

APPENDIX A - LIST OF ENVIRONMENTAL PERMITS REQUIRED

LIST OF ENVIRONMENTAL PERMITS REQUIRED

A.1 REGULATORY FRAMEWORK

This EA has been prepared under the provisions of, and in accordance with the NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, and VA's regulations for implementing NEPA (38 CFR Part 26). In addition, the EA has been prepared as prescribed in VA's *NEPA Interim Guidance for Projects* (VA 2010). Federal, state, and local laws and regulations specifically applicable to this Proposed Action are identified, where appropriate, within this EA, and include:

- Coastal Zone Management Act of 1972
- Endangered Species Act of 1973, as amended (7 USC 136; 16 USC 1531 et seq.).
- Energy Independence Security Act Section 438.
- Executive Order 11988, *Floodplain Management* (24 May 1977).
- Executive Order 11990, *Protection of Wetlands* (24 May 1977).
- Executive Order 12898, *Environmental Justice* (11 February 1994).
- Executive Order 13112, *Invasive Species* (8 February 1999).
- Executive Order 13834, *Efficient Federal Operations* (17 May 2018).
- Farmland Protection Policy Act (7 USC 4201, et seq.)
- Federal Clean Air Act of 1990 (42 USC 7401 et seq., as amended).
- Federal Clean Water Act (Federal Water Pollution Control Act) of 1948, as amended (1972, 1977) (33 USC 1251 et seq.); Sections 401 and 404.
- Migratory Bird Treaty Act (MBTA; 16 USC 703-712, 3 July 1918; as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989).
- Native American Graves Protection and Repatriation Act, as amended (25 USC 3001 et seq.).
- National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR Part 800).
- Washington State Department of Ecology, National Pollution Discharge Elimination System.
- Washington State Department of Ecology, Air Quality Program.
- Washington State Administrative Code.
- King County Code of Ordinances.

A.2 ENVIRONMENTAL PERMITS REQUIRED

In addition to the regulatory framework of NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, VA's NEPA regulations (38 CFR Part 26), and VA's *NEPA Interim Guidance for Projects*, the following federal, state, and/or local environmental permits are required as part of this Proposed Action, and include:

- Washington State Department of Ecology, National Pollution Discharge Elimination System Stormwater Discharge General Permit Associated with Construction Activity (General Permit).

APPENDIX B – AGENCY CORRESPONDENCE



DEPARTMENT OF VETERANS AFFAIRS
Construction & Facilities Management
425 I Street, NW
Washington DC 20001

June 25, 2021

US Environmental Protection Agency, Region 10
1200 6th Avenue, Suite 155
Seattle, Washington 98101
Attn: Chris Hladick, Regional Administrator

**SUBJECT: NEPA Scoping for the
Proposed Phase 3 Expansion of
Tahoma National Cemetery
18600 SE 240th Street
King County, Washington**

Dear Mr. Hladick:

The US Department of Veterans Affairs (VA) is preparing environmental documentation to assist in the federal decision-making process for the proposed Phase 3 expansion of Tahoma National Cemetery, located at 18600 SE 240th Street in King County, Washington. VA National Cemetery Administration (NCA) operates the cemetery. The locations of Tahoma National Cemetery and the Phase 3 expansion area are shown on Attachments 1 through 4.

VA acquired the approximately 158-acre cemetery property from the State of Washington in 1993. At that time, the property was undeveloped wooded land. Master planning for the cemetery was completed in 1995 and the first phase of cemetery development was completed in 1997. Site design for Phase 2 of the cemetery development was conducted in 2011 and Phase 2 construction activities were completed in 2014. As interments at the cemetery increase and remaining burial capacity is reduced, NCA is now planning to design and construct Phase 3 of the cemetery.

The Phase 3 cemetery expansion project includes the development of the last remaining large undeveloped portion of the 158-acre cemetery property, a 43-acre area in the northwestern portion of the property. The Phase 3 expansion area is mostly wooded land of varying topography with several small wetlands, which are generally located within the low-lying areas. A tributary of Jenkins Creek flows southeast across the northeastern portion of the 43-acre expansion area.

The site design for the Phase 3 expansion is scheduled to begin later in 2021, at which point the details of the proposed cemetery development will be determined. It is anticipated the design will include a new loop road from the main cemetery road, with new interment areas interspersed with wooded areas and wetland areas along the road, generally consistent with existing development of the remainder of the cemetery. A public restroom and possibly a small maintenance structure are anticipated for the Phase 3 expansion area. In addition, an approximately 1,600 square-foot building for the cemetery Honor Guard would be constructed in the developed portion of the property, near the cemetery's maintenance building. Final design of the project will incorporate more details.

VA is planning to conduct an Environmental Assessment (EA) to evaluate the environmental, cultural, and socioeconomic issues associated with the Proposed Action and Alternatives pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S. Code (USC) §4321 *et seq.*); the Council on Environmental Quality (CEQ) Regulations Implementing the

Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508); and VA's Implementing Regulations (38 CFR Part 26 (*Environmental Analysis of VA Actions*)).

Information, data, and project input/concerns gathered during the scoping period will be used as part of the NEPA analysis and will provide valuable and necessary input into the EA process. As part of the NEPA public engagement process, all stakeholders will be notified of the publication of the Draft EA and have a 30-day public review period. This gives all stakeholders an opportunity to review and provide comments on the information and alternatives addressed in the EA.

We look forward to and welcome your participation in this process. **Please respond by August 2, 2021** to enable us to complete this scoping phase of the project within the scheduled timeframe.

Submissions/comments should be sent/made via email to vacoenvironment@va.gov with the subject line "Tahoma National Cemetery Expansion NEPA Scoping"

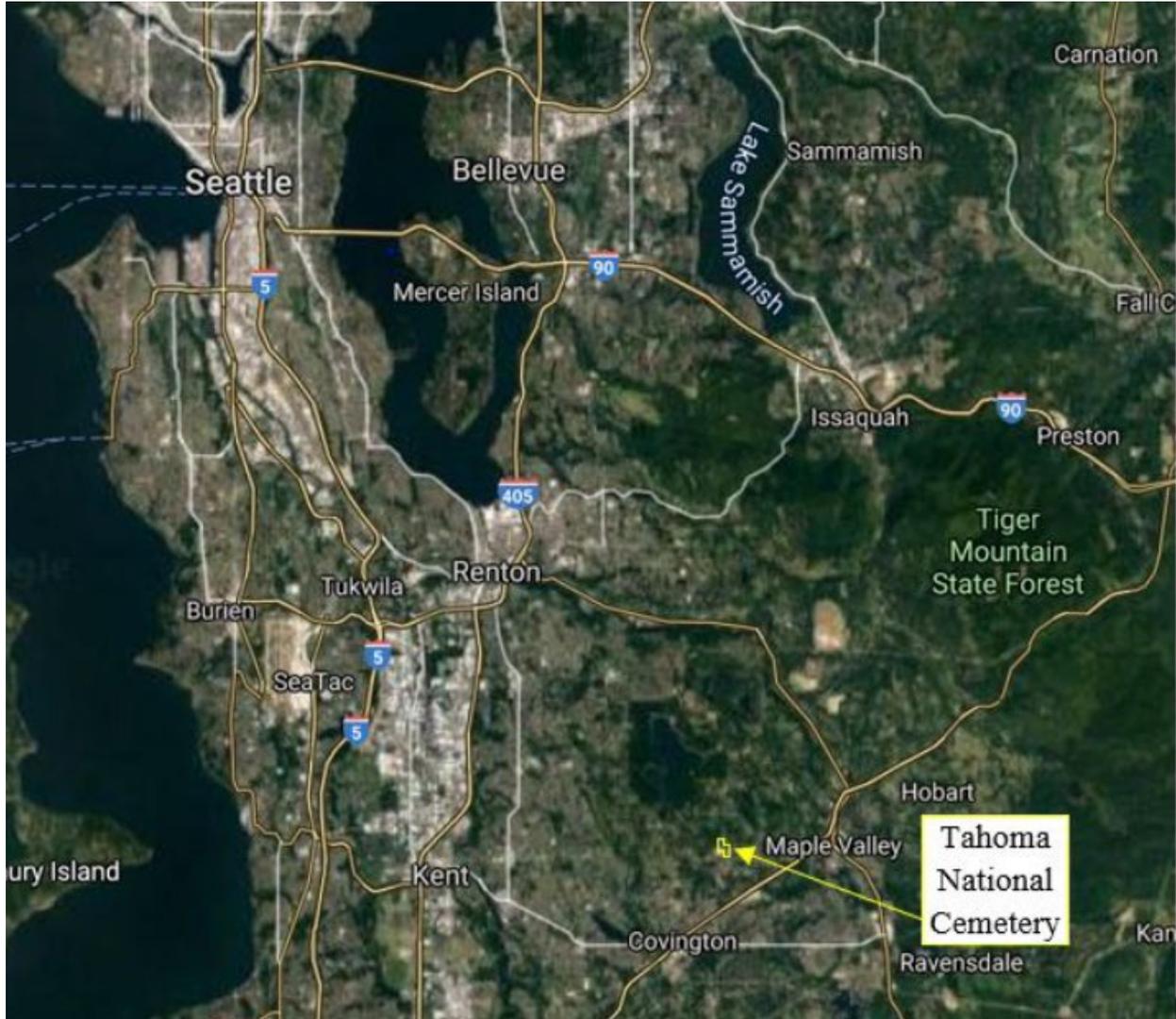
If you have any questions concerning this request, please contact me at (202) 632-5529.

Sincerely,

Fernando L. Fernández REM
Environmental Engineer
U.S. Department of Veterans Affairs
Construction & Facilities Management Office

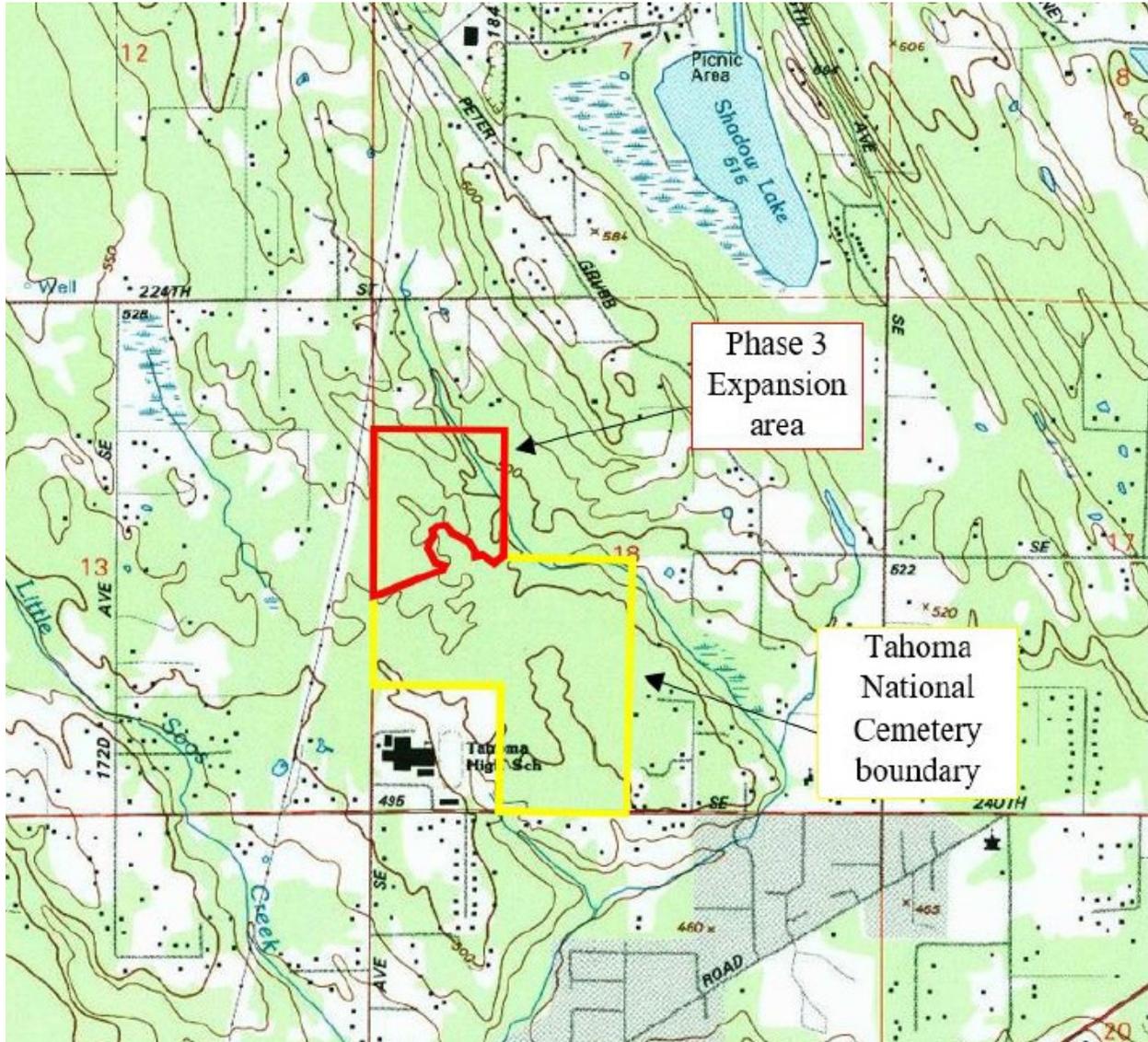
ATTACHMENT 1

**SITE LOCATION MAP
Phase 3 Expansion
Tahoma National Cemetery
King County, Washington**



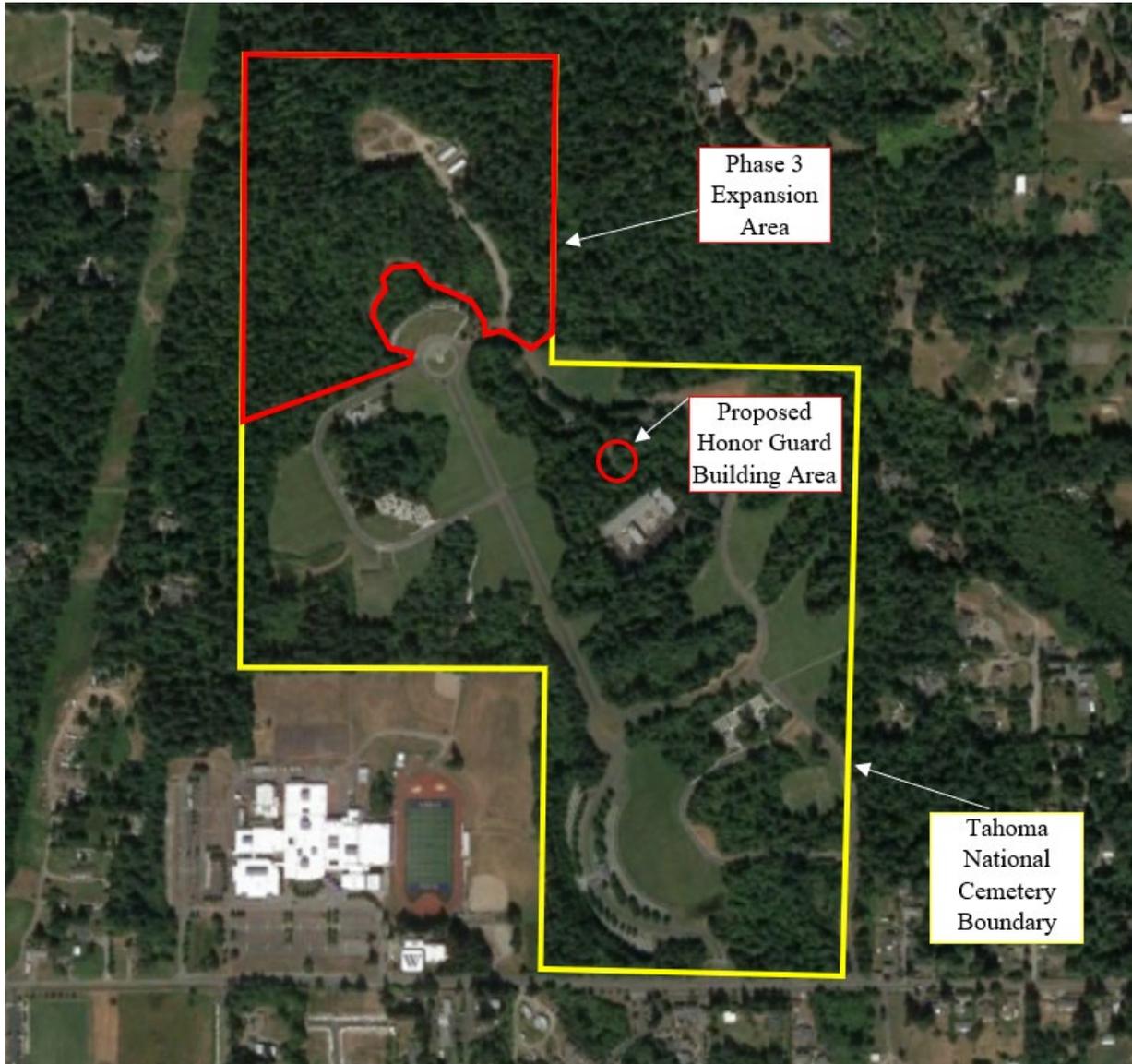
ATTACHMENT 2

**TOPOGRAPHIC LOCATION MAP
Phase 3 Expansion
Tahoma National Cemetery
King County, Washington**



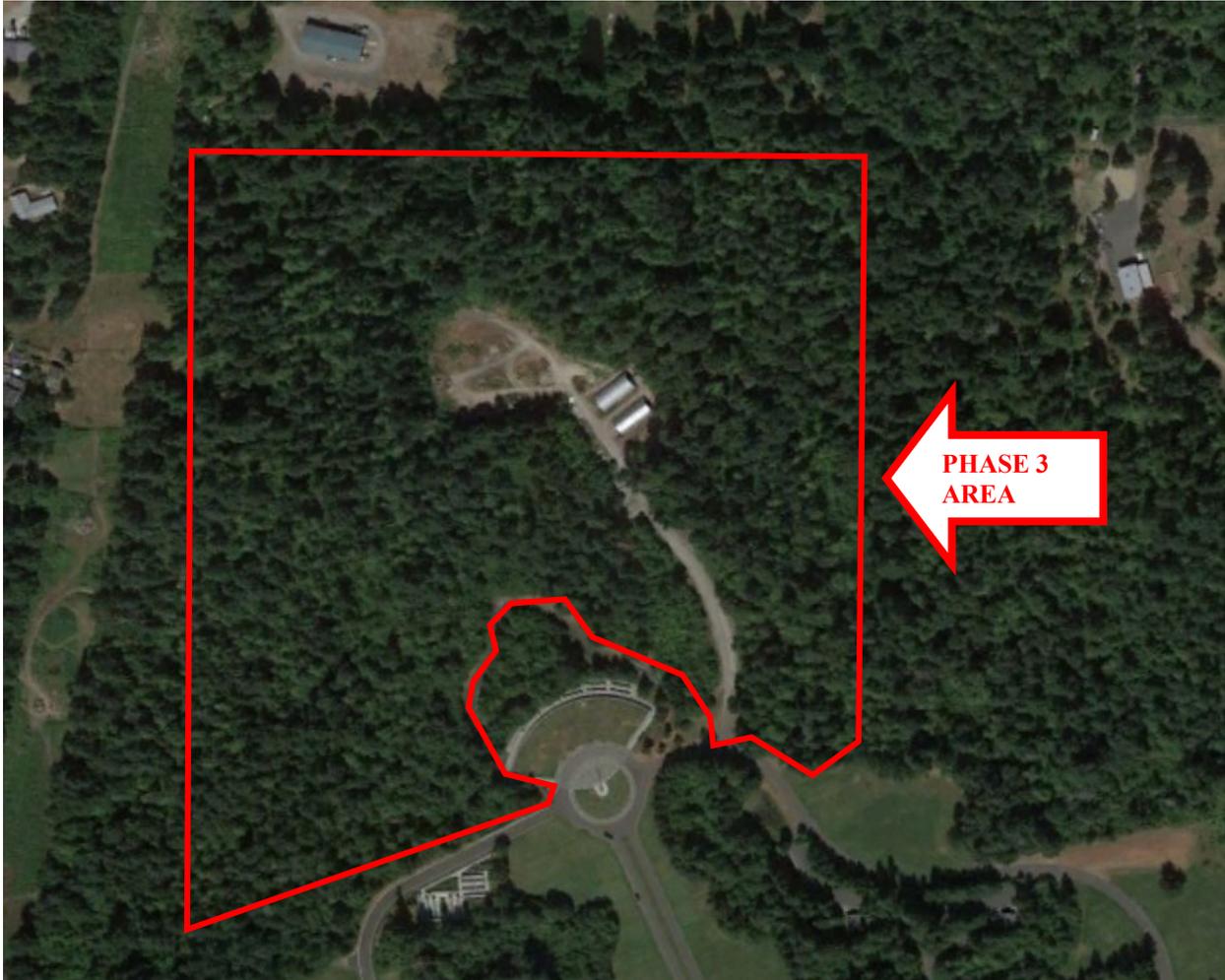
ATTACHMENT 3

**SITE VICINITY AERIAL PHOTOGRAPH (2019)
Phase 3 Expansion
Tahoma National Cemetery
King County, Washington**



ATTACHMENT 4

**SITE AERIAL PHOTOGRAPH (2019)
Phase 3 Expansion
Tahoma National Cemetery
King County, Washington**



Local Stakeholders for Coordination/Involvement

| Name | Position | Organization | Address #1 | Address #2 | Email | Phone |
|---------------------------|---------------------------------|--|-------------------------------|---------------------------|-------------------------------------|----------------------|
| Michelle Pirzadeh | Acting Regional Administrator | U.S. Environmental Protection Agency - Region 10 | 1200 6th Avenue, Suite 155 | Seattle, WA 98101 | Pirzadeh.Michelle@epa.gov | 206-553-1234 |
| Col. Alexander L. Bullock | Seattle District Commander | U.S. Army Corps of Engineers - Seattle District | 4735 E Marginal Way S | Seattle, WA 98134-2385 | paoteam@nws02.usace.army.mil | 206.764.3750 |
| Lynn Khuat | Resource Conservationist | U.S. Department of Agriculture Natural Resource Conservation Service - Renton Service Center | 941 Powell Ave, Suite 102 | Renton, WA 98057 | lynn.khuat@usda.gov | 425.277.5580 ext 124 |
| Susanne Winter | Regional Business Administrator | Washington State Department of Ecology - Northwest Region | 15700 Dayton Avenue N | Shoreline, WA 98133 | susanne.winter@ecy.wa.gov | 206.594.0004 |
| Kathy Taylor | Program Manager | Washington State Department of Ecology - Air Quality | 300 Desmond Drive SE | Lacey, WA 98503 | kathy.taylor@ecy.wa.gov | 360-407-6800 |
| Annete Hoffman | Program Manager | Washington State Department of Ecology - Environmental Assessment Program | 300 Desmond Drive SE | Lacey, WA 98503 | annette.hoffmann@ecy.wa.gov | 360-407-7537 |
| Darren Rice | Program Manager | Washington State Department of Ecology - Hazardous Waste and Toxics Reduction | 300 Desmond Drive SE | Lacey, WA 98503 | darin.rice@ecy.wa.gov | 360-407-6700 |
| Joenne McGerr | Program Manager | Washington State Department of Ecology - Shorelands and Environmental Assistance | 300 Desmond Drive SE | Lacey, WA 98503 | joenne.mcgerr@ecy.wa.gov | 360-372-7950 |
| Laurie Davies | Program Manager | Washington State Department of Ecology - Solid Waste Program | 300 Desmond Drive SE | Lacey, WA 98503 | laurie.davies@ecy.wa.gov | 360-407-6900 |
| Dale Jensen | Program Manager | Washington State Department of Ecology - Spill Prevention, Preparedness, and Response | 300 Desmond Drive SE | Lacey, WA 98503 | dale.jensen@ecy.wa.gov | 360-407-7455 |
| Rebecca Lawson | Program Manager | Washington State Department of Ecology - Toxic Cleanup Program | 300 Desmond Drive SE | Lacey, WA 98503 | rebecca.lawson@ecy.wa.gov | 360-407-7177 |
| Vince McGowan | Program Manager | Washington State Department of Ecology - Water Quality Program | 300 Desmond Drive SE | Lacey, WA 98503 | vincent.mcgowan@ecy.wa.gov | 360-407-6600 |
| Mary Verner | Program Manager | Washington State Department of Ecology - Water Resources Program | 300 Desmond Drive SE | Lacey, WA 98503 | mary.verner@ecy.wa.gov | 360-407-6872 |
| Heather Saunders | King Co. District Manager | Washington Department of Natural Resources - Shoreline District | 950 Farman Avenue N | Enumclaw, WA 98022 | aquaticleasing.shoreline@dnr.wa.gov | 360-825.1631 |
| Scott Sargent | Manager | Washington Department of Natural Resources – South Puget Sound Region | 950 Farman Avenue N | Enumclaw, WA 98022-9282 | southpuget.region@dnr.wa.gov | 360.825.1631 |
| Joe Rocchio | Program Manager | Washington Department of Natural Resources - Natural Heritage Program | P.O. Box 047014 | Olympia, WA 98504-7014 | joe.rocchio@dnr.wa.gov | 360-902-1041 |
| Brendan Brokes | Regional Director | Washington Department of Fish and Wildlife - North Puget Sound | 16018 Mill Creek Boulevard | Mill Creek, WA 98012-1541 | TeamMillCreek@dfw.wa.gov | 425.775.1311 |
| Mike Cotten | Regional Administrator | Washington State Department of Transportation - Northwest Region | PO Box 330310 | Seattle, WA 98133-9710 | nwpublicaffairs@wsdot.wa.gov | 206.440.4000 |
| Cynthia Setel | Interim Executive Director | King County Conservation District | 800 SW 39th Street, Suite 150 | Renton, WA 98057 | cynthia.setel@kingcd.org | 425.529.4810 |
| Dow Constantine | King County Executive | King County Executive Office | 401 5th Ave Ste 800 | Seattle, WA 98104 | kexec@kingcounty.gov | 206.263.9600 |
| Cheryl Binetti | Customer Service Officer | King County Local Services | 201 S Jackson St Rm 815 | Seattle, WA 98104-3856 | Cheryl.Binetti@kingcounty.gov | 206.477.3801 |
| Lester Kinlow | Customer Service Officer | King County Department of Natural Resources and Parks | 201 S Jackson St Rm 5700 | Seattle, WA 98104-3855 | lkinlow@kingcounty.gov | 206.263.0544 |



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

REGIONAL
ADMINISTRATOR'S
DIVISION

August 2, 2021

Fernando L. Fernández
U.S. Department of Veteran Affairs
Construction & Facilities Management Office
425 I Street, NW
Washington, DC 20001

Dear Mr. Fernández:

The U.S Environmental Protection Agency (EPA) has reviewed the U.S. Department of Veteran Affairs (VA) Notice of Intent initiating the scoping process for VA's expansion activities in the Tahoma National Cemetery in Kent Washington (EPA Project Number 21-0045-VA). EPA comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR paragraphs 1500-1508) and Section 309 of the Clean Air Act.

The NOI described construction and expansion activities to create a loop road, maintenance structure, 1,600 square foot building, and internment areas located in wooded areas adjacent to wetlands. The expansion is a 43-acre area in the northwestern portion of the property and is the last remaining undeveloped portion of the 158-acre cemetery property.

EPA appreciates the opportunity to review the Tahoma National Cemetery Proposed Phase III Expansion Project NOI, and hope that our comments are helpful to prepare the Draft Environmental Assessment. EPA looks forward to continued coordination through the NEPA process for this important project. If you would like to discuss these comments, please contact David Magdangal of my staff at (206) 553-4044 or magdangal.david@epa.gov, or me at (206) 553-1774 or chu.rebecca@epa.gov.

Sincerely,

Rebecca Chu, Chief
Policy and Environmental Review Branch

U.S. Environmental Protection Agency Scoping Comments on Tahoma National Cemetery Proposed Phase III Expansion Kent, Washington

Range of Alternatives

Consistent with the purpose of the NEPA,¹ EPA encourages selection of alternatives that protect, restore, and enhance the environment. We support the lead agencies' efforts to identify and select alternatives that maximize environmental benefits and that avoid, minimize, and/or otherwise mitigate environmental impacts. We further note our support for actions that restore natural processes and recommend that you consider an alternative that evaluates and identifies an environmentally preferred alternative.

Environmental effects

Because the project could impact natural resources in the analysis area, EPA recommends the NEPA document thoroughly analyze the scope of potential alternatives and environmental impacts including mitigation measures to avoid, minimize and compensate for those impacts. EPA recommends the Draft EA analyze the following resource areas to best inform the public and decision makers of potential project impacts.

a) Water quality

Section 303(d) of the Clean Water Act requires the States and Tribes with EPA-approved water quality standards (WQS) identify water bodies that do not meet WQS. Where WQS are not met, States and Tribes are required to develop water quality restoration plans to meet established water quality criteria and associated beneficial uses. EPA recommends that the Draft EA for the project include the following information:

- Impacted waters of the U.S., the nature of the impacts, and specific pollutants likely to affect those waters;
- Water bodies potentially affected by the project that are listed on the State and most current EPA-approved 303(d) list;
- Existing restoration and enhancement efforts for those waters; how the proposed project would coordinate with those on-going efforts; and any mitigation measures implemented to avoid further degradation of impaired waters;
- How the project would meet the antidegradation provisions of the CWA found in 40 CFR §§ 131.12(a)(1)-(3). The State of Washington's antidegradation policy can be found at <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A> under Part III-Antidegradation; and
- Evaluate any interactions between sub-surface disturbance/construction and shallow groundwater, including potential effects to the shallow subsurface flows, springs and/or groundwater-dependent ecosystems (and supporting hydrology) in the project area.

Because the CWA also requires any construction project resulting in the disturbance of one or more acres to have authorization under a construction general permit², EPA recommends the following information for the Draft EA:

- Direct, indirect, and cumulative impacts from storm water discharges;

¹ 40 CFR 1500.1

² <https://www.epa.gov/npdes/stormwater-discharges-construction-activities>

- How the project would meet the requirements of the National Pollutant Discharge Elimination System permit program under the CWA, including development of Storm Water Pollution Prevention Plans, reporting, and monitoring;
- Best management practices, erosion and sediment control, and other mitigation measures to minimize impacts;
- Considerations for zero or low impact development techniques in project design due to their potential to reduce storm water volumes, and mimic natural conditions. For example, consider avoiding and minimizing creation of new impervious surface and excavation; and
- Application of green construction and management practices, consistent with the federal “green” requirements and opportunities that may apply to design, operation, and maintenance of project-related facilities and equipment.

b) Aquatic resources and impacts

Because there may be aquatic resources in the planning area, EPA recommends including the following information in the Draft EA for the project:

- Description of all waters of the U.S., including project alternatives that could affect wetlands. EPA recommends also identifying any navigable waters in the analysis area;
- Acreages and channel lengths, habitat types, values, and functions of these waters;
- Whether the project would result in discharge of dredged or fill materials into surface waters of the United States. If so, CWA §404 authorization from the U.S. Army Corps of Engineers would be required for the project, and EPA recommends that the Draft EA describe this permit application process and recommended measures to protect aquatic resources from impacts resulting from the proposed project;
- Mitigation plans, including compensatory mitigation required under the CWA, to reduce impacts to wetlands and waters of the U.S.; and
- Alternatives that include maintaining the existing riparian habitat and buffer within the ordinary high-water mark (OHWM) of Big Soos Creek. A riparian buffer area would serve as a natural filter for sediments and storm water runoff from discharging into the creek and improve water quality. Because a salmon hatchery is located on the creek near its mouth east of the City of Auburn, a riparian habitat would maintain groundwater and surface water interactions and the hyporheic zone, which supports invertebrate fauna, a food source for juvenile salmon and other resident fish species.

c) Air quality impacts

Because the proposed action may result in impacts on air quality, EPA recommends that the Draft EA for the project include:

- A detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS) and criteria pollutant non-attainment areas in the analysis area and vicinity, if applicable;
- Estimated emissions of criteria pollutants for the analysis area and discussion of the timeframe for release of these emissions from construction through the lifespan of the proposed project. For estimation of emissions, it would be helpful to specify all emission sources and quantify related emissions;
- Specific information about pollutants from mobile sources, stationary sources, and ground disturbance;

- A Construction Emissions Mitigation Plan that identifies actions to reduce diesel particulate, carbon monoxide, hydrocarbons, and oxides of nitrogen or NOx;
- Potential effects from air pollutants, including air toxics, to:
 - workers, ground crews, nearby residents, businesses;
 - sensitive receptor locations, such as, schools, medical facilities, senior centers and residences, daycare centers, outdoor recreation areas (e.g., parks); and
- Mitigation measures to minimize the proposed project impacts to air quality.

d) Threatened and endangered species

The proposed project may impact endangered, threatened or candidate species listed under the Endangered Species Act, their habitats, as well as state sensitive species. EPA recommends that the Draft EA for the project identify the endangered, threatened, and candidate species under ESA, and other sensitive species within the project corridor and surrounding areas. In addition, EPA recommends the Draft EA provide information on critical habitat for the species; impacts the project could have on the species and their critical habitats; and how the proposed project will meet all requirements under ESA, including consultation with the U.S. Fish and Wildlife Service and National Oceanographic Atmospheric Administration - Fisheries. The document may need to include a biological assessment and a description of the outcome of consultation with the USFWS and/or NOAA Fisheries under Section 7 of the ESA.

e) Indirect and cumulative effects

Please note that according to the Federal NEPA Contacts Meeting held on March 25, 2021, the 2020 CEQ regulations do not prevent or prohibit the analysis of indirect and/or cumulative effects. As such, EPA encourages analyzing the project's indirect and cumulative effects to best capture impacts to human health and the environment.

Cumulative impact analyses describe the threat to resources as a whole, presented from the perspective of the resource instead of from the individual project. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time. Discussions of cumulative impacts are usually more effective when included in the larger discussions of environmental impacts from the action (the environmental consequences chapter), as opposed to discussing cumulative impact analyses in a separate chapter.

EPA recommends the following be included in the cumulative impacts analysis:

- Identify how resources, ecosystems, and communities in the vicinity of the project have already been, or will be, affected by past, present, or future activities in the project area;
- Characterize these resources in terms of their response to change and capacity to withstand stresses;
- Use trends data to establish a baseline for the affected resources, to evaluate the significance of historical degradation, and to predict the environmental effects of the project components; and
- Focus on resources of concern or resources that are “at risk” and/or are significantly impacted by the proposed project before mitigation.

Climate Resilience and Greenhouse Gas Emissions Resilience

EPA recommends that the Draft EA incorporate measures that ensure the resiliency of proposed project activities to existing and foreseeable climate change trends. EPA believes the CEQ's December 2014 revised draft guidance for Federal agencies' consideration of GHG emissions and climate change

impacts in NEPA³ outlines a reasonable approach, and recommends agencies use the guidance when analyzing these issues. EPA also recommends the Draft EA include an estimate of the GHG emissions associated with the project (i.e. construction, operations, and maintenance), qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project related GHG emissions. EPA recommends the following for inclusion in the Draft EA:

Affected Environment

- Include in the "Affected Environment" section of the Draft EA a summary discussion of existing and reasonably foreseeable environmental trends related to the changing climate relevant to the project. This information will assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal.)

Environmental Consequences

- Estimate GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ's NEPA.gov website.⁴ For actions which are likely to have less than 25,000 metric tons of CO₂-e emissions/year, provide a qualitative estimate unless quantification is easily accomplished;
- Estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the action area, as discussed in the "affected environment" section;
- Recognizing that climate impacts are not attributable to any single action, but by a series of smaller decisions, EPA does not recommend comparing GHG emissions from a proposed action to global emissions. As noted by the CEQ revised draft guidance, "[t]his approach does not reveal anything beyond the nature of the climate change challenge itself: [t]he fact that diverse individual sources of emissions each make relatively small additions to global atmospheric GHG concentrations that collectively have huge impact." EPA also recommends that the VA does not compare GHG emissions to total U.S. emissions, as this approach does not provide meaningful information for a project level analysis. Consider providing a frame of reference, such as an applicable Federal, state, tribal or local goal for GHG emission reductions, and discuss whether the emissions levels are consistent with such goals; and
- Describe measures to reduce GHG emissions associated with the project, including reasonable alternatives or other practicable mitigation opportunities and disclose estimated GHG reductions associated with such measures. The Draft EA's alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. EPA further recommends that the Record of Decision commits to implementation of reasonable mitigation measures using adaptive management practices that would reduce or eliminate project related GHG emissions.

³ <https://www.govinfo.gov/content/pkg/FR-2014-12-24/pdf/2014-30035.pdf>

⁴ https://ceq.doe.gov/guidance/ceq_guidance_nepa-ghg.html

Public involvement in project planning and implementation

Because EPA anticipates that the proposed project would be of interest to a variety of stakeholders in the area, EPA strongly recommends the Draft EA describe efforts undertaken to ensure effective public participation in the scoping process and throughout the NEPA analysis process. For more information on effective public participation in the NEPA process, please consult the following resources:

- *The Citizen's Guide to the National Environmental Policy Act*⁵;
- *Community Guide to Environmental Justice and NEPA Methods*⁶;
- *Community Impact Assessment*⁷; and
- *Model Guidelines for Public Participation*⁸.

Environmental Justice

If the analysis area includes low income or minority populations, the Draft EA would need to address the potential for disproportionate adverse impacts to the populations. See Executive Orders 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*; 14008, *Tackling the Climate Crisis at Home and Abroad*; and 13985, *On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.⁹ One tool available to locate minority and low income populations is the Environmental Justice Screening and Mapping Tool or EJSCREEN.¹⁰ You may also consult the Federal Interagency Working Group on Environmental Justice and NEPA Committee report, *Promising Practices for EJ Methodologies in NEPA Reviews* for additional information, particularly on determining whether the proposed project may result in disproportionately high and adverse impacts.¹¹ EPA recommends that other vulnerable and disadvantaged populations, such as, the elderly, the disabled, and children, be included in the analysis.¹² Other GIS tools and resources could complement the analysis to identify potentially affected communities with environmental justice concerns. The VA could request specific assistance from other federal and state agencies that might have information collected via ground truthing. An example of an emerging tool at the national and state level include:

- Limited English Proficiency Data and Language Map,¹³ and
- Washington State's Environmental Health Disparities Map.¹⁴

EPA recommends that the VA ensure that alternatives in the environmental analyses consider environmental justice concerns and allow communities with environmental justice concerns the opportunity to participate in the decision-making process.

⁵ https://ceq.doe.gov/get-involved/citizens_guide_to_nepa.html

⁶ <https://www.energy.gov/sites/prod/files/2019/05/f63/NEPA%20Community%20Guide%202019.pdf>

⁷ <https://www.fhwa.dot.gov/livability/cia/index.cfm>

⁸ <https://www.epa.gov/sites/production/files/2015-02/documents/recommendations-model-guide-pp-2013.pdf>

⁹ <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>; <https://www.govinfo.gov/content/pkg/FR-2021-02-01/pdf/2021-02177.pdf>; <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>

¹⁰ <https://www.epa.gov/ejscreen>

¹¹ https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf

¹² See Executive Order 13045, Protection of Children from Health Risks and Safety Risks, at <https://www.epa.gov/laws-regulations/summary-executive-order-13045-protection-children-environmental-health-risks-and>

¹³ <https://www.lep.gov/maps>

¹⁴ <https://www.doh.wa.gov/DataandStatisticalReports/WashingtonTrackingNetworkWTN/InformationbyLocation/-WashingtonEnvironmentalHealthDisparitiesMap>

EPA recommends the "Environmental Justice (EJ) Interagency Working Group (IWG) Promising Practices for EJ Methodologies in NEPA Reviews" report, or the Promising Practices Report, as a tool that can provide ways to both consider environmental justice concerns during environmental analyses and ensure effective participation by communities with environmental justice concerns.¹⁵ The Promising Practices Report is a compilation of methodologies gleaned from current agency practices concerning the interface of environmental justice considerations through NEPA processes. For example, the Promising Practices Report suggests initiating meaningful engagement with communities early and often; providing potentially affected communities with an agency-designated point of contact; and convening project-specific community advisory committees, as appropriate.

When designing community engagement opportunities, the Promising Practices Report suggests selecting meeting locations, times and facilities that are local and convenient for potentially affected communities with environmental justice concerns and considering any potential cultural, institutional, geographic, economic, historical, linguistic, or other barriers to achieving meaningful engagement with the community.

Similar requirements for project proponents would ensure broad conformity to high standards of meaningful public and tribal involvement. The information acquired from meaningful involvement can help augment information not readily available through environmental justice screening tools (e.g., information about subsistence use integral to indigenous communities for ensuring food access/security).

Thoughtful consultation will readily inform the VA of the importance of certain areas and impacts to consider in a project proponent's NEPA analyses. For example, EPA encourages the VA to be aware of potential exposure pathways through surface water contact during fishing and consumption of fish.

Furthermore, EPA recognizes that every community is different, and every project is unique. For these reasons, the VA could benefit from hiring personnel with expertise in public outreach and engagement that could develop a plan or checklist that the VA could use to screen projects at the earlier stages of the process and evaluate the level of engagement needed to meaningfully inform the decision-making process.

Coordination with tribal governments

EPA recommends the Draft EA describe the process and outcome of government-to-government consultation between the VA and each of the tribal governments affected by the project, issues that were raised, if any, and how those issues were addressed. See Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.¹⁶

The project area is a usual and accustomed fishing area for the Muckleshoot Indian Tribe, and the Confederated Tribes and Bands of the Yakima Nation.¹⁷ The federal government recognizes tribes as sovereign nations with fishing rights at all "usual and accustomed [fishing] grounds and stations." The term "usual and accustomed" used in treaty language refers to those areas where tribes traditionally fished at before the federal government made treaties. These tribes have commercial fishing rights for salmon, shellfish, and non-salmon fish resources, as well as rights to harvest fish and shellfish for

¹⁵ <https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>

¹⁶ https://www.energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/Req-EO13175tribgovt.pdf

¹⁷ In the mid-1850s, the United States entered into treaties with a number of American Indian tribes in Washington. These treaties guaranteed the signatory tribes the right to "take fish at usual and accustomed grounds and stations...in common with all citizens of the territory" [U.S. v. Washington, 384 F. Supp. 312 at 332 (WDWA 1974)].

ceremonial and subsistence purposes. EPA therefore recommends evaluating impacts to Tribal Treaty resources by describing in the Draft EA all tribe's current ability, and likely ability under the action alternatives, to exercise their treaty-reserved fishing rights in their usual and accustomed grounds and stations.

National Historic Preservation Act

Section 106 of the National Historic Preservation Act requires consultation for tribal cultural resources. The NHPA includes historic properties that are in or meet the criteria for the National Register of Historic Places. Section 106 of the NHPA requires a federal agency, upon determining that activities under its control could affect historic properties, to consult with the appropriate State Historic Preservation Office/Tribal Historic Preservation Office. Under NEPA, the Draft EA must disclose any impacts to tribal, cultural, or other treaty resources. Section 106 of the NHPA requires that federal agencies consider the effects of their actions on cultural resources, following the regulation at 36 CFR 800.

In the Draft EA, discuss how the VA would avoid or minimize adverse effects on the physical integrity, accessibility, or use of cultural resources or archaeological sites, including traditional cultural properties (TCPs), throughout the project area. Discuss mitigation measures for archaeological sites and TCPs. EPA encourages the VA to append any Memoranda of Agreements to the Draft EA, after redacting specific information about these sites that is sensitive and protected under Section 304 of the NHPA. EPA also recommends providing a summary of all coordination with Tribes and with the State and Tribal Historic Preservation Offices, including identification of NRHP eligible sites and development of a Cultural Resource Management Plan.

Permits and authorizations

As construction of the project would likely require a variety of authorizations, EPA recommends that the Draft EA include a list of all permits/authorizations that the proposed project already has and will need including modification(s) to any existing permit or authorization, what activity and/or facility is regulated by the permit or authorization, entities that will issue each permit and authorization, when each will expire, and conditions to assure protection of human health and the environment. Such information, presented in a consolidated fashion, will assist agency decision-makers and the public in evaluating the proposed project's impacts and mitigation required to address those impacts.

Monitoring and adaptive management

The proposed project has the potential to affect resources for an extended period. As a result, EPA recommends that the project design include an environmental inspection and mitigation monitoring program to ensure compliance with all mitigation measures and assess their effectiveness. EPA recommends that the Draft EA describe the monitoring program and its use as an effective feedback mechanism to adjust during construction, operation, and maintenance. EPA recommends incorporating lessons learned from past practices in developing, building and managing similar projects, combined with the need to account for new challenges, such as climate change, to help inform the design and management of the currently proposed project.

Carrie Hess

From: HOLT, JASA (DNR) <JASA.HOLT@dnr.wa.gov>
Sent: Tuesday, July 6, 2021 2:48 PM
To: Carrie Hess
Cc: Rocchio, Joe (DNR)
Subject: RE: Tahoma National Cemetery Expansion NEPA Scoping (WDNR NHP)

You don't often get email from jasa.holt@dnr.wa.gov. [Learn why this is important](#)

Hello Carrie,

We've searched the Natural Heritage Information System for information on significant natural features in your project area. Currently, we have no records for rare plants, rare nonvascular species, or rare/high-quality ecological communities in the vicinity of your project.

The information provided by the Washington Natural Heritage Program is based solely on existing information in the database. In the absence of field inventories, we cannot state whether or not a given site contains rare plant species or high quality ecosystems; there may be significant natural features in your study area of which we are not aware.

The Washington Natural Heritage Program is responsible for information on the state's rare plants as well as high quality ecosystems. For information on animal species of concern, please contact Priority Habitats and Species, Washington Department of Fish and Wildlife, 600 Capitol Way N, Olympia WA 98501-1091, or by phone at (360) 902-2543.

For more information on the Natural Heritage Program, please visit our website at <http://www.dnr.wa.gov/natural-heritage-program>. Lists of rare plants and their status, rare plant fact sheets, as well as rare plant survey guidelines are available for download from the site.

Sincerely,

Jasa Holt
Washington Natural Heritage Program
Washington State Dept. of Natural Resources (DNR)
(360) 902-1642
jasa.holt@dnr.wa.gov
<http://www.dnr.wa.gov/natural-heritage-program>

From: Carrie Hess <chess@tlassoc.com>
Sent: Monday, June 28, 2021 8:29 AM
To: Rocchio, Joe (DNR) <joe.rocchio@dnr.wa.gov>
Subject: Tahoma National Cemetery Expansion NEPA Scoping (WDNR NHP)

External Email

Dear Joe Rocchio, Program Manager,

Please find the attached NEPA Scoping Letter for the Proposed Phase 3 Expansion of the Tahoma National Cemetery located at 18600 SE 240th Street in King County, Washington.

Thank you for your time.

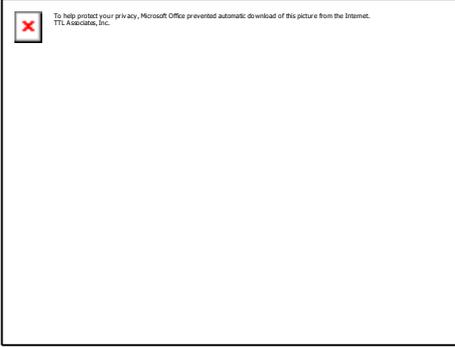
Carrie Hess

Geologist

TTL Associates, Inc.

1915 North 12th Street | Toledo, OH 43604-5305 | tlassoc.com

Direct: (419) 214-5048 | | Fax: (419) 214-5049



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APPENDIX C – SECTION 106 AND NATIVE AMERICAN TRIBE CORRESPONDENCE



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

November 22, 2021

Allyson Brooks, Ph.D.
State Historic Preservation Officer / Director
Washington Department of Archaeology & Historic Preservation
PO Box 48343
Olympia, Washington 98504-8343

Re: Initiation of Section 106 Consultation for the Phase 3 Development of the Tahoma National Cemetery, 18600 240th Street, Kent, Washington

Dear Dr. Brooks,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the National Cemetery Administration (NCA) of the United States Department of Veterans Affairs (VA) is initiating Section 106 consultation with the Washington Department of Archaeology & Historic Preservation (SHPO) for the implementations of the referenced project at Kent, Washington. NCA plans to develop the third and final planned phase of burial areas in the existing Tahoma National Cemetery (Attachment A). The Tahoma National Cemetery is addressed 18600 240th Street, , and located near the community of Covington in King County. It is located in Section 18, Township 22N, Range 6E. VA acquired the approximately 158-acre cemetery property from the State of Washington in 1993. At that time, the property was undeveloped wooded land. Master planning for the cemetery was completed in 1995 and the first phase of cemetery development was completed in 1997. Site design for Phase 2 of the cemetery development was conducted in 2011 and Phase 2 construction activities were completed in 2014. As interments at the cemetery increase and remaining burial capacity is reduced, NCA is now planning to design and construct Phase 3 of the cemetery to provide new burial space for Veterans and their families. NCA also proposes to construct a small building for the cemetery honor guard within the existing, developed portion of the cemetery.

Undertaking

NCA has defined the undertaking as the Phase 3 development which will include a new loop drive accessed from the main cemetery road (Veterans Memorial Drive), with eight new interment areas totaling approximately 15 acres, interspersed with wooded and wetland areas along the drive (Attachment B). The cemetery expansion will be designed in concert with the existing topography, with wetland areas avoided to the extent possible. Interment areas will likely include pre-placed crypt fields, a traditional in-ground burial area, a green burial area, columbarium structures, and areas for in-ground cremains. An approximately 1,100 square-foot, one-story public restroom building, and possibly a small maintenance structure, are anticipated for the Phase 3 expansion area.

The western, northern, and eastern boundaries of the 43-acre site, including the area northeast of the tributary of Jenkins Creek will likely remain undeveloped.

In addition, an approximately 1,600 square-foot, one-story building for the cemetery honor guard will be constructed in the developed portion of the property, north of the existing maintenance building and south of committal shelters 1 and 2. The proposed honor guard building area is generally unimproved wooded land with a paved path located in the middle in a north-south orientation.

Area of Potential Effect

Given the location and massing of the proposed construction, NCA has determined that the Area of Potential Effect (APE) for this Undertaking will be limited to the legal boundaries of the Tahoma National Cemetery, specifically Parcels 1822069007, 1822069009, 1822069010, and 1822069012 (as shown in Attachment A).

Identification of Historic Properties

The Tahoma National Cemetery is the only built resource identified within the APE. The National Cemetery is eligible for listing in the National Register of Historic Places under Criteria A and C. A review of the Washington Information System for Architectural & Archaeological records Data (WISAARD) did not identify any other historic built resources within the APE. Additional background research and a pedestrian survey conducted by an architectural historian on June 2-3, 2021 identified the Tahoma National Cemetery and its associated resources as the only buildings, structures, or objects in the APE.

NCA completed an archaeological investigation of the proposed Phase 3 cemetery expansion area and proposed honor guard building area during August 30 through September 10, 2021. SOI qualified archaeologists conducted an intensive pedestrian survey that included the inspection of all exposed ground surfaces in transects spaced 20 meters apart and the excavation of shovel test probes at 20-meter intervals. No cultural materials were identified during the pedestrian survey or recovered during subsurface testing (as shown in Attachment C).

A review of WISAARD did not identify any Traditional Cultural Properties within the APE.

Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), NCA has determined that no historic properties will be affected by the undertaking and requests the SHPOs concurrence on the agency's finding per 36 CFR Part 800.

In accordance with 36 CFR 800.2(c)(2)(ii), NCA has also invited the Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, Muckleshoot Indian Tribe, Puyallup Tribe of the Puyallup Reservation, Snoqualmie Indian Tribe, and Stillaguamish Tribe of Indians of Washington to provide any comments on this Undertaking and NCA's Finding of No

Adverse Effect to Historic Properties. NCA also has requested comments from the King County Certified Local Government.

Please contact me at william.hooker@va.gov or 202-280-8398 if you have any questions about this Undertaking or require additional information.

Sincerely,

W. Edward Hooker, III
Historic Architect & Cultural Resources Manager
Department of Veterans Affairs
National Cemetery Administration

ATTACHMENT A – MAPS OF TAHOMA NATIONAL CEMETERY

November 2016

TAHOMA NATIONAL CEMETERY

18600 S.E. 240TH STREET
KENT, WASHINGTON 98042-4868
(425) 413-9614

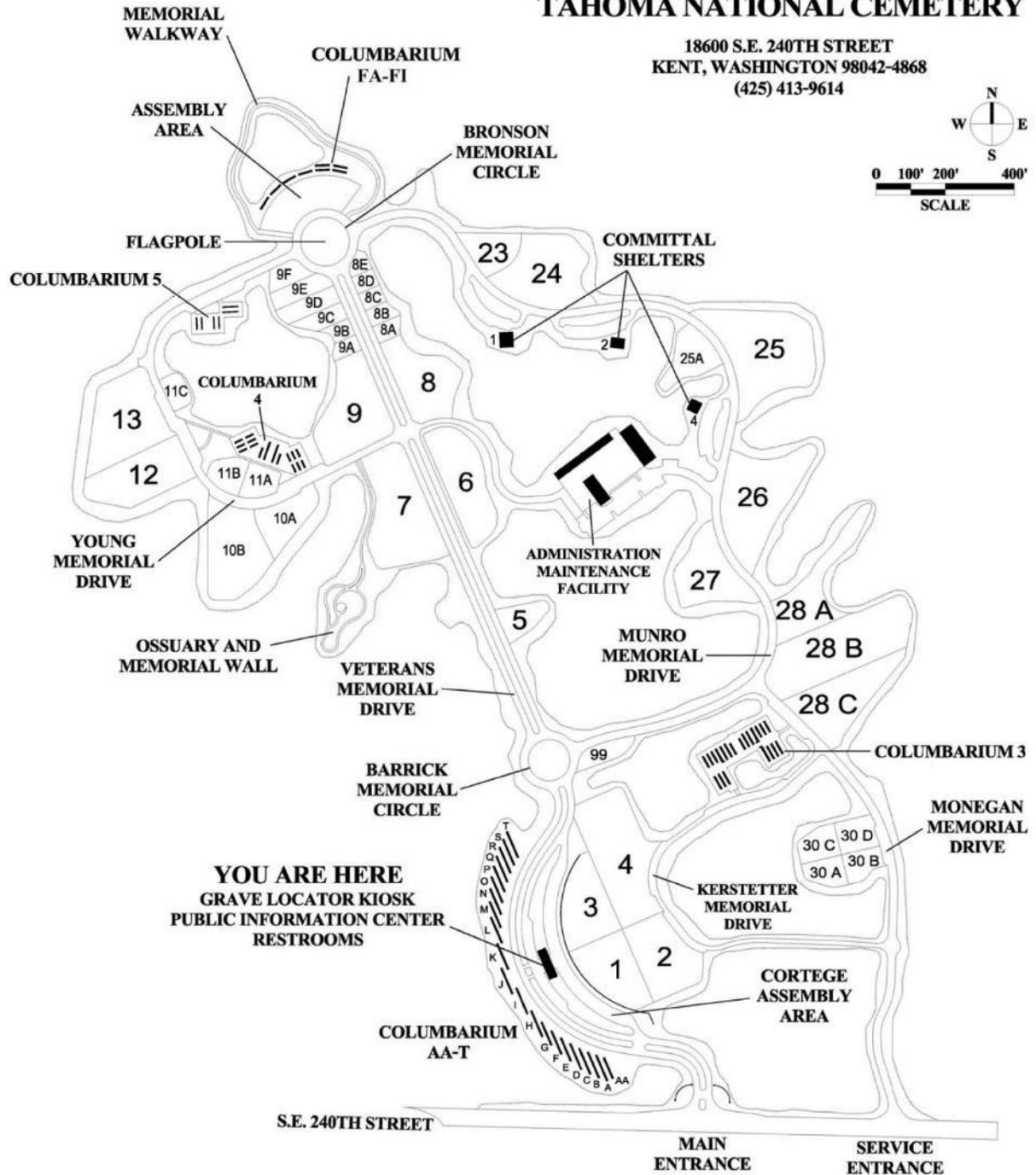
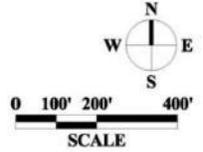


Figure 1 - Extant development of the Tahoma National Cemetery

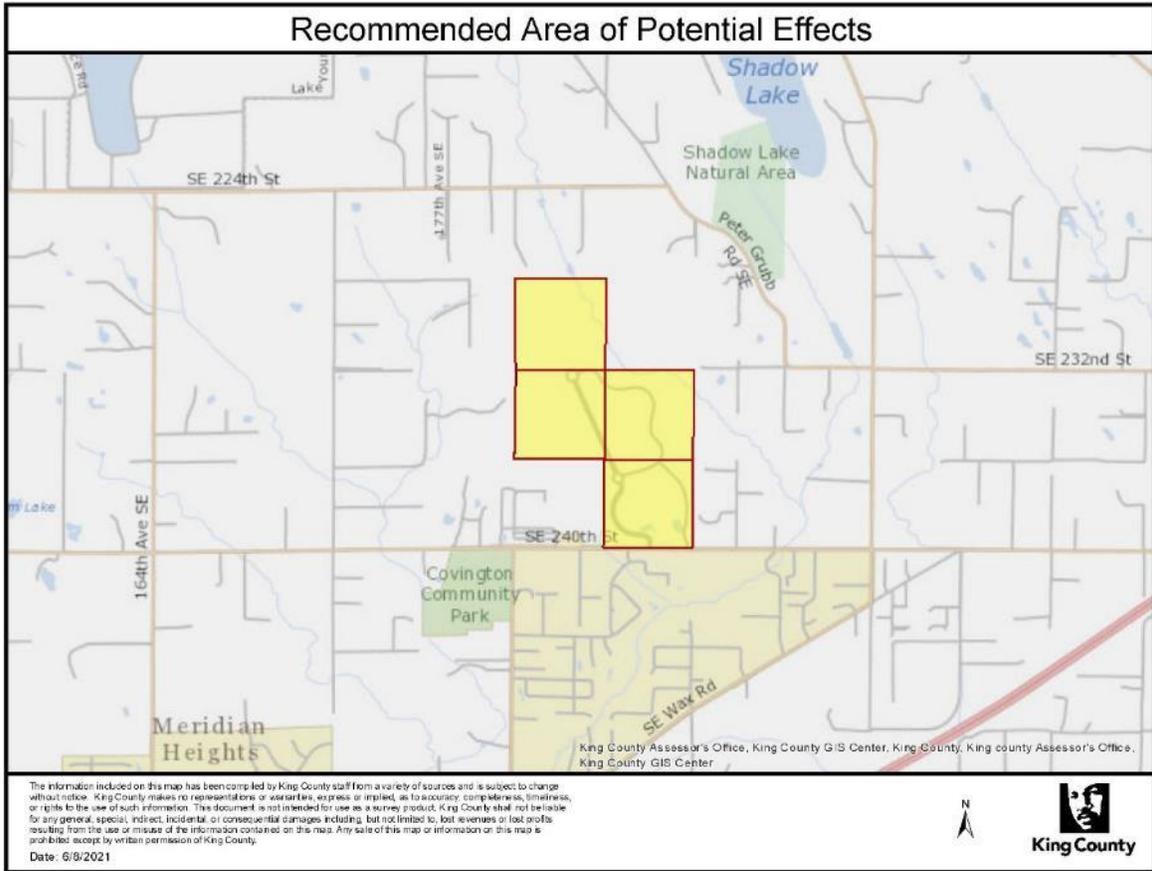


Figure 2 - Recommended Area of Potential Effect. The yellow squares indicate the acreage included in the Tahoma National Cemetery, both developed (as seen in Attachment A) and undeveloped.

ATTACHMENT B – PROPOSED DEVELOPMENT



Figure 3 – Phase 3 Expansion Area and Proposed Honor Guard Building Location.

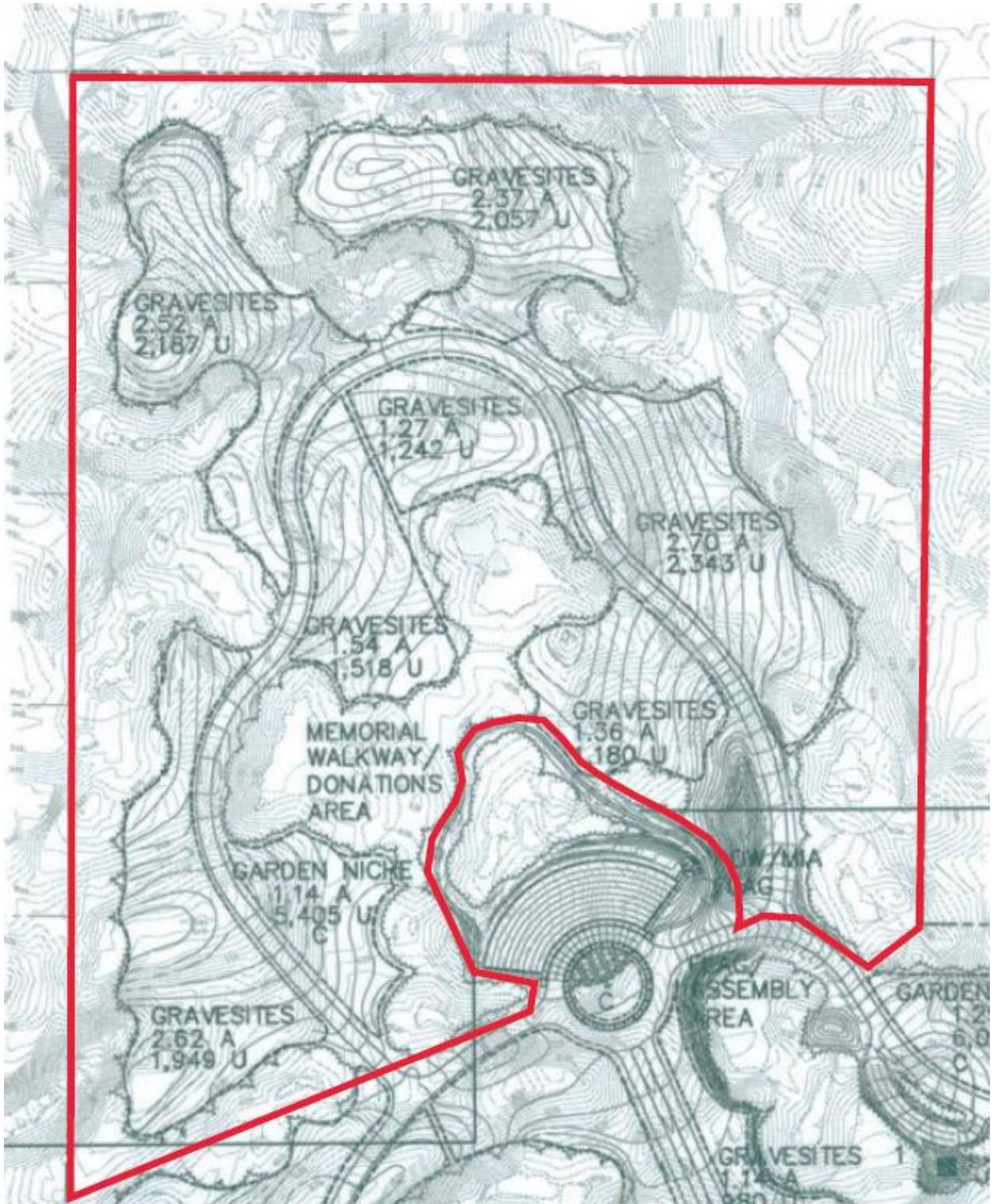


Figure 4 – 1995 Master Plan for Phase 3 Cemetery Development.

ATTACHMENT C – ARCHAEOLOGICAL FINDINGS REPORT



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

November 22, 2021

David Bean
Chairman
Puyallup Tribe of the Puyallup Reservation
3009 E. Portland Avenue
Auburn, Washington 98092

Re: Initiation of Section 106 Consultation for the Phase 3 Development of the Tahoma National Cemetery, 18600 240th Street, Kent, Washington

Dear Chairman Bean,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the National Cemetery Administration (NCA) of the United States Department of Veterans Affairs (VA) is initiating Section 106 consultation with the Washington Department of Archaeology & Historic Preservation (SHPO) for the implementations of the referenced project at Kent, Washington. NCA plans to develop the third and final planned phase of burial areas in the existing Tahoma National Cemetery (Attachment A). The Tahoma National Cemetery is addressed 18600 240th Street, Kent, and located near the community of Covington in King County. It is located in Section 18, Township 22N, Range 6E. VA acquired the approximately 158-acre cemetery property from the State of Washington in 1993. At that time, the property was undeveloped wooded land. Master planning for the cemetery was completed in 1995 and the first phase of cemetery development was completed in 1997. Site design for Phase 2 of the cemetery development was conducted in 2011 and Phase 2 construction activities were completed in 2014. As interments at the cemetery increase and remaining burial capacity is reduced, NCA is now planning to design and construct Phase 3 of the cemetery to provide new burial space for Veterans and their families. NCA also proposes to construct a small building for the cemetery honor guard within the existing, developed portion of the cemetery.

Undertaking

NCA anticipates the Phase 3 cemetery expansion will be generally consistent with the 1995 Master Plan for the cemetery. Phase 3 development would generally include a new loop drive accessed from the main cemetery road (Veterans Memorial Drive), with eight new interment areas totaling approximately 15 acres, interspersed with wooded and wetland areas along the drive (Attachment B). The cemetery expansion will be designed in concert with the existing topography, with wetland areas avoided to the extent possible. Interment areas will likely include pre-placed crypt fields, a traditional in-ground burial area, a green burial area, columbarium structures, and areas for in-

ground remains. An approximately 1,100 square-foot, one-story public restroom building, and possibly a small maintenance structure, are anticipated for the Phase 3 expansion area. The western, northern, and eastern boundaries of the 43-acre site, including the area northeast of the tributary of Jenkins Creek will likely remain undeveloped.

In addition, an approximately 1,600 square-foot, one-story building for the cemetery honor guard will be constructed in the developed portion of the property, north of the existing maintenance building and south of committal shelters 1 and 2. The proposed honor guard building area is generally unimproved wooded land with a paved path located in the middle in a north-south orientation.

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NCA completed an archaeological investigation of the proposed Phase 3 cemetery expansion area and proposed honor guard building area during August 30 through September 10, 2021. SOI-Qualified archaeologists conducted an intensive pedestrian survey that included the inspection of all exposed ground surfaces in transects spaced 20 meters apart and the excavation of shovel test probes at 20-meter intervals. No cultural materials were identified during the pedestrian survey or recovered during subsurface testing.

A review of WISAARD did not identify any Traditional Cultural Properties within the APE.

Assessment of Adverse Effects

Therefore, pursuant to 36 CFR 800.4(d)(1), NCA has determined that no historic properties will be affected by the undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800. If the Tribe knows of any resources of cultural or religious significance associate with them, please feel free to provide this information to VA and we will review and follow all appropriate federal confidentiality requirements, or you can contact us to coordinate further discussions.

Please contact me at william.hooker@va.gov or 202-280-8398 if you have any questions about this Undertaking or require additional information.

Sincerely,

W. Edward Hooker, III
Historic Architect & Cultural Resources Manager
Department of Veterans Affairs
National Cemetery Administration

ATTACHMENT A – MAPS OF TAHOMA NATIONAL CEMETERY

November 2016

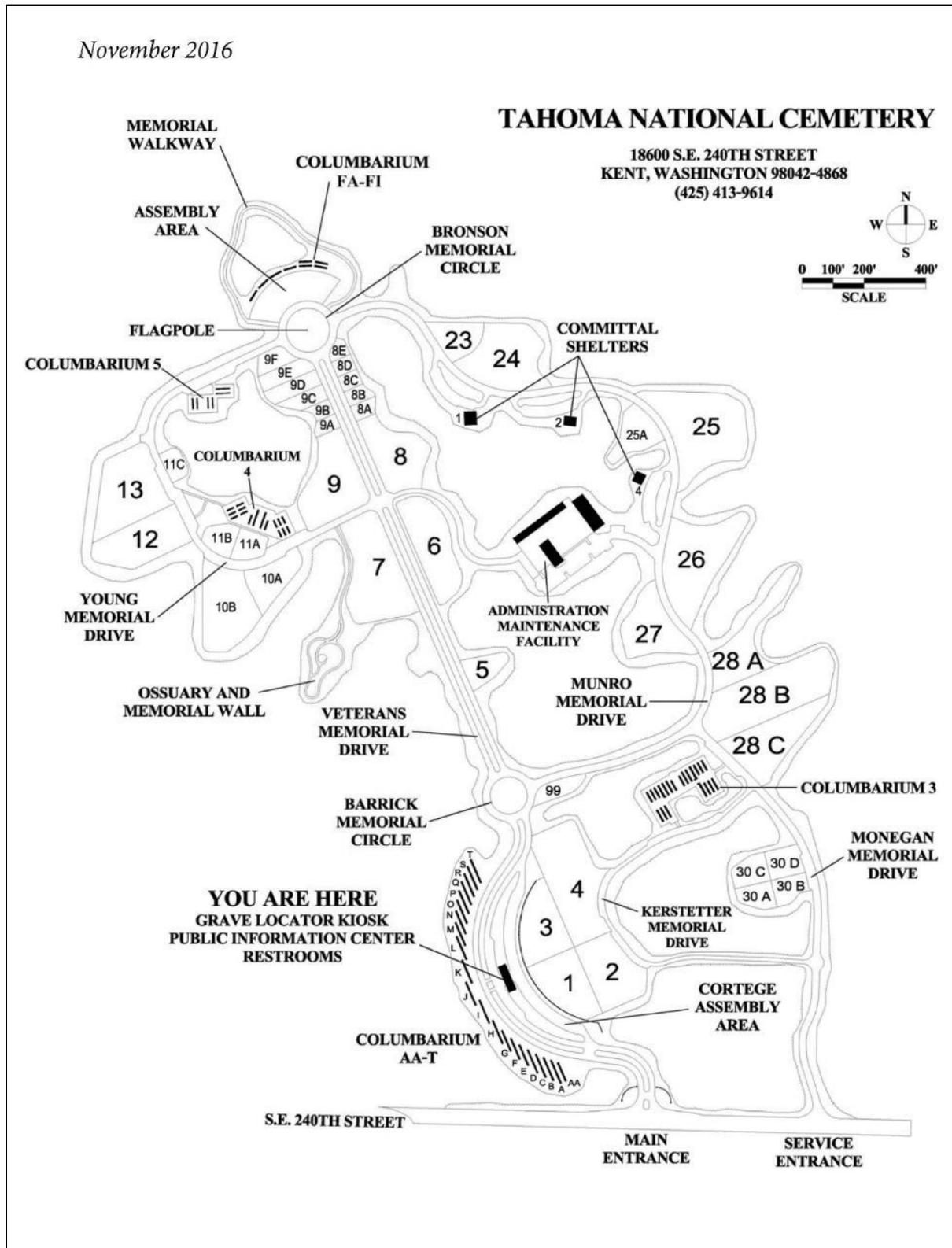


Figure 1 - Extant development of the Tahoma National Cemetery

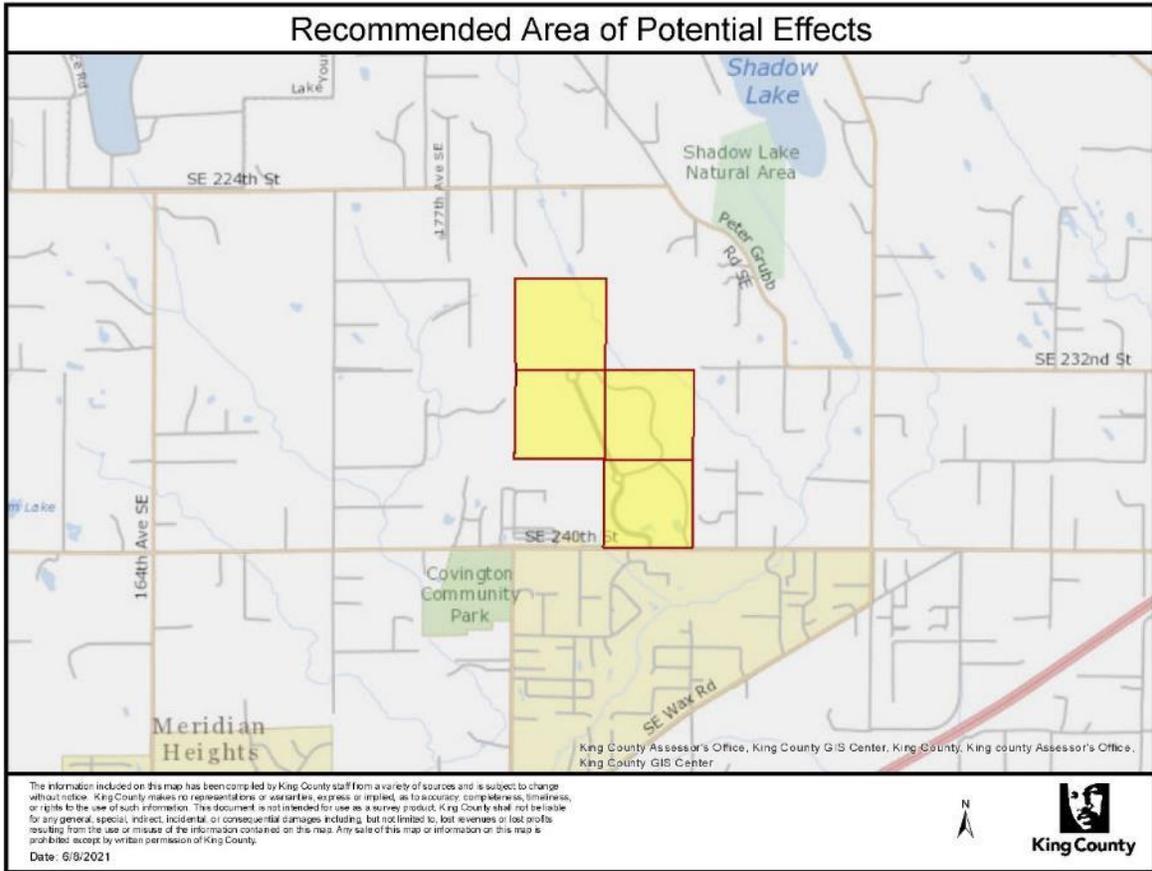


Figure 2 - Recommended Area of Potential Effect. The yellow squares indicate the acreage included in the Tahoma National Cemetery, both developed (as seen in Attachment A) and undeveloped.

ATTACHMENT B – PROPOSED DEVELOPMENT



Figure 3 – Phase 3 Expansion Area and Proposed Honor Guard Building Location.

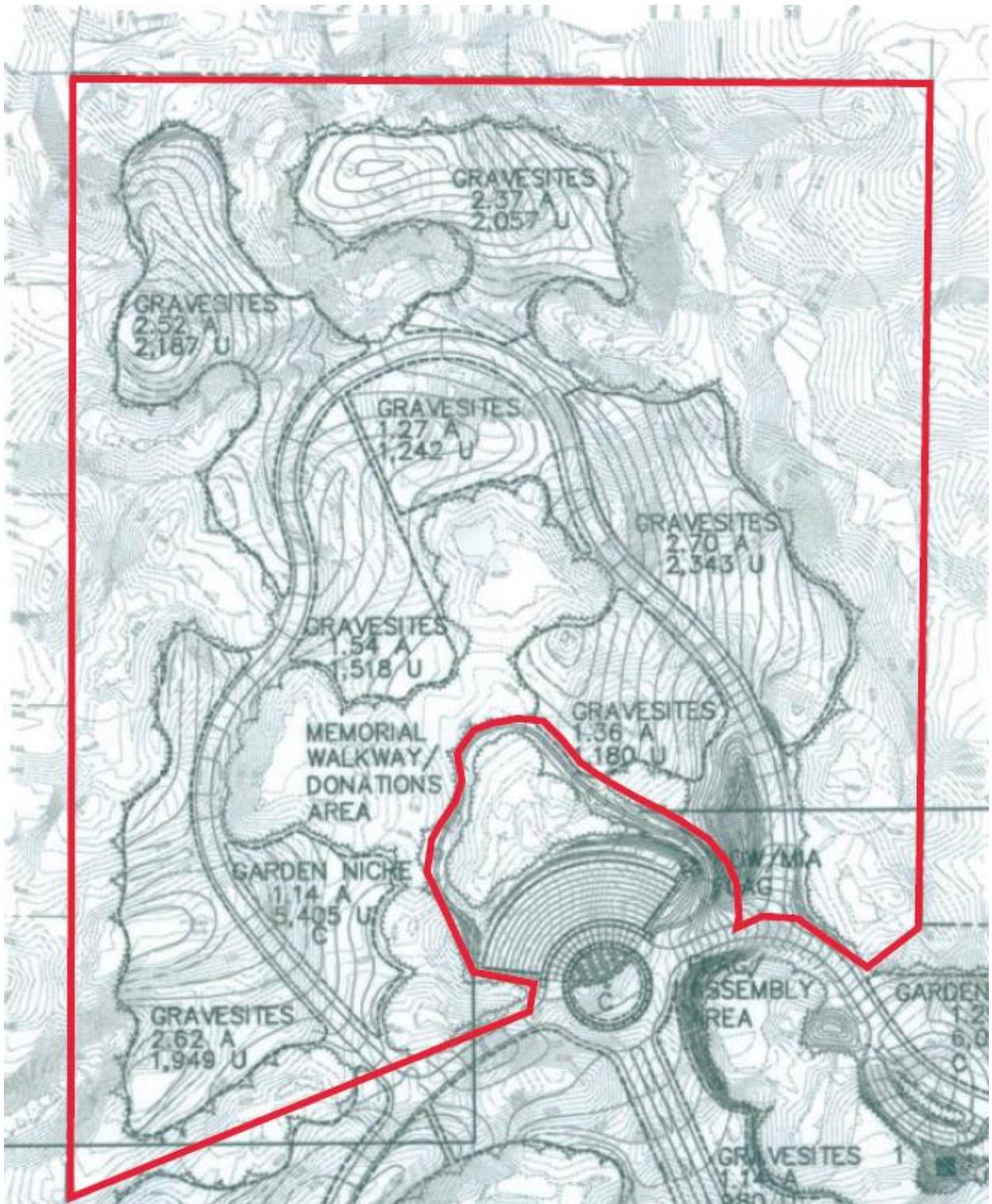


Figure 4 – 1995 Master Plan for Phase 3 Cemetery Development.

ATTACHMENT C – ARCHAEOLOGICAL FINDINGS REPORT



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

December 14, 2021

Mr. W. Edward Hooker, III
Historic Architect & Cultural Resources Manager
Department of Veterans Affairs
National Cemetery Administration

In future correspondence please refer to:
Project Tracking Code: 2021-12-08264
Property: Cultural Resource Assessment for Tahoma National Cemetery Expansion (Phase 3), King
County Washington
Re: NO Adverse Effect

Dear Mr. Hooker:

Thank you for contacting the State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) regarding the above referenced proposal. This action has been reviewed on behalf of the SHPO under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800. Our review is based upon documentation contained in your communication.

First, we agree with the Area of Potential Effect (APE) as mapped in the survey report. We also concur that the current project as proposed will have "NO ADVERSE EFFECT" on historic properties within the APE that are listed in, or determined eligible for listing in, the National Register of Historic Places. As a result of our concurrence, further contact with DAHP on this proposal is not necessary. However, if new information about affected resources becomes available and/or the project scope of work changes significantly, please resume consultation as our assessment may be revised. Also, if any archaeological resources are uncovered during construction, please halt work immediately in the area of discovery and contact the appropriate Native American Tribes and DAHP for further consultation.

Thank you for the opportunity to review and comment. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. If you have any questions, please feel free to contact me.

Sincerely,

Holly Borth
Preservation Design Reviewer
(360) 890-0174
Holly.Borth@dahp.wa.gov



Carrie Hess

From: Jaime Martin <jaime.martin@snoqualmietribe.us>
Sent: Tuesday, November 23, 2021 9:53 AM
To: Carrie Hess
Cc: william.hooker@va.gov; DAHP
Subject: Re: Initiation of Section 106 Consultation for the Phase 3 Development of the Tahoma National Cemetery

You don't often get email from jaime.martin@snoqualmietribe.us. [Learn why this is important](#)

Thank you Carrie. I have cc'd our DAHP team who will follow up with you.

Thank you,

Jaime Martin
Snoqualmie Tribe
Governmental Affairs & Special Projects
P: [425.888.6551](tel:425.888.6551) ext. 1103

On Nov 23, 2021, at 6:25 AM, Carrie Hess <chess@tlassoc.com> wrote:

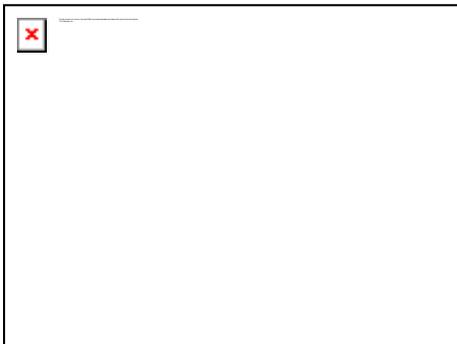
Please find the attached Initiation of Section 106 Consultation on behalf of the US Department of Veterans Affairs for the Phase 3 Development of the Tahoma National Cemetery located in Kent County, Washington.

Please contact Ed Hooker, Historic Architect & Cultural Resources Manager with the Department of Veterans Affairs - National Cemetery Administration (William.hooker@va.gov) with any questions or comments.

Thank you!

Carrie Hess
Geologist
TTL Associates, Inc.

1915 North 12th Street | Toledo, OH 43604-5305 | tlassoc.com
Direct: (419) 214-5048 | Fax: (419) 214-5049



<Tahoma Nat Cem Phase 3 Cultural Resource Investigation Report (Final).pdf>

<Snoqualmie Indian Tribe Consultation Tahoma NC Phase 3.pdf>

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APPENDIX D – SITE PHOTOGRAPHS

SITE PHOTOGRAPHS



Photo #1: Entrance to Tahoma National Cemetery.



Photo #2: Looking southeast at the Quonset huts located within the Site maintenance yard/supply area.



Photo #3: Interior of the southern Site Quonset hut.



Photo #4: Material storage within the Site maintenance yard/supply area.



Photo #5: Typical vegetation within the wooded portion of the Site.



Photo #6: Typical vegetation within the wooded portion of the Site.

SITE PHOTOGRAPHS



Photo #7: Typical vegetation within the wooded portion of the Site.



Photo #8: Typical vegetation within the wooded portion of the Site.



Photo #9: Typical small wetland located on the Site.



Photo #10: Typical small wetland located at the Site



Photo #11: Typical small wetland located on the Site.



Photo #12: Unnamed tributary to Jenkins Creek located in the northeastern portion of the Site.

SITE PHOTOGRAPHS



Photo #13: Typical cemetery road and burial area.



Photo #14: Typical cemetery burial area.



Photo #15: View to southeast from cemetery assembly area.



Photo #16: Tahoma National Cemetery memorial walkway.



Photo #17: Westerly adjacent electrical transmission line utility right-of-way corridor.

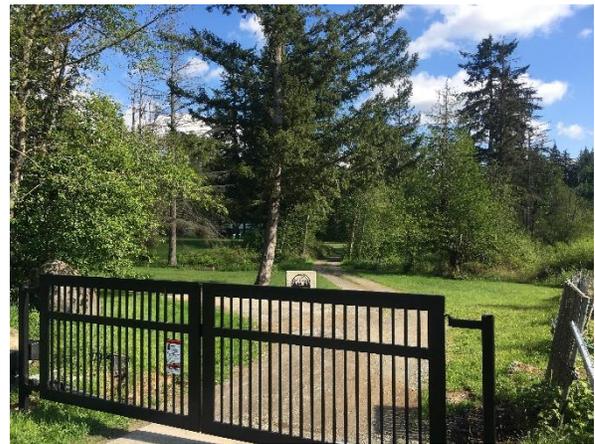
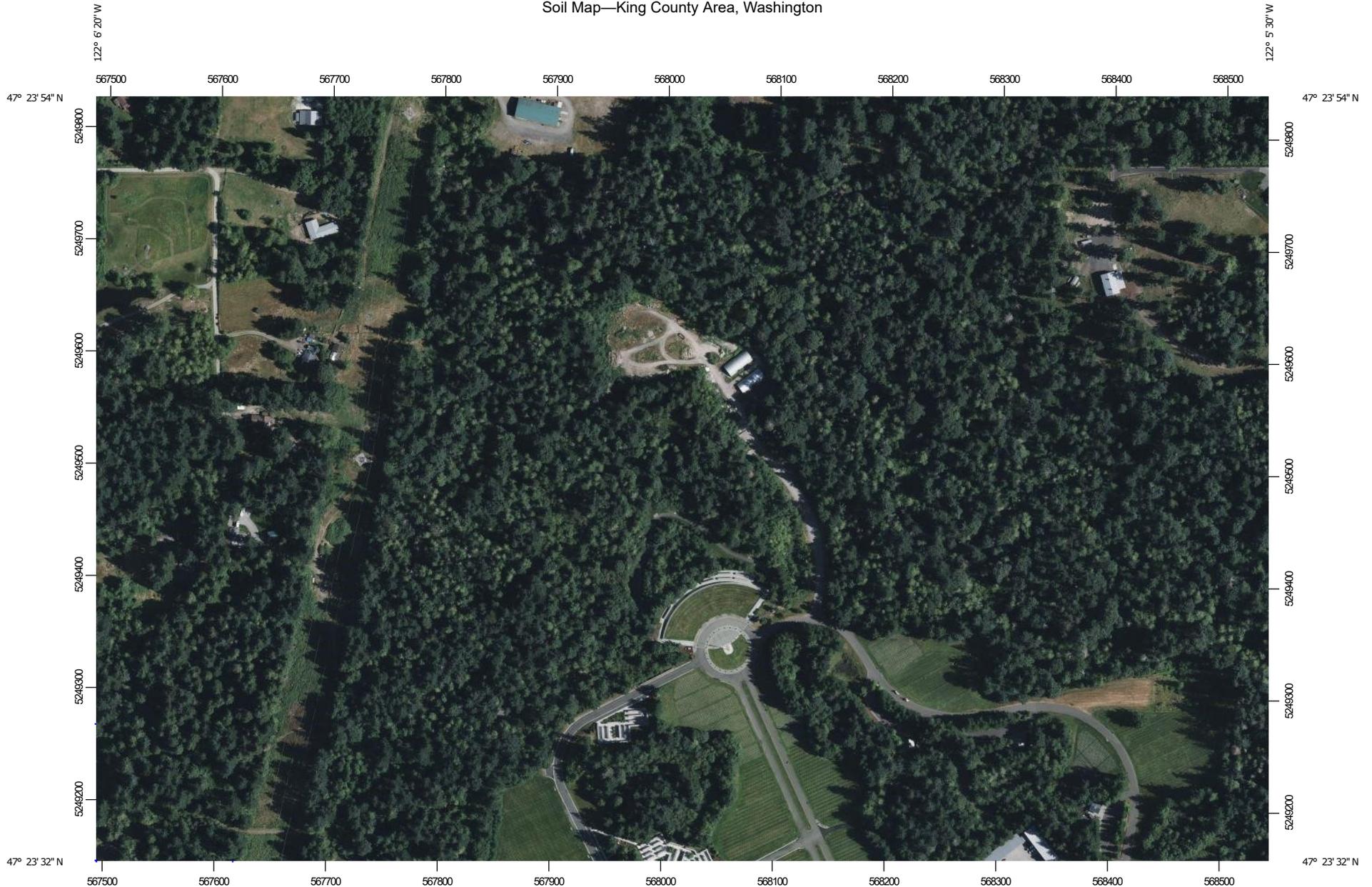


Photo #15: Gate and road to northerly adjacent residential/commercial property.

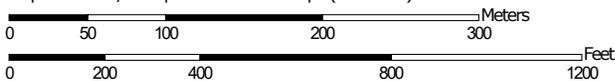
APPENDIX E – OTHER RELEVANT ENVIRONMENTAL DATA

- **Soil Map**
- **IPaC Report**
- **Wetlands Map**
- **Floodplain Map**
- **EJSCREEN Report**

Soil Map—King County Area, Washington



Map Scale: 1:4,800 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: King County Area, Washington

Survey Area Data: Version 16, Jun 4, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 25, 2020—Jul 27, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| AgC | Alderwood gravelly sandy loam, 8 to 15 percent slopes | 94.1 | 100.0% |
| Totals for Area of Interest | | 94.1 | 100.0% |



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
Phone: (360) 753-9440 Fax: (360) 753-9405
<http://www.fws.gov/wafwo/>

In Reply Refer To:

July 06, 2021

Consultation Code: 01EWF00-2021-SLI-1375

Event Code: 01EWF00-2021-E-02749

Project Name: Proposed Tahoma National Cemetery Phase 3 Expansion

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated and proposed critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. The species list is currently compiled at the county level. Additional information is available from the Washington Department of Fish and Wildlife, Priority Habitats and Species website: <http://wdfw.wa.gov/mapping/phs/> or at our office website: http://www.fws.gov/wafwo/species_new.html. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether or not the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). You may visit our website at <http://www.fws.gov/pacific/eagle/for> information on disturbance or take of the species and information on how to get a permit and what current guidelines and regulations are. Some projects affecting these species may require development of an eagle conservation plan: (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Also be aware that all marine mammals are protected under the Marine Mammal Protection Act (MMPA). The MMPA prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters and by U.S. citizens on the high seas. The importation of marine mammals and marine mammal products into the U.S. is also prohibited. More information can be found on the MMPA website: <http://www.nmfs.noaa.gov/pr/laws/mmpa/>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Related website:

National Marine Fisheries Service: http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Washington Fish And Wildlife Office

510 Desmond Drive Se, Suite 102

Lacey, WA 98503-1263

(360) 753-9440

Project Summary

Consultation Code: 01EWF00-2021-SLI-1375

Event Code: 01EWF00-2021-E-02749

Project Name: Proposed Tahoma National Cemetery Phase 3 Expansion

Project Type: DEVELOPMENT

Project Description: Phase 3 expansion area in the Tahoma National Cemetery.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.3953425,-122.09881716357735,14z>



Counties: King County, Washington

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

| NAME | STATUS |
|--|------------------------|
| Gray Wolf <i>Canis lupus</i> Population: Western Distinct Population Segment No critical habitat has been designated for this species. | Proposed Endangered |

Birds

| NAME | STATUS |
|--|------------|
| Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/4467 | Threatened |
| Streaked Horned Lark <i>Eremophila alpestris strigata</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7268 | Threatened |
| Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/3911 | Threatened |

Fishes

| NAME | STATUS |
|---|------------|
| Bull Trout <i>Salvelinus confluentus</i> | Threatened |
| Population: U.S.A., conterminous, lower 48 states | |
| There is final critical habitat for this species. The location of the critical habitat is not available. | |
| Species profile: https://ecos.fws.gov/ecp/species/8212 | |

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



February 9, 2021

Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

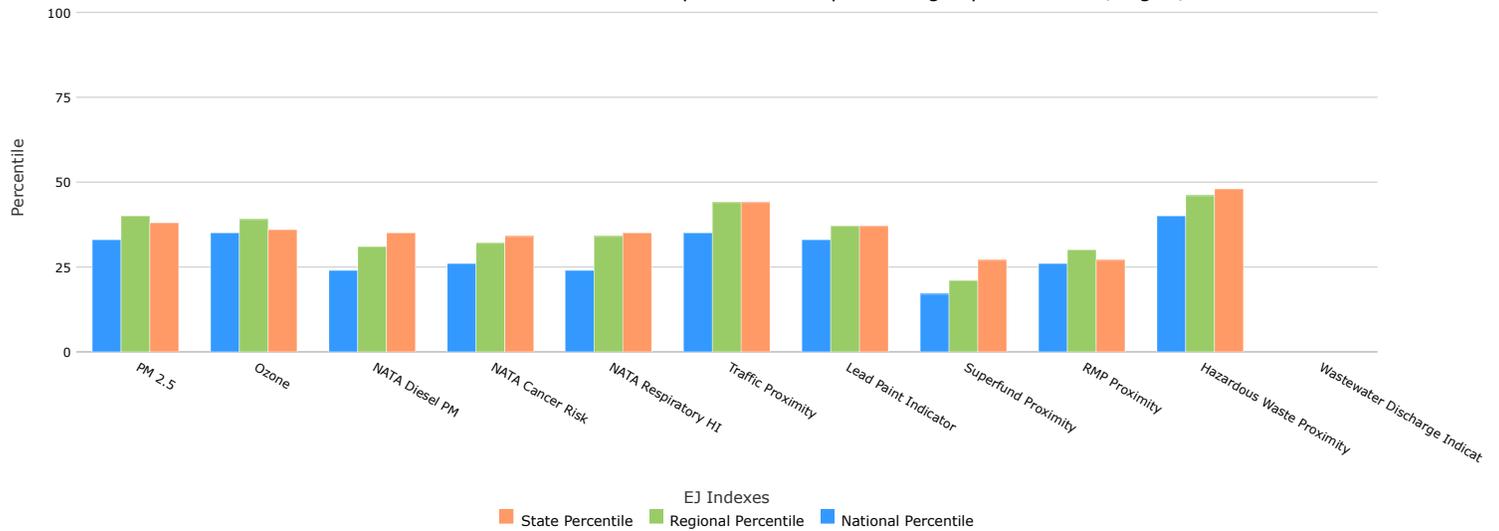
Save as PDF



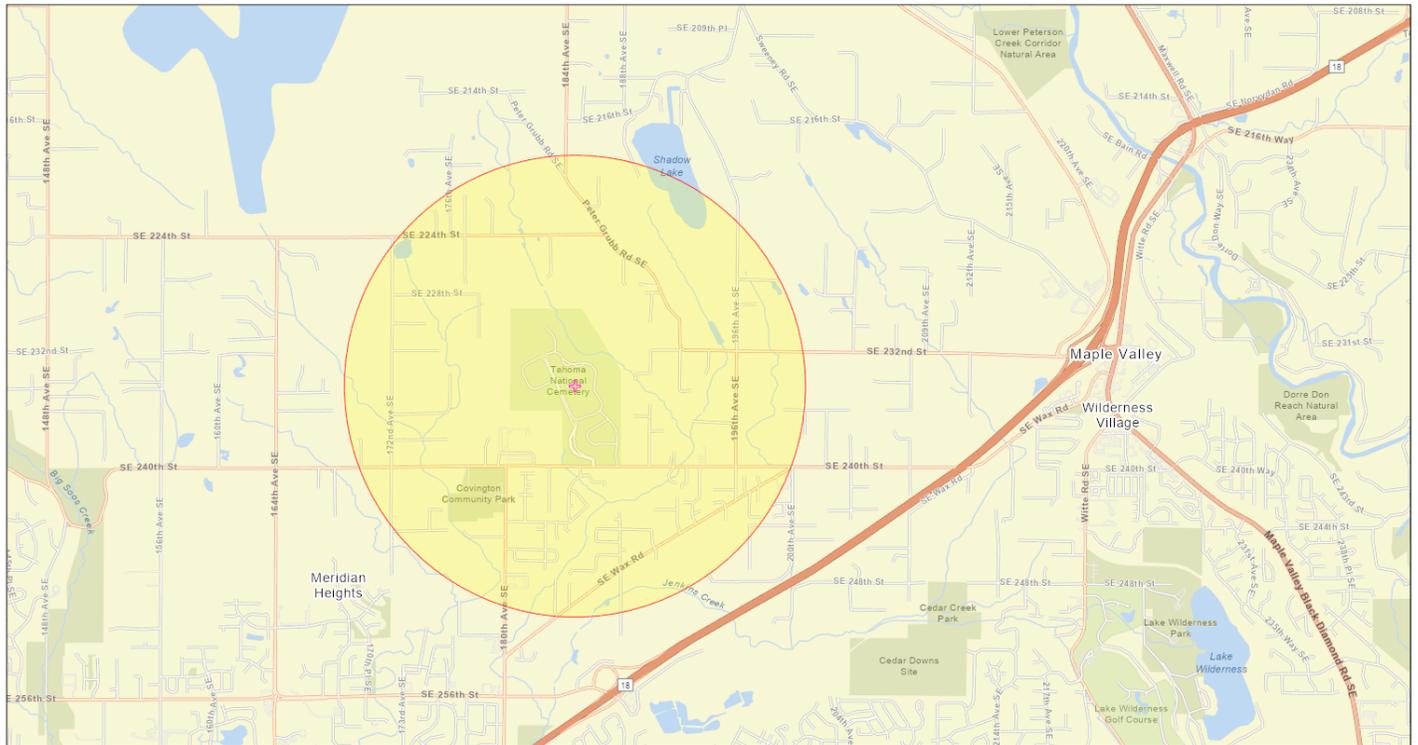
EJSCREEN Report (Version 2020)
1 mile Ring Centered at 47.392057,-122.095281
WASHINGTON, EPA Region 10
Approximate Population: 2,534
Input Area (sq. miles): 3.14
 Tahoma NC

| Selected Variables | Percentile in State | Percentile in EPA Region | Percentile in USA |
|---|---------------------|--------------------------|-------------------|
| EJ Indexes | | | |
| EJ Index for Particulate Matter (PM 2.5) | 38 | 40 | 33 |
| EJ Index for Ozone | 36 | 39 | 35 |
| EJ Index for NATA* Diesel PM | 35 | 31 | 24 |
| EJ Index for NATA* Air Toxics Cancer Risk | 34 | 32 | 26 |
| EJ Index for NATA* Respiratory Hazard Index | 35 | 34 | 24 |
| EJ Index for Traffic Proximity and Volume | 44 | 44 | 35 |
| EJ Index for Lead Paint Indicator | 37 | 37 | 33 |
| EJ Index for Superfund Proximity | 27 | 21 | 17 |
| EJ Index for RMP Proximity | 27 | 30 | 26 |
| EJ Index for Hazardous Waste Proximity | 48 | 46 | 40 |
| EJ Index for Wastewater Discharge Indicator | N/A | N/A | N/A |

EJ Index for the Selected Area Compared to All People's Blockgroups in the State/Region/US



This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.



July 25, 2021

Tahoma NC

1:36,112



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

| Sites reporting to EPA | |
|--|---|
| Superfund NPL | 0 |
| Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF) | 0 |

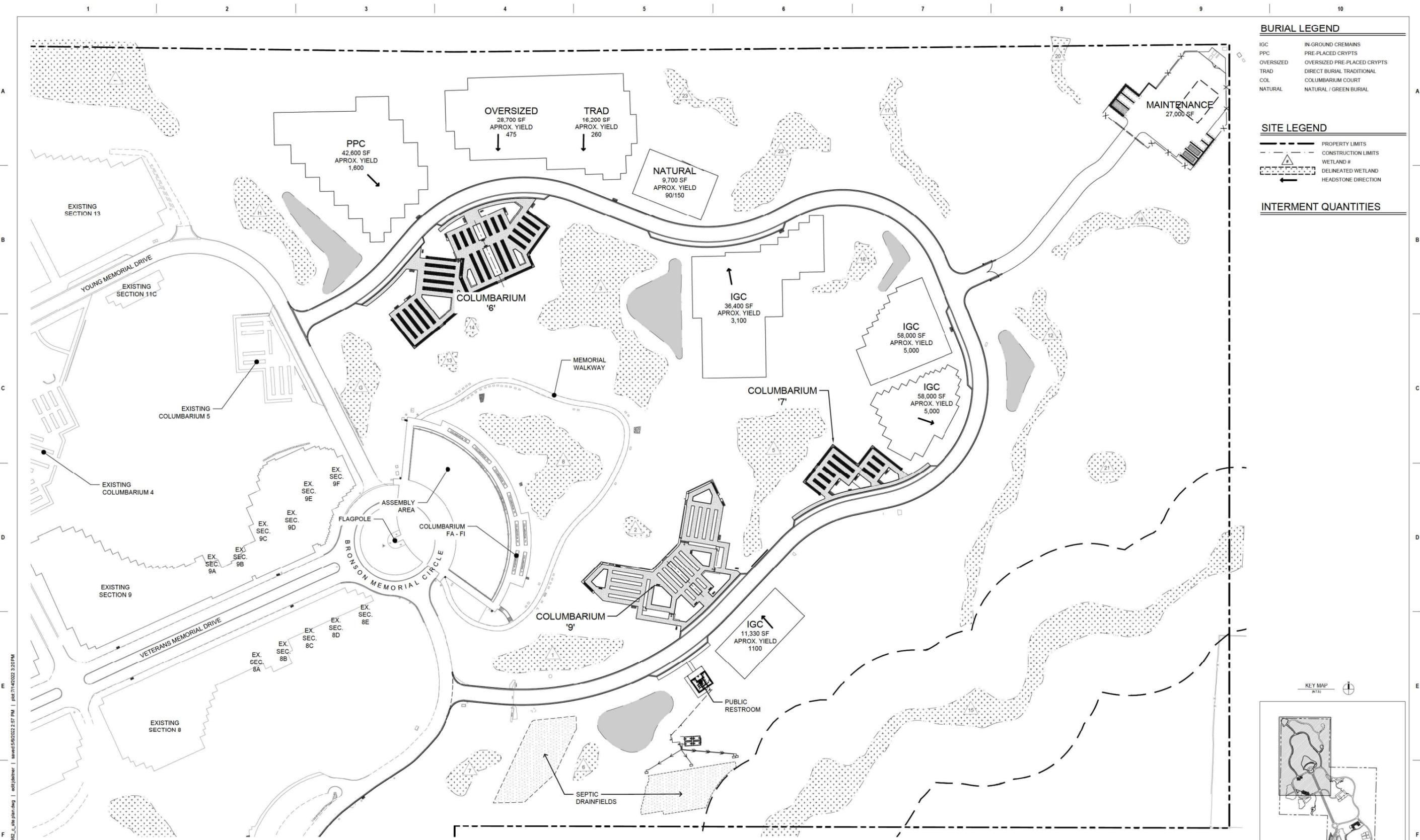
| Selected Variables | Value | State | | EPA Region | | USA | |
|---|-------|--------|-------|------------|---------|-------|---------|
| | | Avg. | %tile | Avg. | %tile | Avg. | %tile |
| Environmental Indicators | | | | | | | |
| Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$) | 7.96 | 8.21 | 57 | 8.52 | 41 | 8.55 | 30 |
| Ozone (ppb) | 38.9 | 37.3 | 71 | 39.1 | 60 | 42.9 | 23 |
| NATA* Diesel PM ($\mu\text{g}/\text{m}^3$) | 0.475 | 0.585 | 47 | 0.481 | 50-60th | 0.478 | 60-70th |
| NATA* Air Toxics Cancer Risk (risk per MM) | 37 | 34 | 59 | 31 | 70-80th | 32 | 70-80th |
| NATA* Respiratory Hazard Index | 0.53 | 0.5 | 56 | 0.46 | 60-70th | 0.44 | 70-80th |
| Traffic Proximity and Volume (daily traffic count/distance to road) | 85 | 610 | 32 | 510 | 35 | 750 | 32 |
| Lead Paint Indicator (% pre-1960s housing) | 0.12 | 0.23 | 47 | 0.22 | 47 | 0.28 | 41 |
| Superfund Proximity (site count/km distance) | 0.13 | 0.19 | 59 | 0.13 | 72 | 0.13 | 74 |
| RMP Proximity (facility count/km distance) | 0.34 | 0.63 | 57 | 0.65 | 57 | 0.74 | 51 |
| Hazardous Waste Proximity (facility count/km distance) | 0.21 | 1.9 | 32 | 1.5 | 35 | 5 | 26 |
| Wastewater Discharge Indicator (toxicity-weighted concentration/m distance) | N/A | 0.0091 | N/A | 3.1 | N/A | 9.4 | N/A |
| Demographic Indicators | | | | | | | |
| Demographic Index | 22% | 29% | 40 | 29% | 39 | 36% | 35 |
| People of Color Population | 23% | 31% | 43 | 28% | 50 | 39% | 41 |
| Low Income Population | 21% | 27% | 45 | 30% | 37 | 33% | 36 |
| Linguistically Isolated Population | 1% | 4% | 46 | 3% | 52 | 4% | 49 |
| Population with Less Than High School Education | 6% | 9% | 49 | 9% | 46 | 13% | 37 |
| Population under Age 5 | 8% | 6% | 73 | 6% | 73 | 6% | 73 |
| Population over Age 64 | 13% | 15% | 47 | 15% | 45 | 15% | 44 |

*The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice (<http://www.epa.gov/environmentaljustice>)

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

APPENDIX F – SCHEMATIC DESIGN DRAWINGS



BURIAL LEGEND

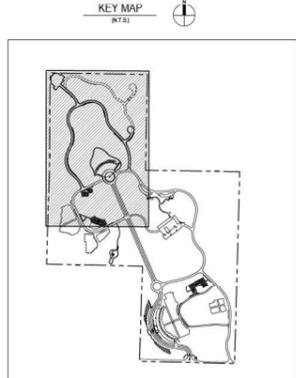
| | |
|-----------|-----------------------------|
| IGC | IN-GROUND CREMAINS |
| PPC | PRE-PLACED CRYPTS |
| OVERSIZED | OVERSIZED PRE-PLACED CRYPTS |
| TRAD | DIRECT BURIAL TRADITIONAL |
| COL | COLUMBARIUM COURT |
| NATURAL | NATURAL / GREEN BURIAL |

SITE LEGEND

| | |
|-----------|---------------------|
| --- | PROPERTY LIMITS |
| - - - | CONSTRUCTION LIMITS |
| WETLAND # | WETLAND # |
| WETLAND # | DELINEATED WETLAND |
| → | HEADSTONE DIRECTION |

INTERMENT QUANTITIES

1 PHASE 3 EXPANSION
SCALE: 1" = 60' (30" x 42" PAPER SIZE)



Draft Print
07/14/2022 3:13:57 PM

Revisions:

| No. | Date | Description |
|-----|------|-------------|
| | | |

CONSULTANTS

| ARCHITECTURAL/MEP | IRRIGATION | STRUCTURAL | GEOTECHNICAL | SECURITY | WASTEWATER | COST ESTIMATE | COMMISSIONING |
|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| TOLAND MUELL MOHRMAN, INC. | EC DESIGN GROUP, LTD | KPFF | TERRACON | MEG, INC. | ADC WASTEWATER, INC. | LELAND SAYLOR | CHARLOTTE ENGINEERS, LLP |
| 800 575 STREET ALUMINUM, WA 98001 |

ARCHITECT/ENGINEER OF RECORD

ANDERSON

13605 1st Ave. N. #100 Plymouth, MN 55441
P 763.412.4000 | F 763.412.4090 | a-e-m-n.com
Anderson Engineering of Minnesota, LLC | Proj # 16362

Office of Construction and Facilities Management

U.S. Department of Veterans Affairs

Drawing Title: **PHASE 3 EXPANSION**

Approved: Project Director

Phase: **DESIGN DEVELOPMENT 2**

Project Title: **TAHOMA NATIONAL CEMETERY PHASE 3 DEVELOPMENT**

Location: 18600 SE 240TH ST, KENT, WA 98042

Issue Date: MONTH DD, 2022

Checked: -

Drawn: -

Project Number: **919PC2010**

Building Number: -

Drawing Number: **CS102**

35 OF -

APPENDIX G – PUBLIC NOTICES AND COMMENTS



**U.S. DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT**

**NOTICE OF SCOPING AND PUBLIC INVOLVEMENT
UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT
FOR THE PROPOSED
PHASE 3 EXPANSION OF TAHOMA NATIONAL CEMETERY
18600 SE 240TH STREET
KING COUNTY, WA**

The U.S. Department of Veterans Affairs (VA) is gathering information to assist with the preparation of an Environmental Assessment (EA) as part of the federal decision-making process for the proposed Phase 3 expansion of Tahoma National Cemetery, located at 18600 SE 240th Street in King County, Washington. The Phase 3 cemetery expansion project includes the development a 43-acre area in the northwestern portion of the property of the 158-acre cemetery property. It is anticipated the cemetery expansion would include a new loop road from the main cemetery road with new interment areas along the road, generally consistent with existing development of the remainder of the cemetery. A new public restroom and a small Honor Guard building would also be included.

In accordance with the National Environmental Policy Act (NEPA), VA is seeking the public's input on issues to be addressed during the NEPA process, including environmental concerns that may occur as a result of the proposed federal action.

A public scoping period is open through **August 2, 2021**. During this time, the public is invited to submit comments on the proposed action and identify potential issues or concerns for consideration in the NEPA process. Submissions should be sent/made via email to vacoenvironment@va.gov with the subject line "Tahoma National Cemetery NEPA Scoping".

If including your address, phone number, e-mail address, or other personally identifiable information in your comment, please be aware that your entire comment – including your personal identifiable information – may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

The Seattle Times

AFFIDAVIT OF PUBLICATION

Carrie Hess
TTL Associates Inc
44265 Plymouth Oaks Blvd
Plymouth MI 48170

STATE OF WASHINGTON, COUNTIES OF KING AND SNOHOMISH

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by orders of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

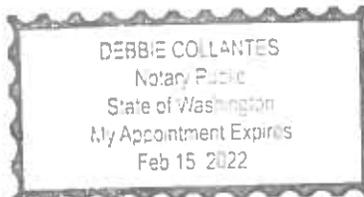
07/04/2021, 07/06/2021

Agent MAUREEN DUGGAN Signature Maureen Duggan

Subscribed and sworn to before me on 7/6/2021
Debbie Collantes
Debbie Collantes

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

Publication Cost: \$2235.16
Order No: 12017
Customer No: 17172
PO #:



**U.S. DEPARTMENT OF
VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND
FACILITIES MANAGEMENT**

**NOTICE OF SCOPING AND PUBLIC
INVOLVEMENT
UNDER THE NATIONAL
ENVIRONMENTAL POLICY ACT
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Publication Cost: \$2235.16
Order No: 12017
Customer No: 17172
PO #:

NOTICE OF AVAILABILITY

DRAFT ENVIRONMENTAL ASSESSMENT

U.S. DEPARTMENT OF VETERANS AFFAIRS

**Proposed Phase 3 Expansion of
Tahoma National Cemetery
18600 SE 240th Street
King County, Washington**

The US Department of Veterans Affairs (VA) announces the availability of a Draft Environmental Assessment (EA) for public review and comment. The Draft EA evaluates the potential environmental effects of the proposed Phase 3 expansion of Tahoma National Cemetery, located at 18600 SE 240th Street in King County, Washington. VA National Cemetery Administration (NCA) operates the cemetery. The proposed Phase 3 expansion is entirely within the existing grounds of the cemetery.

VA prepared the Draft EA in accordance with the National Environmental Policy Act and regulations implementing the Act. Comments will be addressed in the Final EA. The public comment period ends on April 26, 2022.

The Draft EA is available for review online at:

<https://www.cfm.va.gov/environmental/index.asp>

Please email comments by April 26, 2022 to vacoenvironment@va.gov with the subject line "Tahoma National Cemetery Expansion Draft EA". If you have any questions or are unable to submit your comments by email, please contact Fernando Fernandez at (202) 632-5529.

The Seattle Times

AFFIDAVIT OF PUBLICATION

Rob Clark
TTL Associates Inc
44265 Plymouth Oaks Blvd
Plymouth MI 48170

NOTICE OF AVAILABILITY

DRAFT ENVIRONMENTAL ASSESSMENT

U.S. DEPARTMENT OF VETERANS AFFAIRS

Proposed Phase 3 Expansion of
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STATE OF WASHINGTON, COUNTIES OF KING AND SNOHOMISH

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The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

03/24/2022, 03/27/2022

Agent Hank Bui Signature Hank Bui

Subscribed and sworn to before me on MARCH 31, 2022

Maureen Duggan MAUREEN DUGGAN
(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle



Publication Cost: \$1577.76
Order No: 25161
Customer No: 17172
PO #:

From: VACO Environment <VACOEnvironment@va.gov>
Sent: Wednesday, April 6, 2022 1:23 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: FW: Proposed Phase 3 Expansion of Tahoma National Cemetery comments

FYI.

Patrick Read
Department of Veterans Affairs
Environmental Officer/Engineer, CFM Eastern Region
425 I Street 6th Floor RM-6W.502B
NW Washington, DC 20001
Work: 202-632-4169
Cell: 202-891-9713

“The environment is where we all meet; where we all have a mutual interest; it is the one thing all of us share. It is not only a mirror of ourselves, but a focusing lens on what we can become.” – Lady Bird Johnson

From: Reinbold, Stewart G (DFW) <Stewart.Reinbold@dfw.wa.gov>
Sent: Tuesday, April 5, 2022 4:00 PM
To: VACO Environment <VACOEnvironment@va.gov>
Cc: Neculae, Cleo (ECY) <CNEC461@ECY.WA.GOV>
Subject: [EXTERNAL] Proposed Phase 3 Expansion of Tahoma National Cemetery comments

Mr. Fernandez,

Concerning the draft NEP Environmental Assessment Proposed Phase 3 Expansion of Tahoma National Cemetery, the stream classification for Tributary to Jenkins Creek is not correct. Attached is Washington State’s WDFW Fish Passage and Diversion Screening Inventory Report for this stream location. To highlight under Washington State code, local code as well, this stream is fish habitat with potential Coho and Steelhead habitat. Understand this watercourse does go dry for part of the year however there are wetlands and ponds both up and downstream.

Thank you for your time in this matter.

Stewart Reinbold

Stewart G Reinbold

Washington Department of Fish and Wildlife

Region 4 - Assistant Regional Habitat Program Manager

Mobile: 425-301-9081 | Email: Stewart.Reinbold@dfw.wa.gov

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Washington Department of Fish and Wildlife

Fish Passage & Diversion Screening Inventory Database Report Cover Sheet

The following report is extracted from the Washington Department of Fish and Wildlife's (WDFW) Fish Passage and Diversion Screening Inventory Database (FPDSI). WDFW makes every attempt to keep these reports in sync with FPDSI; however, the dynamic nature of the data and workflows associated with maintaining the database may result in short-term differences.

Users are encouraged to contact WDFW to discuss appropriate use of the data and how we can assist with fish passage barrier removal or inventory. Please visit the Fish Passage web site for contact information at: <https://wdfw.wa.gov/species-habitats/habitat-recovery/fish-passage/about>

Disclaimers:

- Data presented here represent a snapshot observation of conditions in a dynamic environment that is subject to change. Fish passage data are also collected from a variety of agencies and sources. Therefore, WDFW makes no guarantee concerning the data's content, accuracy, completeness, or the results obtained from use of the data. WDFW assumes no liability for the data represented here.
- These data are not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife.
- Note that some fish passage features, habitats or species may occur in areas not currently known to the WDFW Fish Passage division, and may not be reflected in this database. A lack of data does not necessarily indicate that a feature, habitat, or species are not present.
- Unauthorized attempts to alter or modify these data are strictly prohibited.
- Bankfull width measurements included in these reports should not be used for fish passage crossing design. They are solely for assessment purposes.
- The barrier status reported in this document is based on the swimming abilities of adult salmonids. Passabilities are a qualitative value, and should not be interpreted as a quantitative calculation. Please see page 1-4 of the Fish Passage Inventory, Assessment and Prioritization Manual for further clarification: <https://wdfw.wa.gov/publications/02061>
- EXIF data presented with Image Reports may be erroneous due to camera battery failures and resetting of camera clock functions.

Abbreviations:

Most abbreviations in this report are defined in the Quick Reference Tables of the Fish Passage Inventory, Assessment, and Prioritization Manual. Additional commonly used abbreviations are defined as follows:

NFB = no potential salmonid use, **BB** = both banks, **LB** = left bank looking downstream, **RB** = right bank looking downstream, **US** or **U/S** = upstream, **DS** or **D/S** = downstream, **WSDrop** = water surface drop, **BFW** = bankfull width, **OHW** = ordinary high water, **SLW** = scour line width, **CMP** = corrugated metal pipe, **Q_{fp}** = fish passage flow, **V&D** = Velocity and Depth, **ROW** = Right of Way

The FPDSI database often uses default values such as '-99.99' or '-999' to represent null values.

WDFW Fish Passage and Diversion Screening Inventory Database

Site Description Report

Site ID

Project

Mitigated

Geographic Coordinates

| | |
|----------------------|---|
| Latitude (WGS 84): | <input type="text" value="47.401476422"/> |
| Longitude (WGS 84): | <input type="text" value="-122.100124914"/> |
| East (NAD 83 HARN): | <input type="text" value="1,244,164.3"/> |
| North (NAD 83 HARN): | <input type="text" value="758,238.1"/> |

Waterbody

| | |
|---------------------|---|
| Stream: | <input type="text" value="unnamed"/> |
| Tributary To: | <input type="text" value="Jenkins Cr"/> |
| WRIA: | <input type="text" value="09"/> |
| River Mile: | <input type="text" value="-999.99"/> |
| Fish Use Potential: | <input type="text" value="Yes"/> |
| FUP Criteria: | <input type="text" value="Mapped"/> |

General Location

| | |
|--------------|--|
| Road Name: | <input type="text" value="SE 224th St"/> |
| Mile Post: | <input type="text" value="-999.99"/> |
| County: | <input type="text" value="King"/> |
| WDFW Region: | <input type="text" value="4"/> |

Owner

| | |
|-------|--|
| Type: | <input type="text" value="County"/> |
| Name: | <input type="text" value="King County"/> |

PI Species

| | | |
|----------------------------------|---|---|
| <input type="checkbox"/> Sockeye | <input type="checkbox"/> Chinook | <input checked="" type="checkbox"/> Sea Run Cutthroat |
| <input type="checkbox"/> Pink | <input checked="" type="checkbox"/> Coho | <input checked="" type="checkbox"/> Resident Trout |
| <input type="checkbox"/> Chum | <input checked="" type="checkbox"/> Steelhead | <input type="checkbox"/> Bull Trout |

Associated Features

| | | | |
|---|--------------------------------|--|------------------------------------|
| <input checked="" type="checkbox"/> Culvert | <input type="checkbox"/> Dam | <input type="checkbox"/> Natural Barrier | <input type="checkbox"/> Diversion |
| <input type="checkbox"/> Non-Culvert Xing | <input type="checkbox"/> Other | <input type="checkbox"/> Fishway | |

Location/Directions

| |
|------------------|
| |
|------------------|

Site Comments

| |
|------------------|
| |
|------------------|

11/20/2021

These data represent a snapshot of the Washington Department of Fish and Wildlife's current records. Due to the ongoing nature of assessment and inventory of these features, these data may not accurately represent conditions on the ground, and are subject to change.

WDFW Fish Passage and Diversion Screening Inventory Database

Level A Culvert Assessment Report

| | | | |
|----------------------------------|---------------------------------|--------------------------------|--|
| Site ID: 983111 | Stream: unnamed | WRIA: 09 | |
| Latitude: 47.401476422 | Tributary To: Jenkins Cr | Fish Use Potential: Yes | |
| Longitude: -122.100124914 | | | |

| | |
|--------------------|--|
| Data Source | Washington Department of Fish and Wildlife |
| Field Crew: | Erkel;Romero |
| Review Date: | 6/11/2009 |

| Culvert Details | | | | | | Level A Parameters | | | | | | | |
|-----------------|--------------|-----------------|-------------|-------------|---------------|--------------------|--------------|---------------|-----------------|--------------------|------------------|------------------|-----------------|
| <u>ID</u> | <u>Shape</u> | <u>Material</u> | <u>Span</u> | <u>Rise</u> | <u>Length</u> | <u>WDIC</u> | <u>Apron</u> | <u>WSDrop</u> | <u>Location</u> | <u>Countersunk</u> | <u>Backwater</u> | <u>Slope (%)</u> | <u>Sediment</u> |
| 1.1 | RND | CST | 0.91 | 0.91 | 17.60 | 0.00 | NO | 0.00 | | No | Unk | -0.17 | |

All dimensions in meters

| | |
|-----------------------------|--------------------------------------|
| Channel Description | |
| Toe Width (m): | <input type="text"/> |
| Average Width (m): | <input type="text" value="3.20"/> |
| Culvert/Stream Width Ratio: | <input type="text" value="0.28"/> |
| Plunge Pool | |
| Length (m): | <input type="text" value="-999.99"/> |
| Max Depth (m): | <input type="text" value="-99.99"/> |
| OHW Width (m): | <input type="text" value="-999.99"/> |
| Road | |
| Fill Depth (m): | <input type="text" value="3.00"/> |



| | | | |
|---------------------------|---|-------------------|--------------------------------------|
| Assessment Results | | | |
| Tidal Influence: | <input type="text" value="No"/> | Tidegate Present: | <input type="text" value="No"/> |
| Barrier: | <input type="text" value="Unknown"/> | Passability (%): | <input type="text" value="Unknown"/> |
| Reason: | <input type="text" value="Level B Required"/> | Fishway Present: | <input type="text" value="No"/> |
| | | Method: | <input type="text" value="Level A"/> |
| | | Recheck: | <input type="text" value="LB"/> |

| |
|----------------------------|
| Comments |
| Dry at time of evaluation. |

| | | | | | |
|-------------------------------|--------------------------------------|------------------|-----------------------------------|-----------------|-----------------------------------|
| Potential Habitat Gain | | | | | |
| Survey Type: | <input type="text" value="RSFS"/> | Spawning (sq m): | <input type="text" value="-999"/> | Length (m): | <input type="text" value="-999"/> |
| Significant Reach: | <input type="text" value="Unknown"/> | Rearing (sq m): | <input type="text" value="-999"/> | PI Total | <input type="text"/> |

11/20/2021

These data represent a snapshot of the Washington Department of Fish and Wildlife's current records. Due to the ongoing nature of assessment and inventory of these features, these data may not accurately represent conditions on the ground, and are subject to change.

WDFW Fish Passage and Diversion Screening Inventory Database

Habitat Survey Summary Report

| | | | |
|-------------------------------|----------------------------------|-----------------|--|
| Site ID: 983111 | | | |
| Latitude: 47.401476422 | Longitude: -122.100124914 | WRIA: 09 | |
| Stream: unnamed | Tributary To: Jenkins Cr | PI Total: | |

Survey Type

Spreadsheet File(s):

Downstream Survey

Date: Crew: Length (m):

Downstream Comments:

Stream flows through green belts and back yards of residential areas. Several road and driveway crossings, but stream is relatively undisturbed and buffered.

Upstream Survey

Date: Crew: Length (m):

Upstream Comments:

Stream flows through green belts and back yards of residential areas. Several road and driveway crossings, but stream is relatively undisturbed and buffered.

Potential Habitat Gain

Lineal (m):

Spawning Area (sq m):

Rearing Area (sq m):

Distribution

Anadromous

Resident Only

Unknown

Gain Direction (Resident Only):

Potential Species Benefit

Sockeye / Kokanee

Chinook

Searun Cutthroat

Pink

Coho

Resident Trout

Chum

Steelhead

Bull Trout

11/20/2021

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

April 21, 2022

Fernando L. Fernández, Environmental Engineer
Construction and Facilities Management
U.S. Department of Veterans Affairs
425 I Street NW
Washington, DC 20001

**Re: Phase 3 Expansion of Tahoma National Cemetery
Ecology Reference # 202201365**

Dear Fernando L. Fernández:

Thank you for the opportunity to provide comments on the National Environmental Policy Act (NEPA) Draft Environmental Assessment (EA) for the Phase 3 Expansion of Tahoma National Cemetery project. Ecology appreciates the effort of the U.S. Department of Veterans Affairs (VA) to identify the environmental impacts associated with the expansion of the Tahoma National Cemetery, necessary to pay respects to those who have sacrificed to secure the liberties we are all benefitting from in the United States today. Ecology offers the comments below on the Draft EA and hopes that the implementation of the cemetery's expansion will occur in a manner that honors both the United States' heroes and its land.

The Tahoma National Cemetery is located within the Soos Creek watershed. The waters of Soos Creek do not meet state water quality standards for temperature, dissolved oxygen, bacteria levels, or the health of aquatic insects. We are currently studying these problems as part of two separate Total Maximum Daily Load (TMDL) studies. Similar studies in other impaired watersheds have shown us that the sources of the pollution problems usually start upstream. The Draft EA rightfully identifies Jenkins Creek, a stream with temperature and bioassessment impairments, as a surface water body that could be impacted by the proposed project. Ecology is concerned that the Draft EA doesn't accurately represent the current conditions or potential impacts of the proposed project on impairments and water quality in the affected streams.

Riparian vegetation buffers streams from high temperatures by blocking sunlight and keeping the air above the stream cooler than ambient air temperatures, resulting in cooler streams and creeks. The temperature/dissolved oxygen/bacteria TMDL Ecology is developing will include recommendations for improved riparian buffer vegetation along all streams within the Soos Creek watershed. In the case of the proposed project, there is an opportunity to preserve

valuable mature streamside vegetation and we encourage the VA to take great care to retain riparian buffer trees to protect Jenkins Creek. Ecology has several concerns related to the riparian buffer width that will be left in place when the 43-acre mostly wooded area is cleared for the expansion of the cemetery:

- The Draft EA doesn't specifically indicate the size of the riparian buffer width that will be maintained between the expansion area and the stream crossing the cemetery. Ecology's [Riparian Buffer Width Map](#)¹ specifies that 100-foot buffer should be present along the affected tributary.
- The Draft EA arbitrarily comes to the conclusion that the Jenkins Creek tributary crossing the cemetery property is a Class 3 stream, meaning that it is an intermittent or ephemeral stream during years of normal rainfall and is not used by salmonids. This would result in a minimum buffer width requirement, according to the King County Sensitive Areas Ordinance, of 25 feet. This conclusion is at odds with Ecology's recommendation noted above for a minimum requirement of 100-foot width and with the Washington Department of Fish and Wildlife's (WDFW) [SalmonSafe](#)² classification for this particular stream, which shows that the stream is accessible to coho, chinook, steelhead, and chum and qualifies as habitat for all these four species of salmon.³
- Table 3-1 on pages 22-23 of the Draft EA lists federally listed endangered and threatened species. The table acknowledges the threatened status of bull trout but omits to also list the Fall Chinook, a threatened species under the Endangered Species Act.
- The Draft EA concludes that the proposed project would not take place in the floodplain of the Jenkins' tributary but this determination is actually made in the absence of a floodplain assessment. To answer the question of how the location of the project is positioned relative to the floodplain, an actual assessment needs to be completed.

Great care with project implementation should be taken not only to limit possible impacts to the temperature of Jenkins Creek and its tributary but to stream health overall. The Fine Sediment TMDL Ecology is developing addresses general stream health identified as impaired by previous bioassessment monitoring. Studies in the Soos Creek watershed have found that high-peak flows associated with stormwater runoff increase fine sediment loads in stream channels via two pathways:

1. by contributing fine sediment from land that is no longer protected by native vegetation due to land conversion to impervious cover, lawns, and other partially pervious surfaces; and,
2. by increasing instream erosion due to high flows during storms.

The Draft EA mentions that the project will mitigate changes in drainage patterns by building a stormwater retention system. We would like to remind the VA that the King County

¹ <https://waecy.maps.arcgis.com/home/webmap/viewer.html?webmap=d5478a4aaf704d81bac63ffc934e1549>

² <http://apps.wdfw.wa.gov/salmonscape/map.html>

³ A similar comment was submitted to the VA by Stewart Reinbold (WDFW) on April 5, 2022.

Fernando L. Fernández

April 21, 2022

Page 3

Stormwater Design Manual, which regulates the stormwater management in the area of the proposed project, was recently updated and its guidelines should be followed. We would also strongly encourage that the VA maximize the integration of existing mature trees into the design of the proposed project to minimize the impact on stream health and allow remaining mature trees to continue reducing stormwater runoff impacts.

Ecology believes that the VA has the opportunity to create a thoughtful design that will result in harmonious esthetics that meet both the cemetery's goal to honor our veterans and preserve our valuable natural environment.

Thank you for considering these comments from Ecology. If you have any questions related to the work Ecology is doing in the Soos Creek watershed or would like to respond to these comments, please contact Cleo Neculae from the Water Quality Program at (425) 389-2685 or by email at cleo.neculae@ecy.wa.gov.

Sincerely,



Meg Bommarito
Regional Planner

Sent by email: Fernando L. Fernández, vacoenvironment@va.gov

ecc: Cleo Neculae, Ecology
Meg Bommarito, Ecology