proposed Action would result in a less than significant impact to transportation and parking.

##### **3.13.2.1.4 Summary**

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to transportation and parking. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to transportation and parking; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

#### **3.13.2.2 No Action Alternative**

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to transportation and parking.

### **3.14 UTILITIES**

Utilities are the services that support the efficient and comfortable operation of a facility or location. Utilities typically considered include electricity, natural gas, steam, telecommunications, water, and wastewater.

#### **3.14.1 Affected Environment**

The recent demolition and removal of facilities also included removing the existing utilities from the project area. There are two old and existing 24" and 18" diameter sewer mains that are beyond their service life.

#### **3.14.2 Environmental Consequences**

##### **3.14.2.1 Proposed Action**

###### **3.14.2.1.1 Land Transfer**

Under the Proposed Action, once the property is transferred, Marion National Cemetery would be responsible for the continuing maintenance of the grounds to include lawn mowing, grounds upkeep and snow removal for all roads on the property. Marion National Cemetery would also allow Marion VAMC easements on the property for utilities, to include the storm sewer easement that are present on the property after the property is turned over to the National Cemetery Administration.

###### **3.14.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing conditions. The construction of the sewer mains would follow the existing natural swale through the property. The two existing sewer mains (24" and 18" diameter pipes) would be abandoned in-place. The new and improved sewer mains would increase the capacity and prolong the lifespan of the existing substandard storm sewer, serving a critical function for the VAMC. The proposed new road would both protect the sewer mains and facilitate future maintenance access to the mains as needed.

###### **3.14.2.1.3 Phased Future Expansion of the Marion National Cemetery**

As part of the future phased expansion of the cemetery, new utility lines (electric and water) would be extended from the existing cemetery. Utility use and connections for the expanded cemetery would be determined during the cemetery design. Because facilities and corresponding utilities were recently removed, there is likely excess capacity available for utilities to meet the future demand.

###### **3.14.2.1.4 Summary**

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a beneficial impact to utilities. The future phased expansion of the cemetery is anticipated to result in a less than significant impact to utilities; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

### 3.14.2.2 No Action Alternative

Under the No Action Alternative, VA would not implement the Proposed Action. There would be no change to existing conditions. Therefore, the No Action Alternative would result in no impact to utilities.

## 3.15 ENVIRONMENTAL JUSTICE

Executive Order (EO) 12898, *Environmental Justice in Minority Populations*, requires federal agencies, departments, and their contractors to identify and address any potentially disproportionately high and adverse human health or environmental effects associated with their activities, policies, or programs which may pose a risk or impact minority or low-income populations.

Minorities are individuals who are members of the following population groups: American Indian, or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic origin; or Hispanic. CEQ requires identification of minority populations where either: (a) the minority population of the affected area exceeds 50 percent; or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

A low-income person is a person whose household income is at or below the income level. In 2021, the U.S. Census Bureau data identified this level as \$27,740 annually for a family of four (U.S. Census Bureau 2021b). Poverty areas are census tracts or blocks numbering areas where at least 20 percent of residents were below the poverty level.

EO 13045, *Protection of Children for Environmental Health Risks and Safety Risks*, requires federal agencies to identify and assess health risks and safety risks that may disproportionately affect children. Agencies must ensure that its policies, programs, activities, and standards address disproportionate risks to children that results from environmental health or safety risks.

### 3.15.1 Affected Environment

Table 3-2 presents environmental justice statistics for an area within a three-mile radius of Marion VAMC. As demonstrated by recent census and USEPA EJScreen data, the percent of minority populations located within the City of Marion is below the threshold for defining an environmental justice community. The low-income population percentage is above the threshold for defining an environmental justice community.

**Table 3-2 Environmental Justice Data for the Broader Project Area**

Area	Minority Population	Low-Income Population	Median Household Income
Marion, IN	23%	46%	\$35,252

Sources: USEPA 2022a, U.S. Census Bureau 2020

The project area is located on government property with restricted access. While children may be present at Marion VAMC or the Marion National Cemetery when with family members, no permanent population of children is located within the project area.

## **3.15.2 Environmental Consequences**

### **3.15.2.1 Proposed Action**

#### **3.15.2.1.1 Land Transfer**

The proposed land transfer is an administrative action. Existing conditions would remain. There would be no changes that would result in a change in environmental justice conditions. No disproportional impacts to minority populations or children would occur.

#### **3.15.2.1.2 Easement, Sewer Mains, and Road**

The proposed easement is also an administrative action and as such would not change existing environmental justice conditions. The construction of the storm sewer and road would not change in environmental justice conditions. The area would continue to be used in a manner consistent with existing conditions; no new potentially harmful activities would be introduced to the three-mile EJScreen radius area. In addition, no disproportional impacts to minority populations or children would occur.

#### **3.15.2.1.3 Phased Future Expansion of the Marion National Cemetery**

Although the City of Marion has low-income populations above the environmental justice thresholds, these populations do not reside near to the project area and project impacts would be confined to the project area and adjacent areas. During the future phased cemetery construction activities, effects on nearby land uses, such as through noise and dust, would be limited and controlled through construction BMPs. The area would continue to be used in a manner consistent with existing conditions; no new potentially harmful activities would be introduced to the three-mile EJScreen radius area. No disproportional impacts to minority populations or children would occur. Therefore, the Proposed Action would result in a less than significant impact to environmental justice.

#### **3.15.2.1.4 Summary**

The proposed land transfer, easement retention, sewer main construction, and road construction would result in a less than significant impact to environmental justice. The future phased expansion of the cemetery is anticipated to also result in a less than significant impact to environmental justice; however, when future phased expansion plans are available and ripe for detailed analysis, VA would conduct additional NEPA analysis, as necessary, to confirm the findings of this EA are still valid.

### **3.15.2.2 No Action Alternative**

Under the No Action Alternative, there would be no change to existing conditions. No disproportional impacts to children would occur. The Marion National Cemetery would not obtain the land necessary to meet its long-term cemetery needs for the region. Once the Marion National Cemetery reaches capacity, there could be a disproportionate effect on low-income Veterans and their families in the region, who are less able to afford travel to a more distant National Cemetery. Therefore, the No Action Alternative would result in a less than significant impact to environmental justice.

### 3.16 CUMULATIVE EFFECTS

A cumulative effect is an impact on the environment that results from the incremental impact of a proposed action when added to the impacts of other past, present, and reasonably foreseeable future actions. The cumulative impacts analysis considers other actions regardless of which agency (local, state, or federal) or person undertakes the actions.

The goal of a cumulative effects analysis is to help VA decision makers and the public understand the “big picture” view of the cumulative effects of each proposed action, when added to the effects of other projects, on the future sustainability of the resources considered in detail in this EA.

Cumulative impacts are most likely to arise when a relationship or synergism exists between a proposed action and other actions expected to occur in a similar location or during a similar period. Actions overlapping with or near a proposed action have more potential for a relationship than those more geographically separated. Similarly, relatively concurrent actions would tend to offer a higher potential for cumulative impacts.

The one identified and funded cumulative project is project 610-21-104: *Improve Sewer System and Water Loop* that would remove the existing 24” and 18” diameter main systems located on the VA property and combine into one 48” diameter storm sewer system. This project would replace approximately 80 percent of the existing sewer mains on VA property. Marion VAMC and the Marion National Cemetery conduct non-recurring maintenance and minor construction projects (for example, steam line repair and installation of new telecommunications cable). Based on the analyses and nature of potential impacts identified in Sections 3.1 to 3.15, the cumulative impact analysis focuses on the following resource areas with the greatest potential for cumulative effects:

- Air Quality
- Cultural Resources
- Water Resources
- Utilities

#### 3.16.1 Air Quality

As demonstrated in Section 3.2, emissions would be negligible. Emissions from the Proposed Action would also be below the GHG threshold identified by CEQ in draft guidance for evaluating the significance of GHG emissions. Present and future projects in the East Central Indiana Intrastate Air Quality Control Region would contribute criteria pollutant and GHG emissions. As demonstrated by the current attainment status of Indiana for the NAAQS, regional emissions have not resulted in an exceedance of the NAAQS. Therefore, the Proposed Action would result in a less than significant cumulative impact to air quality.

#### 3.16.2 Cultural Resources

VA consults with SHPO, federally-recognized tribes, and consulting parties for undertakings to avoid or minimize potential impacts to historic properties. VA implements project-specific measures and mitigation to minimize or mitigate any adverse effects to the historic district. The Proposed Action will be conducted in accordance with stipulations identified in Section 106 consultations. The 2018 MOA requires VA to re-evaluate the historic district boundary once the

building demolitions are complete. A potential boundary adjustment could result in a smaller district, but it is understood that the district will continue to exist. Therefore, the Proposed Action would result in a less than significant cumulative impact to cultural resources.

### **3.16.3 Hydrology and Water Quality**

The Proposed Action would implement BMPs to minimize potential impacts to hydrology and water quality. The storm sewer line replacement project would consolidate and upgrade storm sewer management, resulting in beneficial impacts to water resources. Therefore, the Proposed Action would result in a less than significant cumulative impact to hydrology and water quality.

### **3.16.4 Utilities**

Project 610-21-104: *Improve Sewer System and Water Loop* would increase the capacity and prolong the lifespan of the existing substandard storm sewer, serving a critical function for VA. The proposed easement and new road would both protect the sewer mains and facilitate future maintenance access as needed. Therefore, the Proposed Action would result in a beneficial cumulative impact to utilities.

## CHAPTER 4. PROTECTION, MITIGATION, AND COMPLIANCE MEASURES

### 4.1 MITIGATION MEASURES

In accordance with established regulations, protocols, procedures, and permits, construction contractors would implement BMPs as applicable before, during, and after construction. BMPs, or protection measures, are routine actions that construction contractor(s) regularly implement. Mitigation measures, however, are non-routine actions taken to offset impacts from a proposed action and in some instances, avoid the potential for a proposed action to result in significant impacts.

VA would implement the measures presented in Table 4-1 as part of the Proposed Action to avoid or minimize impacts to each of the following resource areas. The absence of measures for a resource area indicated that no measures are necessary.

#### Cultural Resources

As per the 2018 MOA, mitigation included recordation and documentation of contributing buildings prior to their demolition (Part I, Subparts A through D). The MOA also required offering the buildings for relocation or salvage (Part II, Subparts A and B). VA met both of these requirements. VA still must meet the Part III requirement, and would do so as part of the Proposed Action. The requirement is as follows:

- A. Once all funded rounds of demolition are complete, the Marion VAMC will engage with a professional (qualified per 36 CFR § 61) to evaluate remaining structures and to discuss revisions to the district boundary with the Survey and Register staff of the Indiana SHPO.
  1. If necessary revisions are found by both parties, Marion VAMC will draft a National Register of Historic Places “Boundary Adjustment” document and request review and signature by Indiana SHPO following the notification process outlines in 36 CFR § 61.
- B. Following Indiana SHPO concurrence or comment, the Marion VAMC may submit the Boundary Adjustment document to the National Park Service – NRHP office.

#### Wildlife and Habitat

If tree clearing cannot be conducted outside of the bat roosting season, a summer presence/absence survey would be conducted to confirm that protected bats are not present prior to tree clearing. The Marion National Cemetery would re-evaluate the potential for protected species during the cemetery expansion design and would coordinate and consult with USFWS and the IDNR prior to any cemetery construction, as necessary.

Construction activities requiring vegetation removal or disturbance would avoid the peak nesting period of March through August to avoid destruction of individuals, nests, or eggs. If project activities must be conducted during this time, VA would survey for nests prior to conducting work. If a nest is found, and if possible, VA would retain a buffer of vegetation around the nest until the young have fledged or the nest is abandoned.

In addition, VA would:

- Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.
- Minimize and contain within the project limits all tree clearings.
- Not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches diameter-at-breast-height, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
- Plant five trees, 1 inch to 2 inches in diameter-at-breast height, for each tree which is removed that is 10 inches or greater in diameter-at-breast height.

## **CHAPTER 5. PUBLIC PARTICIPATION, COORDINATION, AND CONSULTATION**

### **5.1 PUBLIC INVOLVEMENT**

VA published a project scoping notice in the Marion Chronicle-Tribune on Friday, September 30 and Saturday, October 1, 2022, and posted the scoping notice to the VA Office of Construction and Facilities Management (CFM) website <https://www.cfm.va.gov/environmental/>. VA also emailed scoping notices to federal, state, tribal, and local stakeholders.

VA made the Draft EA available for public review by announcing its availability in a notice of availability (NOA) of the Draft EA published in the Marion Chronicle-Tribune on Friday, February 17 and Saturday, February 18, 2023. VA also posted the NOA and Draft EA to the VA CFM website, placed a copy of the NOA and Draft EA in the Marion Public Library, and notified stakeholders of the availability of the Draft EA via email. VA received only one response during the 30-day public review period for the Draft EA. The comment letter was from the Indiana Department of Natural Resources (IDNR) and it contained the same comments they provided during public scoping.

### **5.2 AGENCY AND TRIBAL COORDINATION AND CONSULTATION**

#### **5.2.1 Coordination and Consultation**

In accordance with Section 106 of the NHPA, VA notified and invited the following stakeholders to participate in Section 106 consultation: the Miami Tribe of Ohio, the Grant County Historian, the Grant County Historical Society, and Indiana Landmarks. None of the invited stakeholders elected to provide comments or participate in Section 106 consultation. In response to VA's Section 106 consultation letter, on March 21, 2023, the IDNR Division of Historic Preservation & Archaeology concurred with the VA's March 2, 2023, finding of No Adverse Effect for the sewer and road easement project.

#### **5.2.2 Stakeholder Notification**

VA emailed the general stakeholder scoping notice (Appendix B) and notification of the availability of the Draft EA (Appendix B) to the following entities.

##### Federal Agencies

- USFWS, Indiana Ecological Service Field Office
- U.S. Department of Agriculture, Natural Resources Conservation Service – Indiana
- U.S. Army Corps of Engineers, Louisville District
- USEPA, Region 5
- ACHP

##### State Agencies

- Indiana DHPA
- Indiana Department of Transportation
- IDEM

- IDNR
- Indiana Division of Fish and Wildlife
- Indiana State Department of Agriculture
- Indiana Landmarks

Tribes

- Miami Tribe of Oklahoma

Local Agencies

- Grant County Area Planning Department
- Grant County Indiana Historical Society
- City of Marion Planning Department
- Marion Office of the Mayor
- City of Marion Engineering and Traffic Department

Elected Officials

- U.S. Senator Todd Young
- U.S. Senator Mike Braun
- U.S. Congresswoman Victoria Spartz, District 5
- Indiana State Senator Andy Zay, District 17
- Indiana State Representative Ann Vermilion, District 31 (left office May 1, 2023)
- Indiana State Representative Lori Goss-Reaves, District 31 (took office June 1, 2023)

VA has incorporated all relevant responses and information into the EA. Appendix B contains copies of the correspondence VA received from stakeholders. Section 5.2.3 presents how VA addressed relevant comments in the EA.

**5.2.3 Responses to Comments**

VA received five responses during the scoping comment period. Comments were submitted by the IDNR, DHPA; the IDNR, Division of Fish & Wildlife; the Indiana Department of Transportation, U.S. Department of Agriculture, and USEPA Region V (see Appendix B). Table 5-1 provides VA responses to their comments. VA received only one response during the 30-day public review period for the Draft EA. The comment letter was from the IDNR and it contained the same comments they provided during public scoping.

**Table 5-1 Summary of Scoping Comments and VA Responses**

Agency and Comment(s)	VA Response and where Addressed in EA
<p><b>IDNR Division of Historic Preservation and Archaeology</b> <i>We look forward to receiving a draft of the EA</i></p>	<p>VA will provide your agency an opportunity to review and comment on the EA. VA will also initiate Section 106 consultation with your agency in accordance with the NHPA.</p>
<p><b>IDNR Division of Fish and Wildlife</b> <i>Formal approval by the DNR under the regulatory programs administered by the Division of Water is not required for this project.</i></p>	<p>Comment noted.</p>

Agency and Comment(s)	VA Response and where Addressed in EA
<i>No plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.</i>	Information added to Section 3.5.
<i>Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.</i>	As described in Section 3.5, the action area has been revegetated with a mixture of grasses. Future phased expansion of the cemetery would include revegetate post-construction/disturbance with a mixture of grasses consistent with existing conditions
<i>Minimize and contain within the project limits all tree clearings</i>	As part of the future phased expansion of the cemetery, VA would minimize and contain within the project limits all tree clearings.
<i>Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches diameter breast height, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.</i>	VA would re-evaluate the potential for protected species, including suitable tree habitat for bats and birds at the project area during the cemetery expansion design and would coordinate and consult with USFWS and the IDNR prior to any cemetery construction, as necessary. Information added to Section 3.5 and as a measure in Chapter 4.
<i>Plant five trees, 1 inch to 2 inches in diameter-at-breast height, for each tree which is removed that is 10 inches or greater in diameter-at-breast height.</i>	Information added to Section 3.5 and as a measure in Chapter 4.
<i>Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.</i>	Information added to Section 3.4.
<i>If erosion control blankets are used, they shall be heavy-duty, biodegradable, and net free or use loose-woven/Lenowoven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.</i>	Information added to Section 3.4.
<b>Indiana Department of Transportation</b>	
<i>We have looked into the proposed land transfer and have no concerns with its effect on state highway infrastructure or traffic patterns.</i>	Comment noted.
<b>U. S. Department of Agriculture</b>	
<i>The project will not cause a conversion of prime farmland.</i>	Comment noted; information added to Section 3.3
<b>EPA Region 5</b>	
<i>Consider whether VA should assess both the proposed land transfer and the proposed cemetery expansion as one single Federal action. Environmental and human health impacts associated with both the land transfer and the cemetery expansion could be identified, analyzed, and mitigated for (if appropriate) in one NEPA document.</i>	The Proposed Action analyzed in the EA includes, addresses, broadly analyzes both as one connected federal action. Because the phased development will occur over a long period of time and most development will not occur in the short-term, the EA does not assess future development in detail. VA will

Agency and Comment(s)	VA Response and where Addressed in EA
	prepare future NEPA documentation as the detailed plans for the future phased expansion become available, as necessary.
<i>The forthcoming NEPA document should identify wetlands, streams, and other waters in the project area and identify potential impacts on those resources. In addition, within the NEPA document discuss sequencing established by the Clean Water Act (CWA) Section 404(b)(1) Guidelines, namely, avoidance first, then demonstration of impact minimization, then mitigation for unavoidable, minimized impacts. Include a discussion on proposed mitigation for unavoidable, minimized stream impacts.</i>	As presented in Section 3.9 of the EA, the project area is not located within a floodplain, wetland, or Indiana's coastal zone. No streams or other water bodies are located within the proposed project area.
<i>The forthcoming NEPA document should describe how the proposed action may affect CWA Section 303(d) listed water bodies and their listing status as impaired. We recommend that this section of the document discuss current impairments, and how the proposed action may affect, either positively or detrimentally, the impairment.</i>	Section 3.4 of the EA provides a discussion of Section 303(d) of the 1972 Clean Water Act.
<i>The forthcoming NEPA document should discuss the impacts of climate change, how the proposed project may be impacted by climate change, and what adaptation and/or mitigation strategies may be appropriate to implement the proposed project.</i>	Section 3.2 of the EA provides a discussion of how the Proposed Action may be impacted by climate change and may contribute to climate change.
<i>Large storm events are occurring with increasing frequency and intensity in the Midwest due to climate change. Consider accounting for increased storm frequency and intensity when designing on-site stormwater infrastructure to help ensure the health and safety of the public. We strongly encourage on-site green stormwater management via use of bioswales, permeable pavement, rain gardens, retention ponds, and/or over-sized culverts or bridges.</i>	The cited requirement has been added to Table A-1, <i>Environmental Permit and Compliance Requirements</i> , in response to this comment and for consideration during future phases of the project. Also added to Section 3.4 of the EA. The proposed replacement sewer mains would provide additional capacity beyond the two current storm sewer mains.
<i>VA should consider implementing an anti-idle policy for vehicles and heavy equipment used during the construction phase of this project. Consider the practices listed in the enclosed, USEPA Diesel Emission Reduction Checklist. We recommend analyzing best available control strategies, while considering diverse factors, such as environmental justice, and sensitive environmental and health receptors, such as children.</i>	Comments noted and incorporated throughout the EA as applicable.
<i>Testing of any disturbed soil should be completed, and the results and any proposed mitigation should be included in the forthcoming NEPA document.</i>	VA conducted a Phase I and Phase II in 2018 and 2019, respectively. The former buildings were not identified with any known or potential contamination. An underground storage tank was formerly associated with Building 25. Soil sampling conducted during tank excavation did not exceed method detection limits and groundwater was not encountered during excavation.
<i>The forthcoming NEPA document should include information describing (1) what the VA has or will do to</i>	VA has published the scoping notice in the Marion Chronicle Tribune and notified federal,

Agency and Comment(s)	VA Response and where Addressed In EA
<p><i>Inform communities, including communities with EJ concerns, about the project and the potential impacts on their communities, (2) what input has been received to date from the communities, and (3) how that input was or will be used in decision-making. EPA recommends using EJScreen to identify nearby EJ communities. VA may also find helpful information in the Promising Practices for Environmental Justice Methodologies in NEPA Reviews Report of the Federal Interagency Working Group on EJ &amp; NEPA Committee, found at: <a href="https://www.epa.gov/sites/default/files/2016-08/documents/nea_promising_practices_document_2016.pdf">https://www.epa.gov/sites/default/files/2016-08/documents/nea_promising_practices_document_2016.pdf</a>.</i></p>	<p>state, and local officials of the Proposed Action via email (see Chapter 5). As demonstrated by this table, no input was received from EJ communities. The EA used the EJScreen in the analysis as presented in Section 3.15.</p>
<p><i>The forthcoming NEPA document should consider opportunities to provide or enhance pollinator habitat within the 18.6 acres of land that is being proposed to be transferred from the Marion VAMC to the Marion National Cemetery. See the IDNR for best practices</i></p>	<p>Sections 3.5 of the EA addresses this comment.</p>
<p><i>For new structures associated with the cemetery expansion, we encourage the use of energy-efficient and/or sustainable building materials, such as south-facing skylights and windows, motion-sensored lighting, and Energy Star certified windows, doors, and appliances. We also recommend installation of renewable energy sources, such as solar panels.</i></p>	<p>Comment noted; VA will consider these recommendations applicable for the future phased expansion of the cemetery.</p>
<p><i>We encourage recycling or reuse of construction material, where practical, during the construction phase of the proposed project.</i></p>	<p>Comment noted; recommendation added to Section 3.12.</p>
<p><i>The forthcoming NEPA document should include consultation records regarding historic resources (IDNR – DHPA and affected Tribal governments), wetlands (USACE), and Federal and state threatened and endangered species (USFWS and the IDNR, respectively).</i></p>	<p>Comment noted; VA will provide all consultation records as applicable for the Proposed Action.</p>

## **CHAPTER 6. LIST OF PREPARERS**

Scout Environmental, Inc prepared this report for VA CFM under Contract Number 36C10F22F0027. The following professional staff contributed to the preparation of this report.

Prime Contractor: Scout Environmental, Inc.

Bob Wardwell, Quality Assurance Control Review

Jim Campe, NEPA Planner/Scientist, Noise and Vibrations, Utilities

Julie Werner, PE, Air Quality Assurance Review

Kari McCollum, NEPA Planner, Land Use, Socioeconomics, Community Services, Environmental Justice

Laura J. Noland, Senior Environmental Planner/Scientist, Geology and Soils, Solid Waste and Hazardous Waste, Hydrology and Water Quality, Chapters 4 and 5

Paul C. Ticco, PhD, Senior Marine Scientist and Planner,

Roxanne Beasley, Technical Editor and Document Production

Ryan Pingree, AICP, CEP, PMP, Project Manager/Senior NEPA Planner

Scott Barker, AICP, PE, Transportation and Parking

Kathryn Zamora, Junior Technical Editor and Document Production

## CHAPTER 7. REFERENCES CITED

- City of Marion. 2010. Marion 2030 Comprehensive Plan Update. <https://cityofmarion.in.gov/government/departments/city-planning/planning-documents>. Accessed on November 7, 2022.
- City of Marion. 2022a. Marion IN Code of Ordinances Nuisances, [https://codelibrary.amlegal.com/codes/marion/latest/marion\\_in/0-0-0-3458#JD\\_95.20](https://codelibrary.amlegal.com/codes/marion/latest/marion_in/0-0-0-3458#JD_95.20). Accessed on November 10, 2022.
- City of Marion. 2022b. Map of Zoning Districts. <https://cityofmarion.in.gov/government/departments/city-planning/zoning-information#gallery>. Accessed on November 7, 2022.
- DLZ Indiana. 2018. Phase I Environmental Site Assessment, Vacant Building Due Diligence – Zone 3, Buildings 1, 3, 4, 7, 9, 10, 11, 12, 18, 24, 25, 35, 36, 37, 38, 42, 47, 49, 50, 60, 75, 78, 94, 95, 96, 105, 119, 120, 122, 128, 149, & CC-2 for Marion Veterans Affairs Medical Center.
- DLZ Indiana. 2019. Phase II Environmental Site Assessment, Vacant Building Due Diligence – Zone 3, Buildings 75, 78, and 119 for Marion Veterans Affairs Medical Center.
- FEMA. 2022. <https://msc.fema.gov/portal/search?AddressQuery=1700%20E%2038th%20St%2C%20Marion%2C%20IN%2046953>. Accessed on October 29, 2022.
- FMF Pandion. 2022. VA Hydrology/Stormwater Report for the Proposed Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery, Marion, Indiana. October.
- Google Earth. 2022. [https://earth.google.com/web/@40.52200926,-85.6352337,960.75989586a,0d,35y,0.0019h,4.348t,0r?utm\\_source=earth7&utm\\_campaign=vine&hl=en](https://earth.google.com/web/@40.52200926,-85.6352337,960.75989586a,0d,35y,0.0019h,4.348t,0r?utm_source=earth7&utm_campaign=vine&hl=en). Accessed on November 7, 2022.
- IDEM. 2022. Construction/Land Disturbance Permitting. <https://www.in.gov/idem/stormwater/construction-land-disturbance-permitting/>. Accessed on August 1, 2022.
- IDNR. 2022a. <https://www.in.gov/dnr/fish-and-wildlife/wildlife-resources/pollinator-conservation/>. Accessed on November 2, 2022.
- IDNR. 2022b. <https://www.in.gov/dnr/nature-preserves/indiana-wetlands/>. Accessed on October 29, 2022.
- Indiana Department of Environmental Management. 2022. 2022 Integrated Water Monitoring and Assessment Report, Appendix L. April 1, 2022.
- Indiana Geological and Water Survey. 2022. Indiana Geological and Water Survey, Indiana University. [https://igws.indiana.edu/Surficial/Landscapes#:~:text=The%20Tipton%20Till%20Plain%20\(fig,glaciation%20during%20the%20Ice%20Age](https://igws.indiana.edu/Surficial/Landscapes#:~:text=The%20Tipton%20Till%20Plain%20(fig,glaciation%20during%20the%20Ice%20Age). Accessed on November 5, 2022.
- Marion Community Schools. 2022. Schools. <https://www.marion.k12.in.us/>. Accessed on November 7, 2022.

- Marion National Cemetery. 2023. Master Plan Consensus. MP5 Submittal. Prepared by Anderson. March 15, 2023.
- National Cemetery Administration. 2022a. Marion National Cemetery. <https://www.cem.va.gov/cems/nchp/marion.asp>. Accessed on September 23, 2022.
- National Cemetery Administration. 2022b. Personal communication via email with Chief, Public Affairs and Outreach. Received on September 9, 2022.
- National Cemetery Administration. 2022c. Personal communication via email with Chief Engineer. Received on December 20, 2022.
- National Oceanic and Atmospheric Administration. 2022. <https://coast.noaa.gov/czm/mystate/#indiana>. Accessed on October 27, 2022.
- National Park Service. 2022. Marion National Cemetery. [https://www.nps.gov/nr/travel/national\\_cemeteries/indiana/marion\\_national\\_cemetery.html](https://www.nps.gov/nr/travel/national_cemeteries/indiana/marion_national_cemetery.html). Accessed on September 23, 2022.
- NWI. 2022. <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>. Accessed on October 29, 2022.
- RH Environmental. 2020. Memo Marion Veterans Affairs Medical Center, Demolition of Buildings, lead Waste Determination Non-Hazardous.
- SEARCH. 2022. Final Cultural and Archaeological Resource Survey Report for the Proposed Transfer of Land from the Marion VAMC to the Marion National Cemetery. November.
- U.S. Census Bureau. 2020. S1901 Median Income in the Past 12 Months. <https://data.census.gov/cedsci/table?q=Marion%20city,%20Indiana%20household%20income&tid=ACSST5Y2020.S1903>. Accessed on October 28, 2022.
- U.S. Census Bureau. 2021a. Occupancy Status. <https://data.census.gov/cedsci/table?q=indiana%20vacancy%20rates&g=1600000US1846908&tid=ACSST1Y2021.B25002>. Accessed on November 7, 2022.
- U.S. Census Bureau. 2021b. Poverty Thresholds by Size of Family and Number of Children. <https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html>. Accessed on October 28, 2022.
- U.S. Census Bureau. 2022. QuickFacts Marion City, Indiana. <https://www.census.gov/quickfacts/fact/table/marioncityindiana/POP010220#POP010220>. Accessed on November 7, 2022.
- U.S. Department of Agriculture. 2022. Scoping notification response letter documenting no prime or unique soils in the project area. Dated October 11, 2022.
- USEPA. 1978. Protective Noise Levels, Condensed Version of EPA Levels Document. November.
- USEPA 2022a. EJSscreen Report (Version 2.1) 3 Miles Ring Centered at 40.520324, -85.638084. <https://www.epa.gov/ejscreen>. Accessed on January 6, 2023.
- USEPA. 2022b. Green Book. Indiana Nonattainment/Maintenance Status for Each County for all Criteria Pollutants. 30 September 2022. <https://www3.epa.gov/airquality/greenbook/ancl.html>. Accessed on October 23, 2022.

- USFWS. 2022a. <https://www.fws.gov/sites/default/files/documents/Candidate-Species.pdf>. Accessed on October 30, 2022.
- USFWS. 2022b. Information for Planning and Consultation. <https://ipac.ecosphere.fws.gov/location/XVPUI7WMPBCFDDJZMVMBKKNE3I/resources>. Accessed on October 27, 2022.
- USFWS. 2022c. <https://www.fws.gov/species/indiana-bat-myotis-sodalis>. Accessed on October 30, 2022.
- USFWS. 2022d. <https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>. Accessed on October 30, 2022.
- USGS. 2022. USGS Groundwater Data for the Nation. <https://waterdata.usgs.gov/nwis/gw>. Accessed on November 17, 2022.
- VA et al. 2018. Memorandum of Agreement (MOA) Among the Department of Veterans Affairs, Veteran's Health Administration, Marion Veterans Affairs Medical Center and the Indiana State Historic Preservation Officer and the Advisory Council on Historic Preservation Regarding the Demolition of Thirteen Buildings on the Marion Veterans Affairs Medical Center, in Marion Center Township, Grant County, Indiana. Executed on January 21, 2018.
- VA NIHCS. 2022. About Us. <https://www.va.gov/northern-indiana-health-care/about-us/>. Accessed on September 23, 2022.
- VA. 2010. Office of Construction and Facilities Management. NEPA Interim Guidance for Projects. PG-18-17 (rev.). September 3.

## **APPENDIX A ENVIRONMENTAL PERMIT AND COMPLIANCE REQUIREMENTS**

Based on the analysis contained in this environmental assessment and a review against applicable regulatory thresholds, no permits are required for the Proposed Action.

Table A-1 identifies the principal federal, state, and local laws and regulations that are applicable to the Proposed Action and describes briefly how VA would comply with the applicable requirements.

**Table A-1. Permit and Compliance Requirements Applicable to the Proposed Action**

<b>Requirement</b>	<b>Status of Compliance</b>
National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code [U.S.C.] 4321-4370h), as implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] 1500-1508); <i>Environmental Effects of the Department of Veterans Affairs Actions</i> (38 CFR Part 26); and VA's <i>NEPA Interim Guidance for Projects</i> .	VA has prepared this environmental assessment in compliance with NEPA, Council on Environmental Quality regulations implementing NEPA, and VA NEPA procedures.
Clean Air Act (42 U.S.C. section 7401 et seq.)	Because the project is in an attainment area, VA does not need to prepare a Record of Non-Applicability. Less than significant impacts to air quality would occur and thus the project would comply with the Clean Air Act.
National Historic Preservation Act (section 6, 54 U.S.C. section 3001 et seq.)	To be provided following completion of Section 106 consultation.
Native American Graves Protection and Repatriation Act (25 U.S.C. Chapter 32)	If workers encounter human remains, VA will notify the local county coroner's office immediately upon discovery. If the coroner determines that the remains are not of recent history and potentially of Native American origin, VA will inform tribes and the IDNR and consult on their disposition.
Executive Order (EO) 13175, <i>Consultation and Coordination with Indian Tribal Governments</i>	Through the Section 106 process, and in accordance with the VA Tribal Consultation Policy, VA is conducting meaningful consultation and collaboration with Indian tribal officials.
Clean Water Act (33 U.S.C. section 1251 et seq.)	Proposed construction activities would follow best management practices to limit potential water quality impacts and comply with the Clean Water Act. The Proposed Action would comply with the requirements of the CSGP.
Endangered Species Act (16 U.S.C. section 1531 et seq.)	No habitat for federally listed endangered or threatened species are known to occur in the project area; thus, no impacts would occur to Endangered Species Act listed species.
Migratory Bird Treaty Act (16 U.S.C. Sections 703-712)	No impacts to migratory birds or their habitat would occur.
EO 11988, <i>Floodplain Management</i>	No impacts to floodplains would occur because no floodplains are located in the project area.
Coastal Zone Management Act (16 U.S.C. section 1451 et seq.)	The project area is located approximately 141 miles southeast of Lake Michigan and is not located within the boundaries of the State of Indiana's coastal zone. VA has determined that the Proposed Action would have no effect on any coastal use or resource and does not need to prepare a negative determination.
EO 12898, <i>Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations</i>	The Proposed Action would not result in disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.
EO 13045, <i>Protection of Children from Environmental Health Risks and Safety Risks</i>	The Proposed Action would not result in environmental health risks and safety risks that may affect children.
Asbestos National Emission Standards for Hazardous Air Pollutants	VA has removed structures from the project area including asbestos and other wastes in accordance with federal and state regulations.

## **APPENDIX B PUBLIC PARTICIPATION AND AGENCY CORRESPONDENCE**

# Affidavit of Publication

STATE OF IN }  
COUNTY OF GRANT } SS

Shelva Garrison, being duly sworn, says:

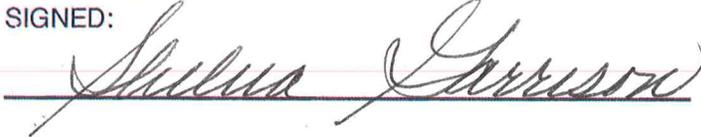
That she is Advertising Clerk of the Chronicle Tribune, a daily newspaper of general circulation, printed and published in Marion, Grant County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

September 30, 2022  
October 01, 2022

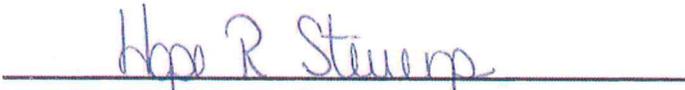
Publication Fees: \$ 35.51

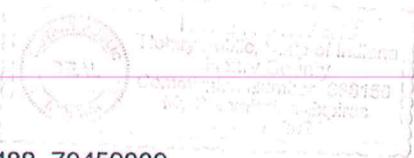
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 1st day of October 2022.

  
Hope R Stevens, Notary Public 06/07/2024



70064488 70459309

PUBLIC NOTICE  
SCOPING FOR AN ENVIRONMENTAL ASSESSMENT  
U.S. DEPARTMENT OF VETERANS AFFAIRS  
Marion Veterans Affairs Medical Center  
Proposed Transfer of Land from Marion Veterans Affairs Medical Center to the Marion National Cemetery, Marion, Indiana

The U.S. Department of Veterans Affairs (VA) requests scoping input for the preparation of an Environmental Assessment (EA) for proposed Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery in Marion, Indiana. The purpose of the Proposed Action is to provide the Marion National Cemetery sufficient size and capacity to serve the projected needs of Veterans in northern Indiana and the surrounding area for the next 100 or more years. The Proposed Action is needed to provide sufficient burial facilities for Veterans and eligible family members in northern Indiana and the surrounding area. Additional project details are available in the scoping notice at <https://www.cfm.va.gov/environmental/>.

If you have comments on the scope of issues for analysis, or input on potential alternatives or information/analyses relevant to the Proposed Action, please submit your comments/input via email by October 31, 2022, to [vacoenvironment@va.gov](mailto:vacoenvironment@va.gov) with the subject line "Marion Land Transfer EA." For additional information or questions, please contact Mr. Jason Sturm at [Jason.Sturm@va.gov](mailto:Jason.Sturm@va.gov). Reference "Marion Land Transfer EA" in your correspondence.

VA anticipates releasing the Draft EA for a 30-day public review and comment period in late 2022. VA will notify stakeholders via email/mail, publish a notice of availability of the Draft EA in the Chronicle-Tribune, and solicit comments at that time. The Draft EA will be available for review at the Marion Public Library (located at 600 S. Washington Street Marion, IN 46953) and via the VA website: <https://www.cfm.va.gov/environmental/>.  
hspaxlp.9/30/2022, 10/1/2022



**U.S. DEPARTMENT OF VETERANS AFFAIRS**  
**Office of Construction & Facilities Management**  
**Washington DC 20420**

September 22, 2022

**SUBJECT: Scoping for an Environmental Assessment for Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery in Marion, Indiana**

Dear Valued Stakeholder,

The U.S. Department of Veterans Affairs (VA) proposes to transfer land from the Marion Veterans Affairs Medical Center (VAMC) to Marion National Cemetery. The Marion VAMC is located adjacent to the Marion National Cemetery at 1700 East 38<sup>th</sup> Street in Marion, Indiana (Figure 1). Marion VAMC proposes to transfer approximately 16.8 acres to the Marion National Cemetery (Figure 2) for expansion of the Marion National Cemetery. Marion VAMC would retain a stormwater main easement within the property. Marion National Cemetery would expand the cemetery within the 16.8 acres.

The purpose of the Proposed Action is to provide the Marion National Cemetery sufficient size and capacity to serve the projected needs of Veterans in northern Indiana and the surrounding area for the next 100 or more years. The Proposed Action is needed to provide sufficient burial facilities for Veterans and eligible family members in northern Indiana and the surrounding area. Marion VAMC does not need the land to meet their current mission requirements.

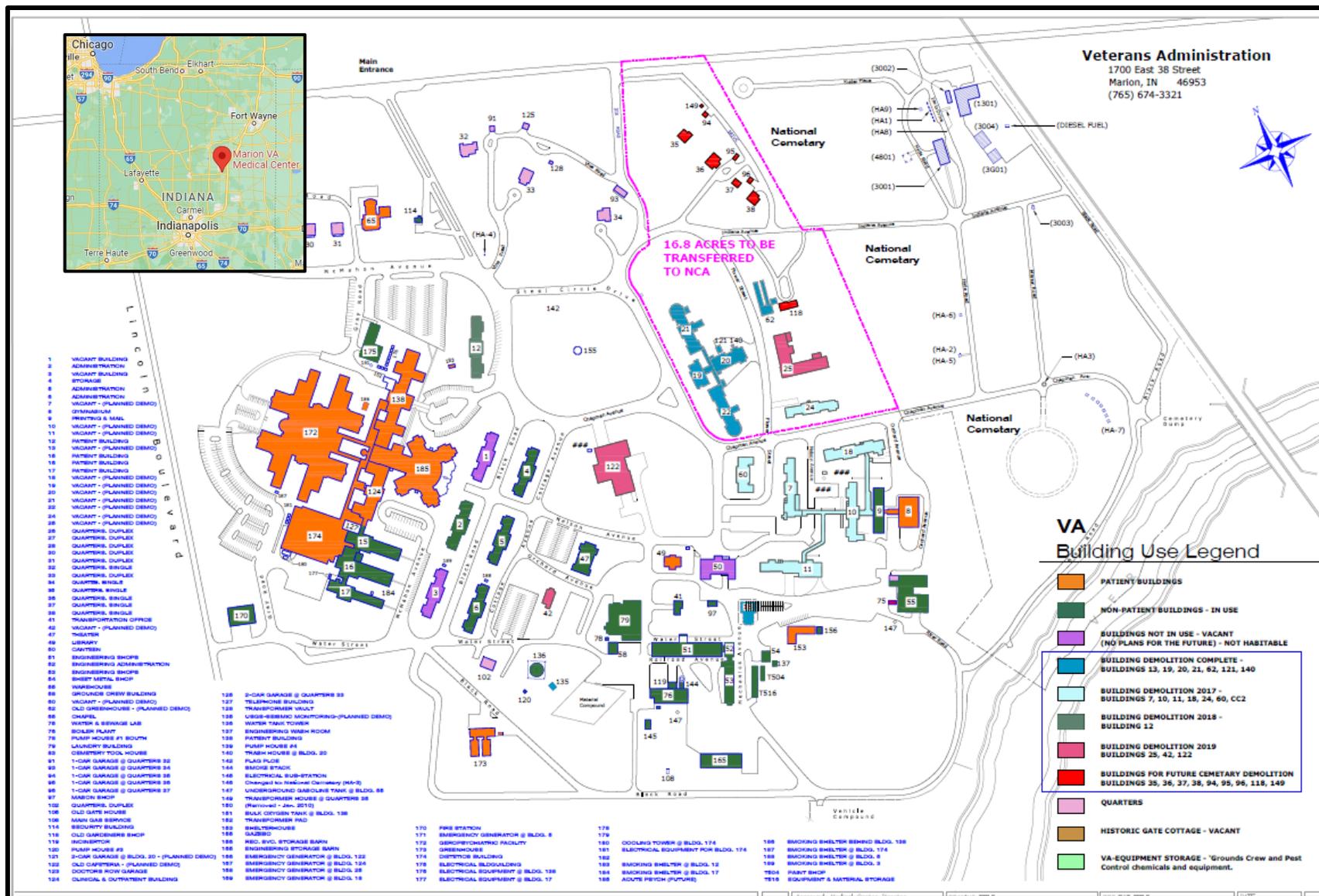
VA is preparing an Environmental Assessment (EA) to assess the potential environmental impacts associated with the Proposed Action. VA will prepare the EA in accordance with the regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4370h), as implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] 1500-1508), and VA Implementing Regulations (38 CFR Part 26). The EA will evaluate the potential direct and indirect impacts on the human environment from the Proposed Action and alternatives.

If you have comments on the scope of issues for analysis, input on potential alternatives, or information/analyses relevant to the Proposed Action, please submit your comments/input via email to [vacoenvironment@va.gov](mailto:vacoenvironment@va.gov) with the subject line "Marion Land Transfer EA" within 30 days of receipt of this notice. For additional information or questions, please contact Mr. Jason Sturm at [Jason.Sturm@va.gov](mailto:Jason.Sturm@va.gov). Reference "Marion Land Transfer EA" in your correspondence.

VA anticipates releasing the Draft EA for a 30-day public review and comment period in late 2022. VA will notify stakeholders via email/mail, publish a notice of availability of the Draft EA in the *Chronicle-Tribune*, and solicit comments at that time. The Draft EA will be available for review at the Marion Public Library (located at 600 S. Washington Street Marion, IN 46953) and via the VA website: <https://www.cfm.va.gov/environmental/>.

Respectfully,

Glenn Elliott  
Director, Environmental Program Office  
Office of Construction and Facilities Management





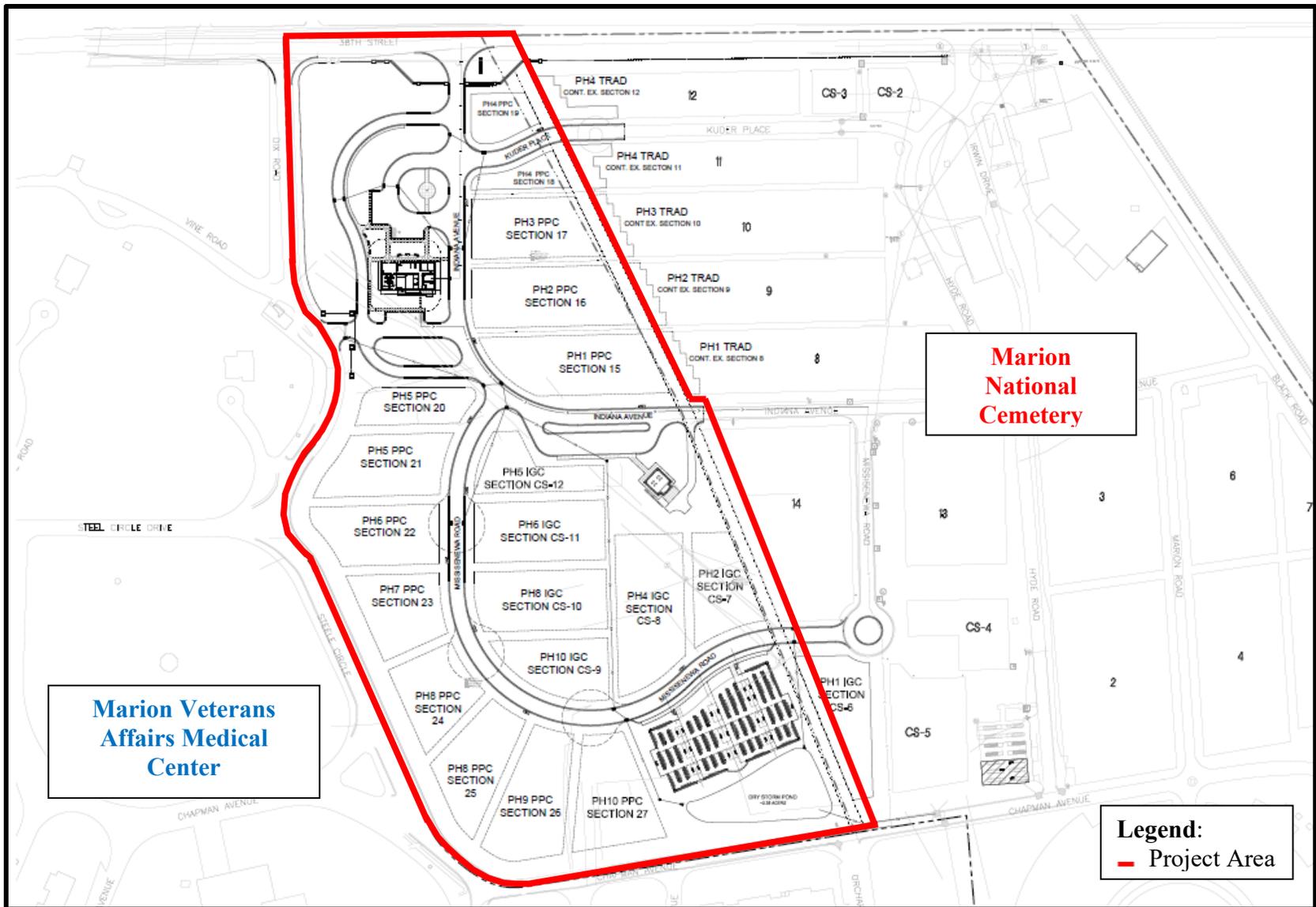


Figure 3. Depiction of Potential Future Cemetery Expansion Elements in Project Area

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739  
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov



October 31, 2022

Mr. Glenn Elliott  
Department of Veterans Affairs  
Environmental Program Office  
Office of Construction and Facilities Management  
Washington, D.C. 20420

Federal Agency: Department of Veterans Affairs

Re: Scoping letter of an Environmental Assessment (EA) for transfer 16.8 acres of land from Marion Veterans Affairs Medical Center to the Marion National Cemetery (Marion Land Transfer EA; DHPA #29901)

Dear Mr. Elliott:

Pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has conducted an analysis of the materials dated September 22, 2022 and received on September 30, 2022, for the above indicated project in Marion, Grant County, Indiana.

Thank you for the information regarding the forthcoming Environmental Assessment for transfer of land. We note that the Marion Branch, National Home for Disabled Volunteer Soldiers Historic District was listed on the National Register of Historic Places on August 2, 1999 (NR-1474). From 2017 to 2018, the Indiana SHPO reviewed a project in consultation with the Department of Veterans Affairs for the demolition of thirteen structures on the campus of the Marion Veterans Affairs Medical Center. We note that seven of the thirteen structures proposed for demolition as part of that project were contributing resources to the Marion Branch, National Home for Disabled Volunteer Soldiers Historic District. It is our understanding that buildings 35, 36, 37, 38, 94, 95, 96, 118, and 149 were slated for removal to expand the National Cemetery in the northeast corner of the campus; and Building 12 was to be demolished to facilitate an addition to the hospital complex. In 2018, a memorandum of agreement (MOA) was executed to mitigate for the adverse effect of demolition of these historic resources within the district. The buildings in the project included (historic status noted as “contributing” or “NC” (non-contributing):

12 Ward Building (Barracks) 1898, contributing  
35 Single Quarter, 1908 contributing  
36 Single Quarters, 1903, contributing  
37 Single Quarters, 1916, contributing  
38 Single Quarters, 1904, contributing  
50 Canteen (Headquarters) 1890, contributing  
75 Sewage Plant Laboratory, 1905, contributing  
94 not mentioned, NC  
95 not mentioned, NC  
96 not mentioned, NC  
118 Gardeners’ Shop, 1906, NC  
149 Transformer House, 1969, NC  
183 not mentioned, NC

We look forward to receiving a draft of the Environmental Assessment document.

*The 36 C.F.R. Part 800 regulations governing the Section 106 review process may be found at [www.achp.gov](http://www.achp.gov).* If you have questions about archaeological issues, please contact Beth McCord at (317) 232-3492 or [bmccord@dnr.IN.gov](mailto:bmccord@dnr.IN.gov). If you have questions about buildings or structures, please contact Chad Slider at (317) 234-5366 or [cslider@dnr.IN.gov](mailto:cslider@dnr.IN.gov). Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #29901.

Very truly yours,



Beth K. McCord  
Deputy State Historic Preservation Officer

BKM:CWS:cws

emc: Glenn Elliott, Department of Veterans Affairs  
Jason Sturm, Department of Veterans Affairs

**THIS IS NOT A PERMIT**

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

---

**DNR #:** ER-25053

**Request Received:** September 30, 2022

**Requestor:** US Department of Veterans Affairs  
Jason Sturm  
Office of Construction & Facilities  
Management  
810 Vermont Avenue Northwest (00CFM)  
Washington, DC 20420

**Project:** Marion Land Transfer EA: transfer of 16.8 acres of land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery for expansion

**County/Site info:** Grant

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

**Regulatory Assessment:** Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

**Fish & Wildlife Comments:** The measures below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.
2. Minimize and contain within the project limits all tree clearings.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. If erosion control blankets are used, they shall be heavy-duty, biodegradable, and net free or use loose-woven/Lenowoven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
6. Plant five trees, 1 inch to 2 inches in diameter-at-breast height, for each tree which is removed that is 10 inches or greater in diameter-at-breast height.

**THIS IS NOT A PERMIT**

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
Early Coordination/Environmental Assessment

---

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife  
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

*Christie L. Stanifer*

**Date:** October 28, 2022

Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

## Ryan Pingree

---

**From:** VACO Environment <VACOEnvironment@va.gov>  
**Sent:** Wednesday, October 5, 2022 6:25 AM  
**To:** Ryan Pingree  
**Cc:** Franklin, Rita (CFM)  
**Subject:** FW: [EXTERNAL] INDOT Customer Service Resolution & Survey Request Case: CS0353032

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

---

**From:** INDOT Customer Service <indottsc@service-now.com>  
**Sent:** Wednesday, October 5, 2022 7:29 AM  
**To:** VACO Environment <VACOEnvironment@va.gov>  
**Subject:** [EXTERNAL] INDOT Customer Service Resolution & Survey Request Case: CS0353032



**AUTOMATED EMAIL - SEND REPLY VIA SURVEY LINK BELOW**

Mr. Sturm, Your Opinion Counts!

Thank you for the recent opportunity to serve you. This case has now been resolved. Please click the button below to give us your comments about your experience with our services. Your answers will help us improve our services and better meet your expectations in the future.

Please be advised that the information you provide will be reviewed by INDOT representatives only. Your personal information will not be shared.

Case #: CS0353032

Request Description: Dear Valued Stakeholder: The U.S. Department of Veterans Affairs (VA) is proposing to transfer approximately 16.8 acres of land from the Marion Veterans Affairs Medical Center (VAMC) in Marion, IN from the Veterans Health Administration (VHA) to the National Cemetery Administration (NCA) for cemetery expansion. As part of the decision-making process, VA will undertake activities to comply with the National Environmental Policy Act (NEPA) by preparing an Environmental Assessment (EA). VA is seeking input on issues to be addressed during the NEPA process, including environmental concerns. VA invites your input to the NEPA process. Please see the attached scoping notice for information on the proposed project and how to submit any comments or input on alternatives and issues VA should analyze in the EA. Respectfully, Jason Sturm Environmental Engineer

Resolution: Thank you for contacting the Indiana Department of Transportation regarding your concern. We have looked into the proposed land transfer and has no concerns with its effect on state highway infrastructure or traffic patterns. If you should have any further questions or concerns, please feel free to contact us at 855-INDOT4U or visit us at [www.INDOT4U.com](http://www.INDOT4U.com)

Please Tell Us How We Did

If you do not provide feedback within 96 hours of receipt of this email, your case will automatically be closed.

If you have any questions, our Customer Service Representatives are happy to assist you. Please contact us using the information below:

Indiana Transportation Services Call Center



[Unsubscribe](#)

Ref:MSG5529566\_vTuGVhdjyilrhNcAYAPk



Farm  
Production  
and  
Conservation

Natural  
Resources  
Conservation  
Service

Indiana State Office  
6013 Lakeside Boulevard  
Indianapolis, Indiana 46278  
317-295-5800

---

October 11, 2022

Jason Strum  
Office of Construction and Facilities Management  
U.S. Department of Veterans Affairs  
425 I Street, Suite 6W417A  
Washington, D.C. 20001

Dear Mr. Strum:

The Scoping for an Environmental Assessment for Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery in Grant County, Indiana, as referred to in your letter received September 22, 2022, will not cause a conversion of prime farmland.

If you need additional information, please contact John Allen at 317-295-5859 or [john.allen@usda.gov](mailto:john.allen@usda.gov).

Sincerely,

JOHN ALLEN  
State Soil Scientist

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

October 31, 2022

REPLY TO THE ATTENTION OF:  
Mail Code RM-19J

Glenn Elliott  
Office of Construction and Facilities Management  
U.S. Department of Veterans Affairs  
425 I Street, Suite 6W417A  
Washington, D.C. 20001  
vacoenvironment@va.gov

**Re: Project Scoping for the Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery, Marion, Grant County, Indiana**

Dear Mr. Elliott:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced project scoping document dated September 22, 2022, which was prepared by the U.S. Department of Veterans Affairs (VA). We are providing scoping comments pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The proposed project includes transferring approximately 16.8 acres of land from the Marion Veterans Affairs Medical Center (VAMC) to the Marion National Cemetery. All structures previously located within the footprint of the proposed land transfer have been demolished. Based on our review of the project scoping document, NEPAassist,<sup>1</sup> and EJSCREEN,<sup>2</sup> we offer comments on connected actions and reasonably foreseeable actions, water quality, wetlands, streams, climate change adaptation, soil testing, environmental justice, children's health and other sensitive receptors, promoting pollinator habitat, energy efficiency, reuse and recycling, and consultation records. Please find EPA's detailed comments enclosed. We recommend that VA address our project scoping comments in the forthcoming NEPA document.

---

<sup>1</sup> See: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

<sup>2</sup> See: <https://ejscreen.epa.gov/mapper/>

Please send EPA an electronic copy of the forthcoming NEPA document when it becomes available. We welcome the opportunity to discuss any of our comments. You may contact Mike Sedlacek, Region 5's lead reviewer for this project, at 312-886-1765 or [sedlacek.michael@epa.gov](mailto:sedlacek.michael@epa.gov), or you may contact me at 312-886-6394 or [tyler.jennifer@epa.gov](mailto:tyler.jennifer@epa.gov),

Sincerely,

Jennifer Tyler  
Acting Deputy Director  
Tribal and Multi-media Programs Office  
Office of the Regional Administrator

Encl: EPA's Detailed Comments on the Project Scoping Document for the Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery Project, Marion, Grant County, Indiana

U.S. Environmental Protection Agency Construction Emission Control Checklist

## **EPA’s Detailed Comments on the Project Scoping Document for the Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery Project, Marion, Grant County, Indiana**

### Connected Actions and Reasonably-Foreseeable Actions

Connected Actions<sup>3</sup> are proposed Federal actions that are *closely related* and should be discussed in the same NEPA document. A connected action occurs when one Federal action cannot or will not proceed unless other actions are taken previously or simultaneously. The proposed action, as described in the scoping document, involves only the transfer of 16.8 acres of land. We understand, however, that a separate EA is expected to be produced to analyze the environmental and human health impacts associated with earth-moving, construction, and utility placement after the land is transferred, which is anticipated to begin in 2024. Given the short timeframe between the land transfer and the beginning of earth-moving, construction, and utility placement activities associated with the cemetery expansion project, VA should consider whether the cemetery expansion would be a reasonably foreseeable action.<sup>4</sup>

**Recommendation:** Consider whether VA should assess both the proposed land transfer and the proposed cemetery expansion as one single Federal action. Environmental and human health impacts associated with both the land transfer and the cemetery expansion could be identified, analyzed, and mitigated for (if appropriate) in one NEPA document.

### Water Quality, Wetlands, and Streams

It is important for the forthcoming NEPA document to identify nearby wetlands and streams and determine if any impacts are expected to occur to those resources.

**Recommendation:** The forthcoming NEPA document should identify wetlands, streams, and other waters in the project area and identify potential impacts on those resources. In addition, within the NEPA document discuss sequencing established by the Clean Water Act (CWA) Section 404(b)(1) Guidelines, namely, avoidance first, then demonstration of impact minimization, then mitigation for unavoidable, minimized impacts. Include a discussion on proposed mitigation for unavoidable, minimized stream impacts.

**Recommendation:** The forthcoming NEPA document should describe how the proposed action may affect CWA Section 303(d) listed water bodies and their listing status as impaired. We recommend that this section of the document discuss current impairments, and how the proposed action may affect, either positively or detrimentally, the impairment.

### Climate Change

Earth’s climate is changing. Federal agencies have a responsibility to the public to ensure all Federal actions consider the potential impacts associated with climate change.

**Recommendation:** The forthcoming NEPA document should discuss the impacts of climate change, how the proposed project may be impacted by climate change, and what

---

<sup>3</sup> See: 40 CFR Part 1508.25

<sup>4</sup> See: 40 CFR Part 1502.21

adaptation and/or mitigation strategies<sup>5</sup> may be appropriate to implement into the proposed project.

**Recommendation:** Large storm events are occurring with increasing frequency and intensity in the Midwest due to climate change. Consider accounting for increased storm frequency and intensity when designing on-site stormwater infrastructure to help ensure the health and safety of the public. We strongly encourage on-site green stormwater management via use of bioswales, permeable pavement, rain gardens, retention ponds, and/or over-sized culverts or bridges.<sup>6</sup>

**Recommendation:** VA should consider implementing an anti-idle policy for vehicles and heavy equipment used during the construction phase of this project. Consider the practices listed in the enclosed, *U.S. Environmental Protection Agency Diesel Emission Reduction Checklist*. We recommend analyzing best available control strategies, while considering diverse factors, such as environmental justice, and sensitive environmental and health receptors, such as children.

#### Soil Testing

We understand the proposed cemetery expansion will be onto land that was previously used by the Marion VAMC.

**Recommendation:** Testing of any disturbed soil should be completed, and the results and any proposed mitigation should be included in the forthcoming NEPA document.

#### Environmental Justice, Children's Health, and Other Sensitive Receptors

In accordance with Executive Orders 12898 and 13045, any affected communities living with environmental justice (EJ) concerns should be identified and given an opportunity to provide input into the NEPA process, including proposed mitigation.

**Recommendation:** The forthcoming NEPA document should include information describing (1) what the VA has or will do to inform communities, including communities with EJ concerns, about the project and the potential impacts on their communities, (2) what input has been received to date from the communities, and (3) how that input was or will be used in decision-making. EPA recommends using EJSCREEN to identify nearby EJ communities. VA may also find helpful information in the *Promising Practices for Environmental Justice Methodologies in NEPA Reviews Report* of the Federal Interagency Working Group on EJ & NEPA Committee, found at: [https://www.epa.gov/sites/default/files/2016-08/documents/nepa\\_promising\\_practices\\_document\\_2016.pdf](https://www.epa.gov/sites/default/files/2016-08/documents/nepa_promising_practices_document_2016.pdf).

#### Promoting Pollinator Habitat

Pollinators are critical contributors to our nation's economy, food system, and environmental health. Vegetation within the project area can provide much needed habitat for pollinators,

---

<sup>5</sup> See: <https://www.epa.gov/climate-adaptation>

<sup>6</sup> For more information on how Federal agencies can implement appropriate climate change adaptation strategies into Federal projects, see: <https://www.epa.gov/climate-adaptation>.

providing food, shelter, and connections to other patches of habitat. Maintenance staff and landscape designers can all take steps to improve the quality of vegetation to benefit pollinators, steps that can also reduce costs, maintain public safety, and improve public good will.

**Recommendation:** The forthcoming NEPA document should consider opportunities to provide or enhance pollinator habitat within the 18.6 acres of land that is being proposed to be transferred from the Marion VAMC to the Marion National Cemetery. See the Indiana Department of Natural Resources for best practices.<sup>7</sup>

#### Energy Efficiency, Reuse and Recycling

Energy efficiency, reuse and recycling measures are available that VA may choose to utilize as part of the cemetery expansion.

**Recommendation:** For new structures associated with the cemetery expansion, we encourage the use of energy-efficient and/or sustainable building materials, such as south-facing skylights and windows, motion-sensored lighting, and Energy Star certified windows, doors, and appliances. We also recommend installation of renewable energy sources, such as solar panels.

**Recommendation:** We encourage recycling or reuse of construction material, where practical, during the construction phase of the proposed project.

#### Consultation Records

VA should ensure appropriate consultation with government agencies and affected Tribal governments is conducted and documented in the forthcoming NEPA document.

**Recommendation:** The forthcoming NEPA document should include consultation records regarding historic resources (Indiana Department of Natural Resources – Division of Historic Preservation & Archaeology and affected Tribal governments), wetlands (U.S. Army Corps of Engineers), and Federal and state threatened and endangered species (U.S. Fish and Wildlife Service and the Indiana Department of Natural Resources, respectively).

---

<sup>7</sup> Indiana Department of Natural Resources Pollinator information: <https://www.in.gov/dnr/fish-and-wildlife/wildlife-resources/pollinator-conservation/>

**U.S. Environmental Protection Agency**  
**Construction Emission Control Checklist**

Diesel emissions and fugitive dust from project construction may pose environmental and human health risks and should be minimized. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Acute exposures can lead to other health problems, such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Longer term exposure may worsen heart and lung disease.<sup>8</sup> We recommend VA consider the following protective measures and commit to applicable measures in the forthcoming NEPA document.

**Mobile and Stationary Source Diesel Controls**

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).<sup>9</sup>
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).<sup>10</sup>
- Locomotives: Locomotives servicing infrastructure sites should meet, or exceed, the EPA Tier 4 exhaust emissions standards for line-haul and switch locomotive engines where possible.
- Marine Vessels: Marine vessels hauling materials for infrastructure projects should meet, or exceed, the latest EPA exhaust emissions standards for marine compression-ignition engines (e.g., Tier 4 for Category 1 & 2 vessels, and Tier 3 for Category 3 vessels).<sup>11</sup>
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Where possible, retrofit older-tier or Tier 0 nonroad engines with an exhaust filtration device before it enters the construction site to capture diesel particulate matter.
- Replace the engines of older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.), or with zero emissions electric systems. Retire older vehicles, given the significant

---

<sup>8</sup> Carcinogenicity of diesel-engine and gasoline-engine exhausts and some nitroarenes. *The Lancet*. June 15, 2012

<sup>9</sup> <http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm>

<sup>10</sup> <https://www.epa.gov/emission-standards-reference-guide/epa-emission-standards-nonroad-engines-and-vehicles>

<sup>11</sup> <https://www.epa.gov/emission-standards-reference-guide/all-epa-emission-standards>

contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards, or with zero emissions electric vehicles and/or equipment.

### **Fugitive Dust Source Controls**

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

### **Occupational Health**

- Reduce exposure through work practices and training, such as maintaining filtration devices and training diesel-equipment operators to perform routine inspections.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

### **NEPA Documentation**

- Per Executive Order 13045 on Children's Health<sup>12</sup>, EPA recommends the lead agency and project proponent pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health.
- Specify how impacts to sensitive receptors, such as children, elderly, and the infirm will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

---

<sup>12</sup> Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children's normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. EPA views childhood as a sequence of life stages, from conception through fetal development, infancy, and adolescence.

**Paxton Media Group**  
**201 South 4th Street Paducah, KY 42003**

**U.S. Department of Veterans Affairs**  
**810 Vermont Ave.**  
**NW Washington , DC 20420**  
**(800)827-1000**

*Class Liner Ad #70585275 Summary:*

**Slug Line: NOTICE OF AVAILABILITY DRAFT E**  
**Size: 2.00 x 3.32**

Publication Cost	█	Payment Date	█
Adjustments	█	Amount	█
Net Cost	█	Description	Prepayment from AMPWeb
Prepaid Amount	█	Payment Type	cc Credit Card
Amount Due	█		

*Order Detail:*

<b>Publication</b>	<b>Start</b>	<b>Stop</b>	<b>Insertions</b>	<b>Cost</b>	<b>Adjustments</b>	<b>Total</b>
184MCTD1 Marion Chronicle Tribune	2/17/23	2/18/23	2	█	█	█

**NOTICE OF AVAILABILITY  
DRAFT ENVIRONMENTAL ASSESSMENT  
U.S. DEPARTMENT OF VETERANS AFFAIRS (VA)  
Proposed Transfer of Land from the Marion Veterans Affairs  
Medical Center to the Marion National Cemetery in  
Marion, Indiana**

The U.S. Department of Veterans Affairs (VA) announces the availability of a Draft Environmental Assessment (EA) for the proposed transfer of land from the Marion Veterans Affairs Medical Center (VAMC) to Marion National Cemetery, located in Marion, Indiana. The VA proposes to transfer approximately 16.8 acres to the Marion National Cemetery for the future phased expansion of the Cemetery. The phased expansion is anticipated to meet cemetery demands for the next 100 or more years through the creation of an additional 22,448 burial sites. The EA also evaluates Marion VAMC's retention of an easement and the construction of sewer mains and a road within the land proposed for transfer.

The Draft EA is available for review at the Marion Public Library (located at 600 S. Washington Street Marion, IN 46953) and via the VA website: <https://www.cfm.va.gov/environmental/>. Comments on the Draft EA should be sent via email to [vacoenvironment@va.gov](mailto:vacoenvironment@va.gov) with the subject line "Marion Land Transfer EA" no later than March 19, 2023.

VA will prepare and publish a Final EA following the 30-day comment period. The Final EA will summarize and address comments received on the Draft EA.

HSPAXLP.02/17,02/18/2023



**U.S. DEPARTMENT OF VETERANS AFFAIRS**  
**Office of Construction & Facilities Management**  
**Washington DC 20420**

February 17, 2023

*Sent via email*

**SUBJECT: Notice of Availability of Draft Environmental Assessment for Transfer of Land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery in Marion, Indiana**

Dear Valued Stakeholder,

The U.S. Department of Veterans Affairs (VA), Office of Construction and Facilities Management announces the availability of the Draft Environmental Assessment (EA) prepared for the proposed transfer of land from the Marion Veterans Affairs Medical Center (VAMC) to Marion National Cemetery. The Marion VAMC is located adjacent to the Marion National Cemetery at 1700 East 38<sup>th</sup> Street in Marion, Indiana (Figure 1).

Marion VAMC proposes to transfer approximately 16.8 acres to the Marion National Cemetery (Figure 2) for the future phased expansion of the Cemetery. Marion VAMC would also retain an easement and construct replacement sewer mains and road within the easement (Figure 3). The phased expansion is anticipated to meet cemetery demands for the next 100 or more years through the creation of an additional 22,448 burial sites (Figure 4).

The Draft EA is available for review at the Marion Public Library (located at 600 S. Washington Street Marion, IN 46953) and via the VA website: <https://www.cfm.va.gov/environmental/>. Comments on the Draft EA should be sent via email to [vacoenvironment@va.gov](mailto:vacoenvironment@va.gov) with the subject line "Marion Land Transfer EA" no later than March 19, 2023.

VA will prepare and publish a Final EA following the 30-day comment period. The Final EA will summarize and address comments received on the Draft EA.

For any questions, please contact Mr. Jason Sturm, VA Environmental Engineer at [jason.sturm@va.gov](mailto:jason.sturm@va.gov). Reference "Marion Land Transfer EA" in your correspondence.

Respectfully,

Patrick Read  
Acting Director, Environmental Program Office  
Office of Construction & Facilities Management

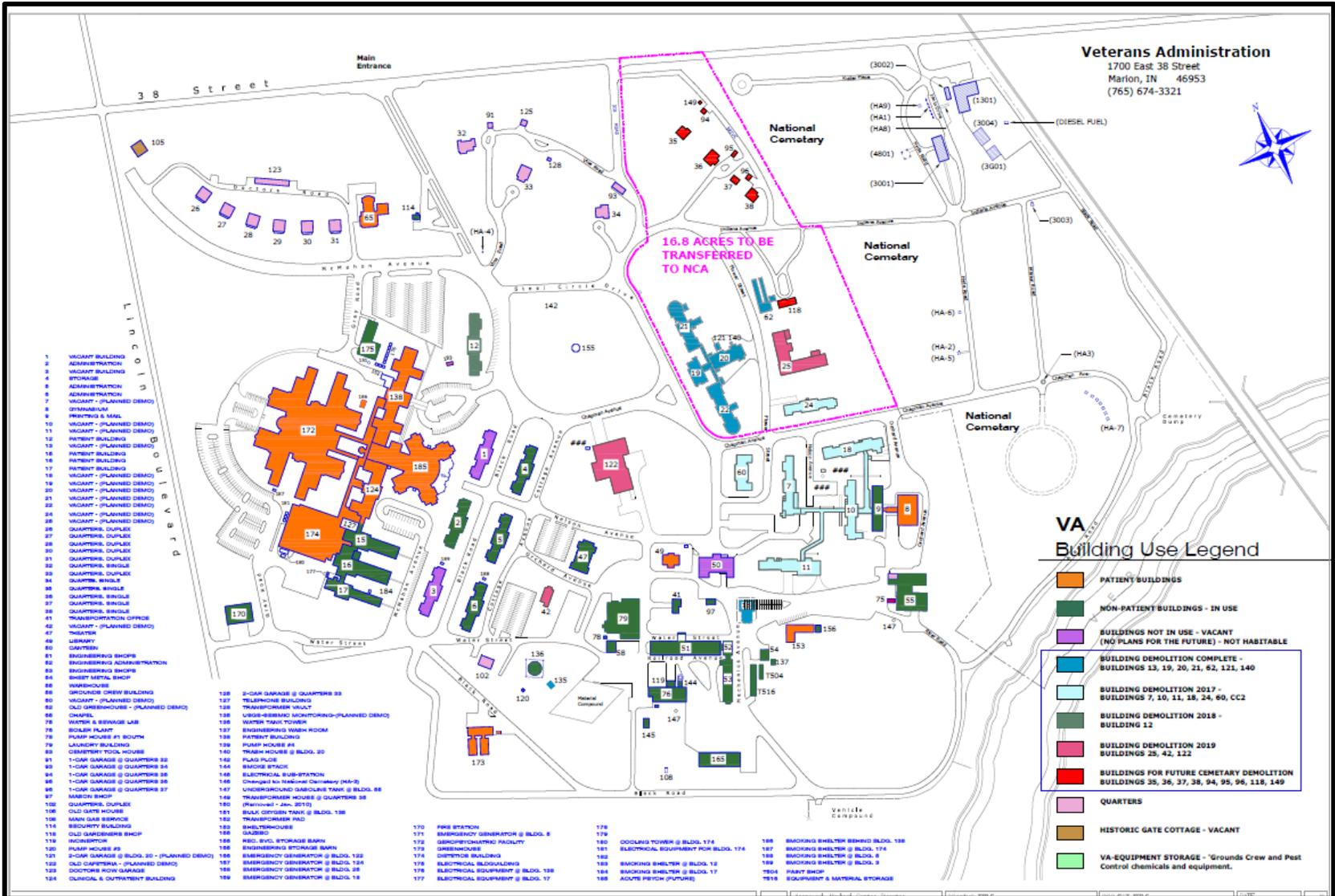
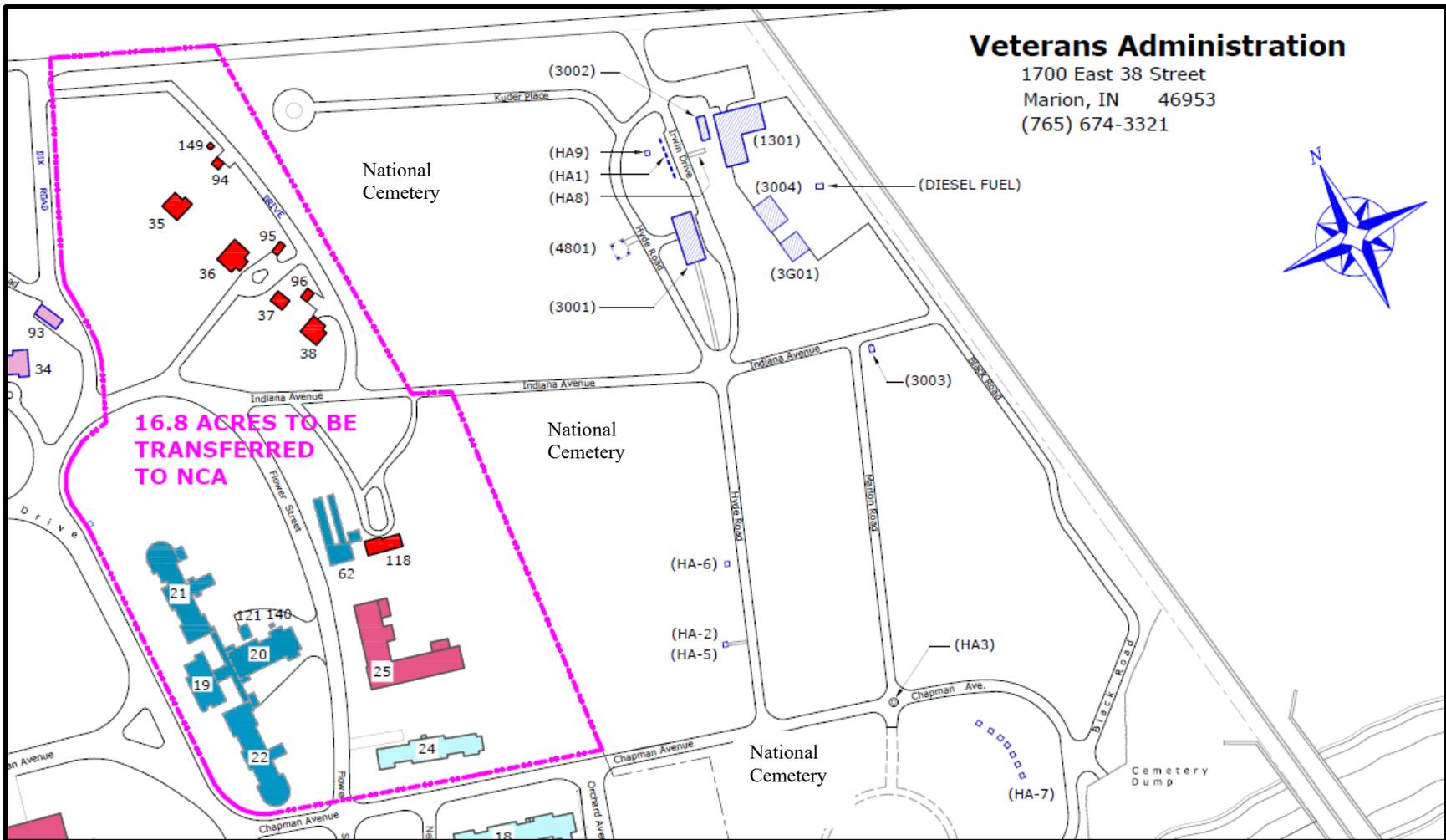
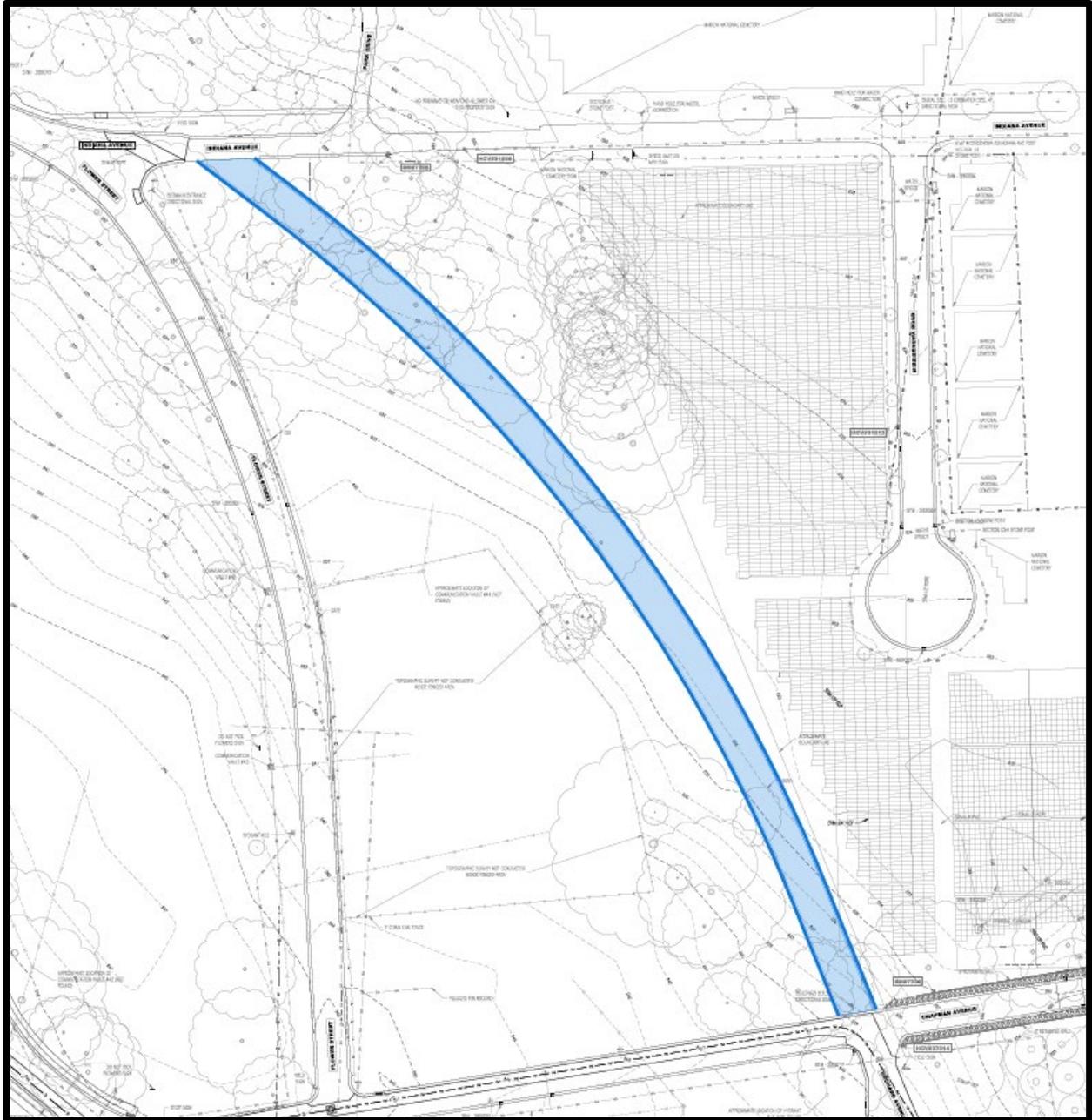


Figure 1 Marion Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN



**Figure 2** Location of Proposed Project Area (in pink outline), Veterans Affairs Medical Center and Veterans National Cemetery, Marion, IN. *Note: As part of a separate project, VA has removed all the buildings indicated within the transfer area. Grass, trees, and roads currently cover the majority of the transfer area.*



**Figure 3** Location of Easement, Sewer Mains, and Road (within blue polygon)



**THIS IS NOT A PERMIT**

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

---

**DNR #:** ER-25053

**Request Received:** September 30, 2022

**Requestor:** US Department of Veterans Affairs  
Jason Sturm  
Office of Construction & Facilities  
Management  
810 Vermont Avenue Northwest (00CFM)  
Washington, DC 20420

**Project:** Marion Land Transfer EA: transfer of 16.8 acres of land from the Marion Veterans Affairs Medical Center to the Marion National Cemetery for expansion

**County/Site info:** Grant

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

**Regulatory Assessment:** Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

**Fish & Wildlife Comments:** The measures below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.
2. Minimize and contain within the project limits all tree clearings.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. If erosion control blankets are used, they shall be heavy-duty, biodegradable, and net free or use loose-woven/Lenowoven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
6. Plant five trees, 1 inch to 2 inches in diameter-at-breast height, for each tree which is removed that is 10 inches or greater in diameter-at-breast height.

**THIS IS NOT A PERMIT**

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
Early Coordination/Environmental Assessment

---

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife  
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

*Christie L. Stanifer*

**Date:** October 28, 2022

Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739  
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov



March 21, 2023

David Flatjord  
VA Northern Indiana Health Care System  
1700 East 38<sup>th</sup> Street  
Marion, Indiana 46953

Federal Agency: U.S. Department of Veterans Affairs

Re: Final cultural and archaeological resource survey report and U.S. Department of Veterans Affairs' finding of "no adverse effect" for the retention of an easement for sewer mains and road construction within the transfer of 16.8 acres of land from Marion Veterans Affairs Medical Center to the Marion National Cemetery (Marion Land Transfer EA; DHPA #29901)

Dear Mr. Flatjord:

Pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated March 2, 2023, and received on March 6, 2023, for the above indicated project in Marion, Grant County, Indiana.

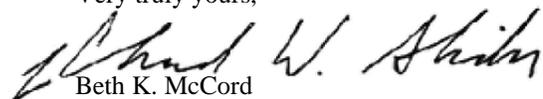
Thank you for the cultural resources report for the retention of an easement within the 16.8 acres for the construction and operation of replacement sewer mains and the construction of a road overlying the sewer mains. Based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the proposed project area. We concur with the opinion of the archaeologist, as expressed in the submitted archaeological report, that no further archaeological investigations appear necessary.

Accordingly, we concur with the U.S. Department of Veterans Affairs' March 2, 2023, finding of No Adverse Effect for the sewer and road easement project.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

If you have questions about archaeological issues, please contact Beth McCord at (317) 232-3492 or [bmccord@dnr.IN.gov](mailto:bmccord@dnr.IN.gov). If you have questions about buildings or structures, please contact Chad Slider at (317) 234-5366 or [cslider@dnr.IN.gov](mailto:cslider@dnr.IN.gov). Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #29901.

Very truly yours,

  
Beth K. McCord  
Deputy State Historic Preservation Officer

BKM:CWS:cws

emc: Glenn Elliott, Department of Veterans Affairs

This Page Intentionally Left Blank