

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:

- 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).
- National Environmental Policy Act (NEPA) of 1969.
- National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR Part 800).
- 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).
- Bernalillo County Code of Ordinances.
- Bernalillo County Stormwater Quality Ordinances.
- Albuquerque-Bernalillo County Air Quality Program Regulations.
- Albuquerque-Bernalillo County Water Utility Authority Ordinances
- New Mexico Administrative Code.
- Noise Control Act of 1972, Noise Control.

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 may be required as part of this Proposed Action:

- USEPA NPDES Construction Stormwater General Permit

- FAA Notice of Proposed Construction or Alteration Form 7460-1
- NMED GWQB UIC Class V Injection Well Permit for stormwater infiltration
- NMED PSTB Permit for petroleum ASTs greater than 1,320 gallons
- NMED EHB Liquid Waste Permit for on-site septic systems
- NMOSE Water Well Permit for on-site irrigation wells
- Albuquerque-Bernalillo County Air Quality Control Program Fugitive Dust Permit.
- Bernalillo County entrance drive permit
- Other required environmental permits will be determined during the cemetery design.

APPENDIX B – AGENCY CORRESPONDENCE



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Plymouth, MI 48170
T 734-455-8600
F 734-455-8608
www.tlassoc.com

August 25, 2017

US Environmental Protection Agency, Region 6
Office of Public Affairs
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

SUBJECT: Intergovernmental and Interagency Coordination of Environmental Planning (NEPA Scoping Letter) for the Department of Veterans Affairs (VA) Proposed Albuquerque National Cemetery Near Albuquerque, New Mexico

To Whom It May Concern:

The US Department of Veterans Affairs (VA) is preparing environmental documentation to assist in the Federal decision-making process concerning the acquisition of an at least 200-acre site for the development and operation of a new National Cemetery near Albuquerque, New Mexico (Proposed Action). The proposed National Cemetery would be located on one of the following two potential sites:

- **Sandoval County Site:** Approximately 225 acres of land located at the northwest corner of Northwest Loop Road and US Route 550 in the City of Rio Rancho, Sandoval County, New Mexico. This site is undeveloped, generally level, mostly grassy land that has been platted and divided for mixed-use development. The location of the Sandoval County Site is shown in **Attachments 1a – 1c.**
- **Bernalillo County Site:** Approximately 230 acres of land located at the southwest corner of Shooting Range Road and Altrisco Vista Boulevard, Bernalillo County, New Mexico. This site consists of undeveloped, generally level, pasture land. The location of the Bernalillo County Site is shown in **Attachments 1a, 1d, and 1e.**

Construction details for the proposed National Cemetery development are unknown at this time. However, the proposed National Cemetery would include the development of the necessary infrastructure associated with a cemetery (e.g., roads, water supply, grave sites, committal structure, support structures, and fencing). Through the VA's site screening and selection process, the proposed sites have been identified as being physically and operationally best suited to meet the purpose of and need for the proposed National Cemetery for a variety of reasons.

VA is conducting an Environmental Assessment (EA) to evaluate the environmental, cultural, and socioeconomic issues associated with the Proposed Action 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 Request: *Information your agency can provide on any of the following environmental issue areas (at or in the vicinity of the proposed Sites) would be appreciated:*

- Potential environmental concerns or issues;
- Surface and groundwater resources, including streams, wetlands, floodplains, open water features, wells, and local aquifers;
- Federally or state listed threatened or endangered species, or any species proposed for such listing, or critical habitat for such species that may occur within a one-mile radius around the proposed Site;
- Parks, nature preserves, conservation areas, designated wild or scenic rivers, migratory bird habitats, or special wildlife issues;
- Natural resource issues;
- Soils and geologic data, including lists of hydric soils;
- Prime and unique farmland (*National Resources Conservation Services only*);
- Traffic, noise, or socioeconomic concerns;
- Air quality concerns; and
- Additional environmental, cultural, land use, or socioeconomic information or concerns your agency may have with regard to the referenced Sites.

Data that you make available will be used to scope the NEPA analysis and will provide valuable and necessary input into the NEPA process. As part of the NEPA process, local citizens, groups, and agencies, among others, will have opportunity to review and comment on the information and alternatives addressed in the EA.

Other Agencies and Organizations: A listing of agencies and organizations to which this request was sent is provided in **Attachment 2**. VA will conduct separate consultation regarding the Proposed Action with the New Mexico State Historic Preservation Office (SHPO) and Native American Tribes. *Should you know of any additional agencies or organizations that may have data or concerns relevant to this project or Sites, please forward them a copy of this letter, include their information in your response, or contact us directly with this information.*

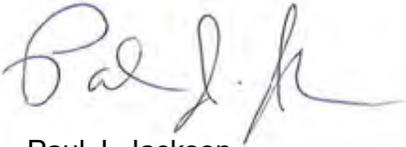
We look forward to and welcome your participation in this process. **Please respond on or before September 28, 2017** to enable us to complete this phase of the project within the scheduled timeframe. TTL Associates, Inc. is assisting the VA in conducting this NEPA process.

Please send your written responses via regular or e-mail (preferred) to:

TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
ATTN: Paul J. Jackson, Environmental Scientist
pjackson@tlassoc.com

If you have any questions concerning this request, please direct them to Mr. Jackson at (734) 582-4960.

Sincerely,



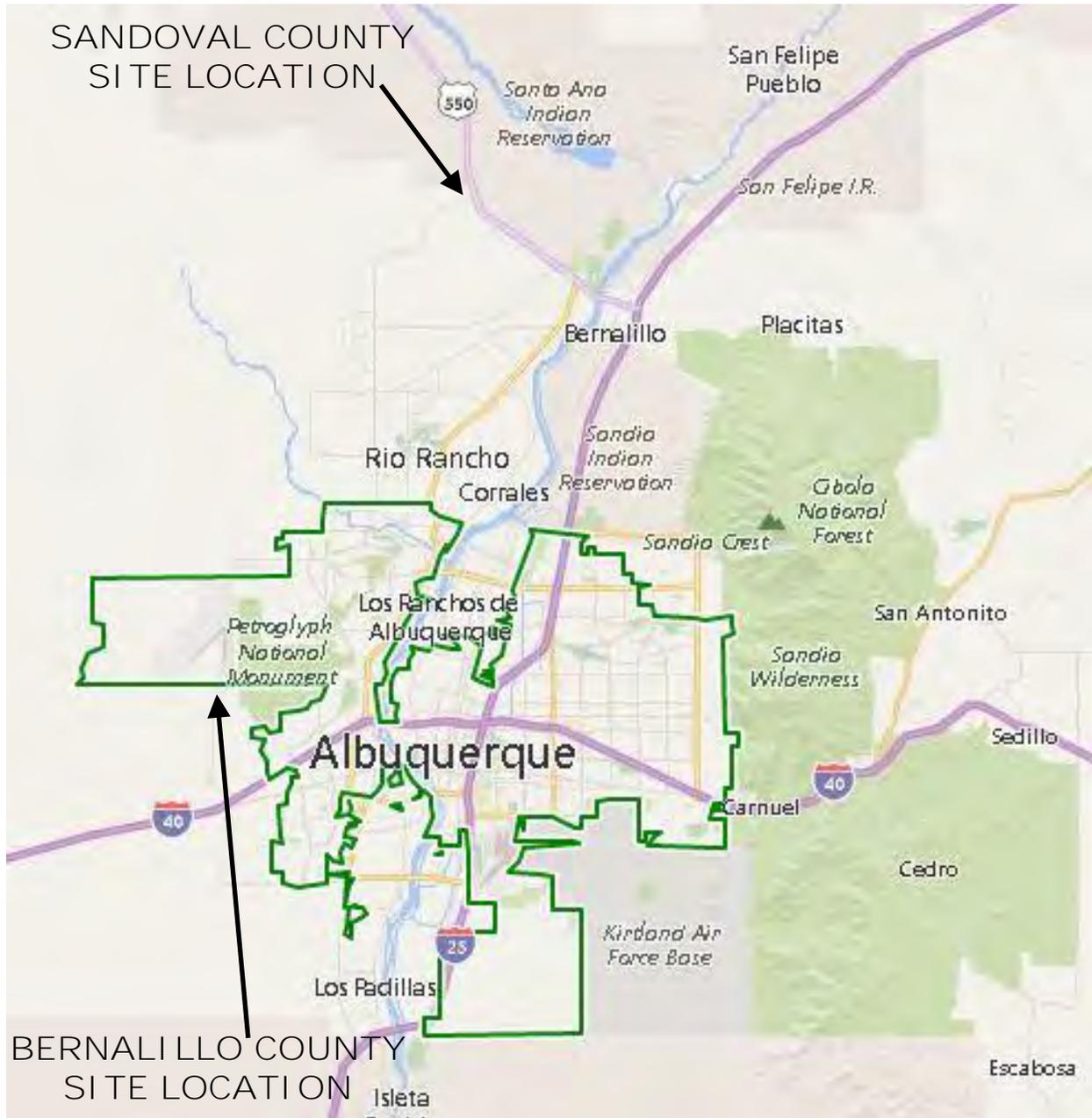
Paul J. Jackson
Environmental Scientist

Attachment 1a – 1e: Location Maps
Attachment 2: List of Agencies and Organizations Contacted

**ATTACHMENTS 1A, 1B, 1C, 1D, AND 1E
LOCATION MAPS**

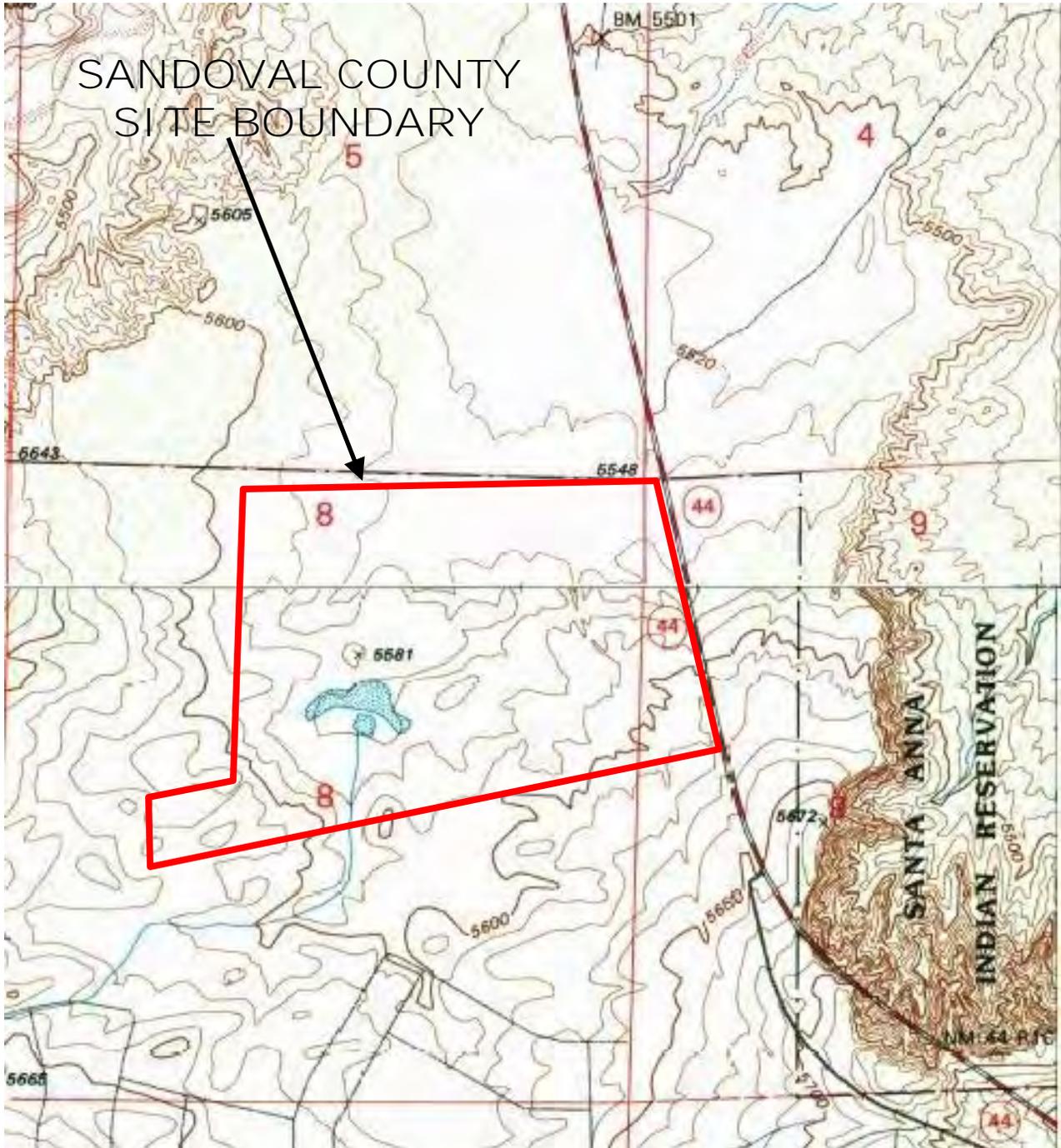
ATTACHMENT 1a

Location Map Proposed Albuquerque National Cemetery Bernalillo and Sandoval Counties, New Mexico



ATTACHMENT 1b

Topographic Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico



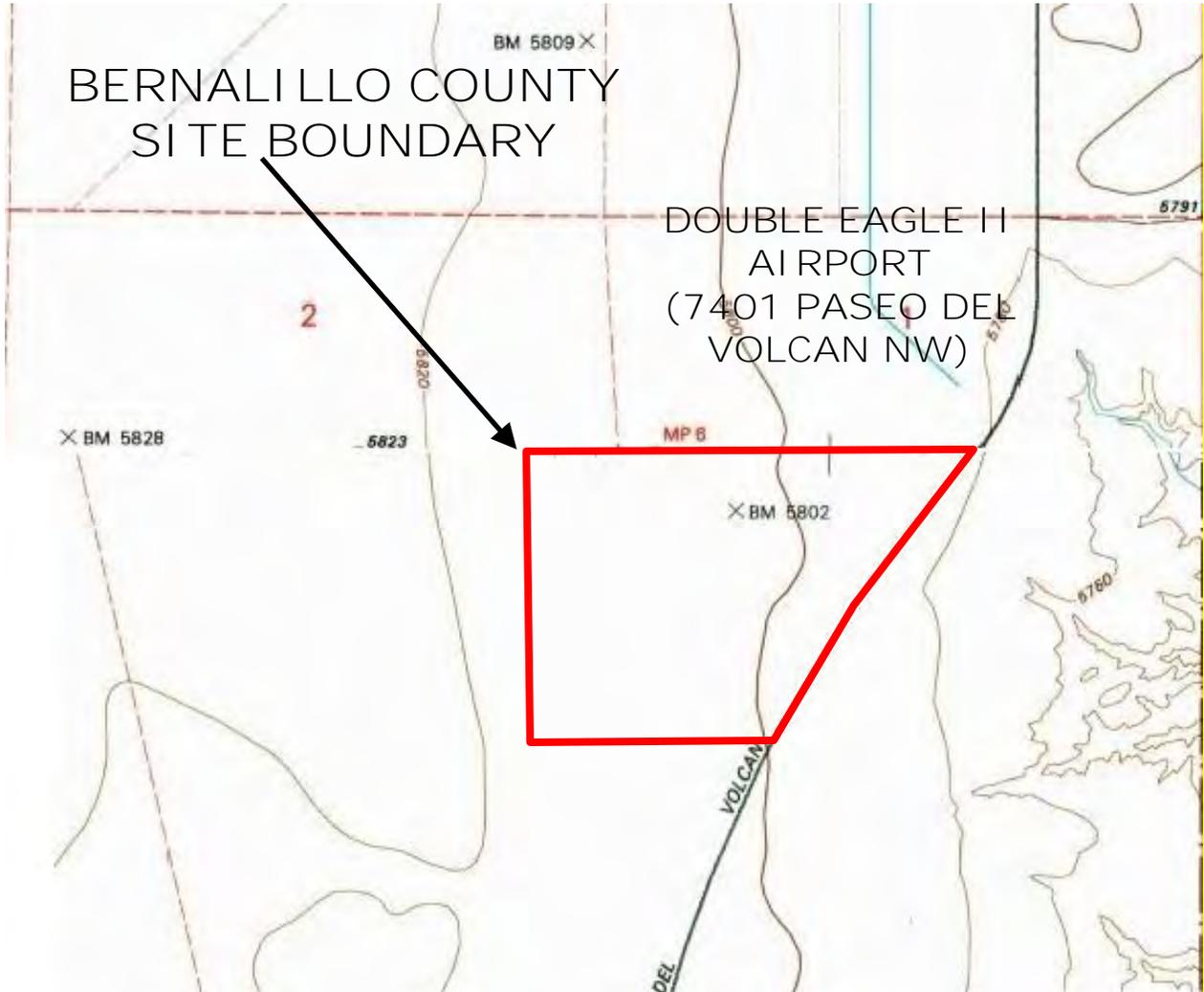
ATTACHMENT 1c

**Aerial Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico**



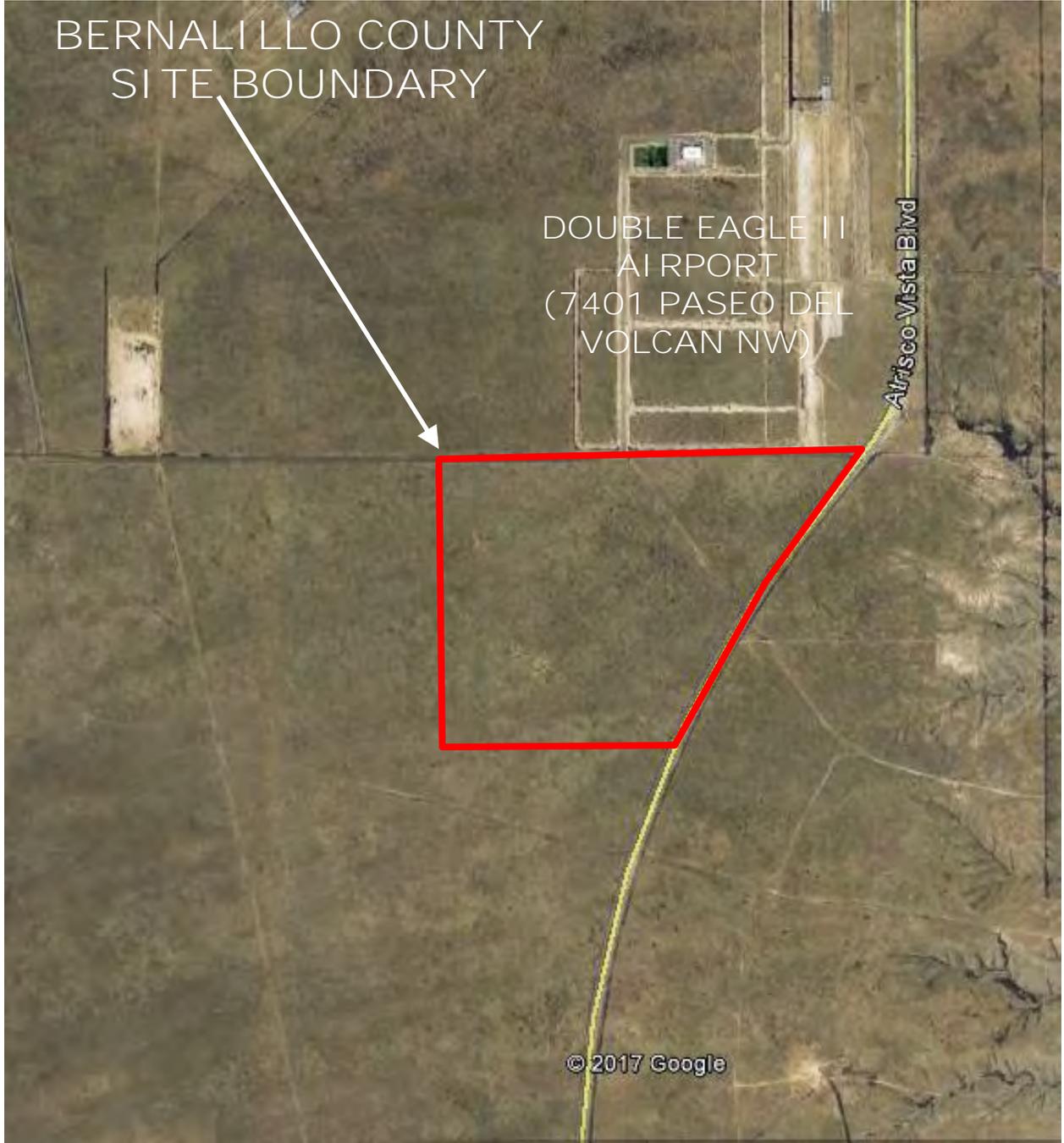
ATTACHMENT 1d

**Topographic Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**



ATTACHMENT 1e

**Aerial Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**



Attachment 2
List of Agencies and Organizations Contacted
Department of Veterans Affairs
Proposed Albuquerque National Cemetery
Bernalillo and Sandoval Counties, New Mexico

US Fish and Wildlife Service

New Mexico Ecological Services Field Office

2105 Osuna Road NE
Albuquerque, New Mexico 87113-1001
Phone: (505) 346-2525

US Environmental Protection Agency, Region 6

Office of Public Affairs

1445 Ross Avenue, Suite 1200
Dallas, Texas 75202
Phone: (800) 887-6063

US Army Corps of Engineers – Albuquerque District

4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109
Phone: (505) 342-3349

New Mexico Environmental Department – District I

Air Quality Bureau

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Environmental Department – District I

Water Resources and Management

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Environmental Department – District I

Waste Management

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Environmental Department – District I

Cleanup/Remediation Activities & Sites

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Environmental Department – District I

Permits and Licenses

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Environmental Department – District I

Services and Assistance

121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Phone: (505) 222-9500

New Mexico Department of Transportation – District 3

P.O. Box 91750
Albuquerque, New Mexico 87199-1750
Phone: (505) 798-6600

New Mexico Historic Preservation Division (SHPO)

Department of Cultural Affairs
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501
Phone: (505) 827-6320

New Mexico Department of Game and Fish

P.O. Box 25112
Santa Fe, New Mexico 87504
Phone: (505) 476-8000

New Mexico Energy, Minerals, and Natural Resources Department

1220 South Saint Francis Drive
Santa Fe, New Mexico 87505
Phone: (505) 476-3200

Albuquerque Metropolitan Arroyo Flood Control Authority

2600 Prospect Avenue NE
Albuquerque, New Mexico 87107
Phone: (505) 884-2215

Southern Sandoval Arroyo Flood Control Authority

1041 Commercial Drive SE
Rio Rancho, New Mexico 87124
Phone: (505) 892-7246

Natural Resources Conservation Service

Albuquerque Service Center

6200 Jefferson Street NE
Albuquerque, New Mexico 87109-3434
Phone: (505) 761-5447

Natural Resources Conservation Service

Cuba Service Center

East Side of State Highway 550, Box 250
Cuba, New Mexico 87013
Phone: (575) 289-3278

Sandoval County Planning and Zoning

P.O. Box 40
Bernalillo, New Mexico 87004
Phone: (505) 867-7628

Sandoval County Public Works Department

P.O. Box 40
Bernalillo, New Mexico 87004
Phone: (505) 771-8500

Rio Rancho Development Services

3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144
Phone: (505) 891-5005

Rio Rancho Parks, Recreation, and Community Services

3200 Civic Center Circle NE, Suite 100
Rio Rancho, New Mexico 87144
Phone: (505) 891-5015

Attachment 2 (continued)
List of Agencies and Organizations Contacted
Department of Veterans Affairs
Proposed Albuquerque National Cemetery
Bernalillo and Sandoval Counties, New Mexico

Rio Rancho Department of Public Works

3200 Civic Center Circle NE, Suite 200
Rio Rancho, New Mexico 87144
Phone: (505) 891-5016

Rio Rancho Utilities Department

3200 Civic Center Circle NE, Suite 250
Rio Rancho, New Mexico 87144
Phone: (505) 896-8715

Bernalillo County Parks and Recreation Department

111 Union Square Street SE, Suite 200
Albuquerque, New Mexico 87102
Phone: (505) 314-0400

Bernalillo County Planning and Development Services

111 Union Square Street SE, Suite 100
Albuquerque, New Mexico 87102
Phone: (505) 314-0350

Bernalillo County Public Works Division
Infrastructure Planning and Geo Resources

2400 Broadway SE, Building N
Albuquerque, New Mexico 87102
Phone: (505) 848-1500

Bernalillo County Public Works Division
Natural Resources Services

2400 Broadway SE, Building N
Albuquerque, New Mexico 87102
Phone: (505) 848-1500

Bernalillo County Public Works Division
Traffic Engineering

2400 Broadway SE, Building N
Albuquerque, New Mexico 87102
Phone: (505) 848-1500

Bernalillo County Public Works Division
Technical Services

2400 Broadway SE, Building N
Albuquerque, New Mexico 87102
Phone: (505) 848-1500

Town of Atrisco Grant-Merced

Rosendo Garcia Rd SW
Atrisco, New Mexico 87105
Phone: (505) 433-1905

Paul Jackson

From: Macdonell, George H CIV USARMY CESPA (US) <George.H.Macdonell@usace.army.mil>
Sent: Thursday, September 14, 2017 3:42 PM
To: Paul Jackson
Cc: Grande, Megan L CIV USARMY CESPA (US); Goodrich, Michael T CIV CESPA CESPD (US); Dreeland, Linda E CIV USARMY CESPA (US)
Subject: USACE response to scoping for Albuquerque VA cemetery (UNCLASSIFIED)
Attachments: USACE scoping response VA cemetery albuquerque.pdf

CLASSIFICATION: UNCLASSIFIED

Mr. Jackson.

Please find attached the US Army Corps of Engineers response to your NEPA scoping letter on the proposed VA cemetery in Albuquerque, NM. As you can see from our letter, the biggest concern from our perspective is the potential for encountering unexploded ordnance (UXO) in the vicinity of the Double Eagle airport site due to proximity to World War II era bombing targets. If this site is selected, we recommend that any ground disturbing activities include third party UXO support. Please contact myself or Linda Dreeland if you need additional information or clarification.

Thank you,
George

George H. MacDonell
Environmental Section Chief
U.S. Army Corps of Engineers
Albuquerque District
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109-3435
Phone: 505-342-3281
George.H.Macdonell@usace.army.mil

CLASSIFICATION: UNCLASSIFIED

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

September 14, 2017

REPLY TO
ATTENTION OF:

CESPA-PM-LE

SUBJECT: Response to Intergovernmental and Interagency Coordination of
Environmental Planning (NEPA Scoping Letter) for the Department of Veteran's Affairs
(VA) Proposed Albuquerque National Cemetery near Albuquerque, New Mexico

TLL Associates, Inc.
ATTN: Paul J. Jackson, Environmental Scientist
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170

Dear Mr. Jackson:

This letter is in response to your letter dated August 25, 2017, requesting the U.S. Army Corps of Engineers' (Corps) provide information regarding environmental issues in the vicinity of the proposed action pursuant to the National Environmental Policy Act (NEPA) of 1969.

In response to your request, the Corps has reviewed the proposed locations for environmental issues, focusing on those topics where the Corps would have specialized knowledge of issues above that of the other agencies you have contacted through scoping.

Corps personnel from the Environmental and SRM Section reviewed the proposal and found that there are several Munition Response Sites (MRS) in the near vicinity of the property located adjacent to the Double Eagle airport (see attached map). These locations lie within a Formerly Used Defense Site (FUDS) that consist of World War II era precision bombing targets where live 100-lb general purpose bombs and practice bombs have subsequently been found and blown in place. Since these bombing targets were used by trainees, accuracy varied, and inert or live ordnance could have ended up on the property in question. The proposed site for the National Cemetery lies within the FUDS boundary and is adjacent to the former Volcano Target (see attached map). The Corps recommends that third party Unexploded Ordnance (UXO) support be included as part of any future construction activities that involve ground intrusion in this particular area.

The Corps Regulatory Division also reviewed the proposed locations and found that the Corps does not have regulatory authority jurisdiction under Section 404 of the Clean Water Act or under Section 10 of the Rivers and Harbors Act of 1899 at either location.

Finally, the Environmental Resources staff reviewed the proposed locations and found that both the areas have had some previous archaeological inventory. The northern parcel was inventoried in 1998 and identified three known prehistoric archaeological sites. The parcel by the Double Eagle airport was inventoried in 1976 and no archaeological sites were identified. However, adequacy of cultural inventory and eligibility of sites are the responsibility of the lead federal agency in consultation with the State Historic Preservation Office. With regard to wildlife issues, we are unaware of any significant issues. However, the lead federal agency should perform surveys for Migratory Bird Treaty Act species with emphasis on grassland birds, and consult with USFWS on these issues as needed.

We appreciate the opportunity to comment on the proposed undertaking. If you require additional information regarding past military activities in the Double Eagle airport vicinity please contact Linda Dreeland, Environmental and SRM Section Chief, at 505-342-3136 or by email at Linda.E.Dreeland@usace.army.mil. For other information you may contact the undersigned at 505-342-3281 or by email at George.H.Macdonell@usace.army.mil.

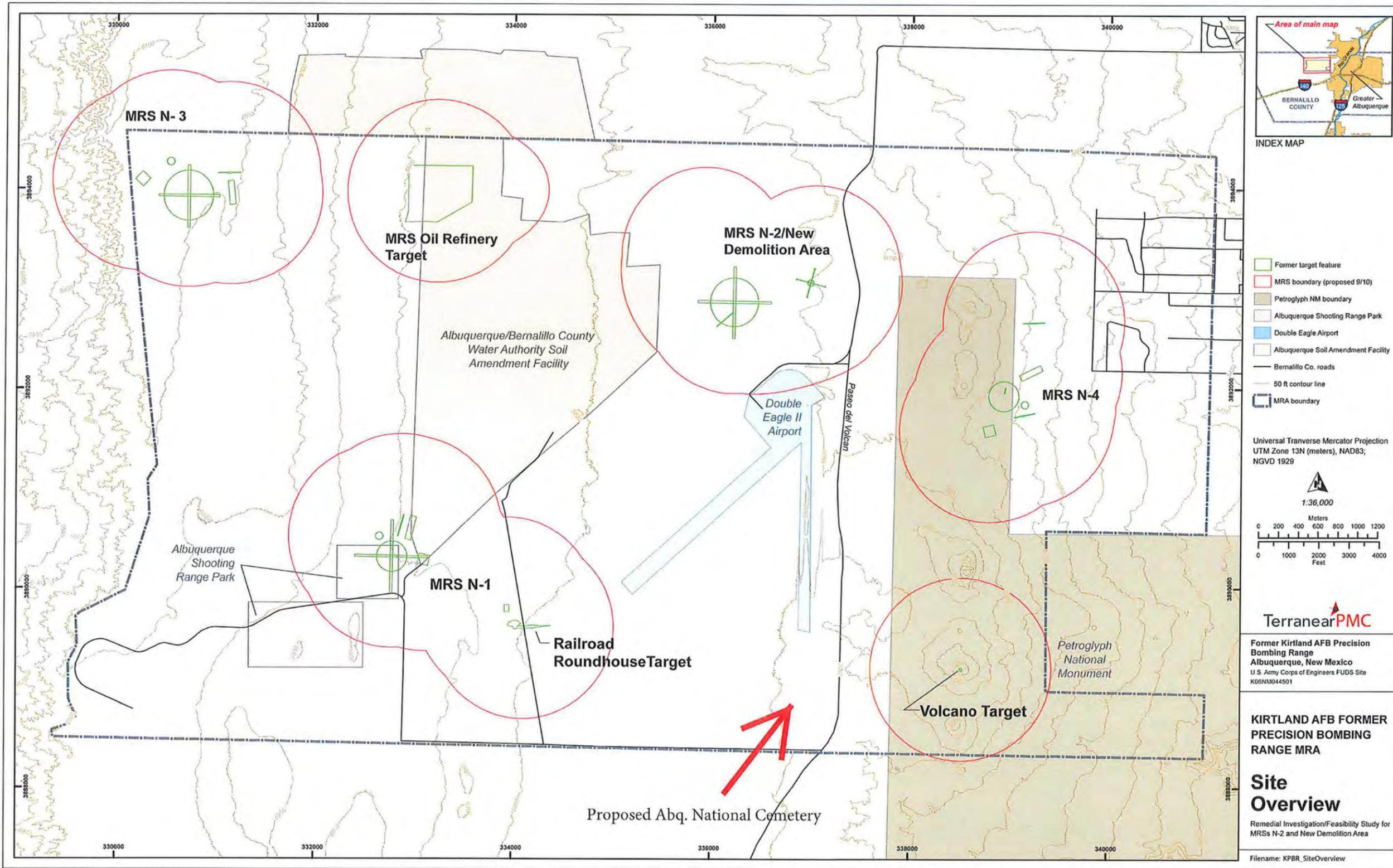
Sincerely,



George MacDonell
Environmental Resource Section Chief

Attachment: West Mesa MRA Site Map

Figure A-2 West Mesa MRA Site Map



Paul Jackson

From: Souder, Diane <diane_souder@nps.gov>
Sent: Tuesday, September 12, 2017 6:00 PM
To: Paul Jackson
Subject: Re: Proposed VA National Cemetery, near Albuquerque, NM
Attachments: PETR_Final_ELR_p.pdf

Hello Paul:

Thank you for the email. Since the proposed cemetery is just due west of Petroglyph National Monument we would like to be added to the list if interested agencies.

Our Superintendent is Dennis A. Vasquez and his mailing address is: 6001 Unser Blvd. NW, Albuquerque, New Mexico 87120.

Attached to this email is a document entitled the Final Ethnographic Landscape Report. You will find the descriptions of land use on the West Mesa and the importance of the volcanoes especially useful. This document was approved by all of the tribes, including 19 Pueblos, Hopi, Diné and Apache tribes. Several other Federal agencies have found the document useful.

Please keep us posted as you further analyse the proposed alternatives.

Sincerely,

Diane Souder
diane_souder@nps.gov

On Mon, Sep 11, 2017 at 12:45 PM, Paul Jackson <pjackson@tlassoc.com> wrote:

Ms. Souder:

I received your voicemail. Thank you for reaching out to us.

At this point, we are in the early stages of working through our NEPA Environmental Assessment (EA), but will surely include you on our distribution list when the draft EA is completed. Can we send you an email copy of the draft EA when it's completed? Or would you prefer a paper copy?

At this time, do you have any input that you would like to provide or particular concerns that you have regarding the proposed project. An example of the letter we've sent to many Federal, State, and local agencies is attached for your reference.

Thanks,

Paul Jackson
Environmental Scientist

TTL Associates, Inc.

44265 Plymouth Oaks Boulevard | Plymouth, MI 48170 | tlassoc.com

Direct: (734) 582-4960 | Fax: (734) 582-4961



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Diane Souder
Chief of Interpretation and Outreach
Petroglyph National Monument



September 5, 2017

Mr. Paul J. Jackson
Environmental Scientist
TTL Associates Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170

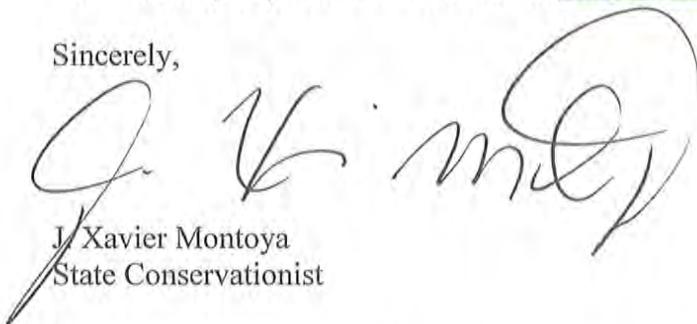
Dear Mr. Jackson:

Thank you for providing the Natural Resources Conservation Service (NRCS) the opportunity to review the proposed Albuquerque National Cemetery Project, Sandoval and Bernalillo Counties, New Mexico.

The Farmland Protection Policy Act (FPPA) authorizes the NRCS to provide review of proposed projects that have the potential to irreversibly convert farmlands to non-farmland or irreversibly converting hydric areas to non-hydric uses as the result of programs funded by the federal government. In review of the information provided on the project, it is determined that the entire project is located in an urban or development area in an existing easement, or is in an area not designated as Prime or Important Farmland. The FPPA rules define farmland conversion to be "to the extent that it irreversibly converts farmland to other purposes", this project is not expected to have that effect. With this acknowledged, the proposed project will not cause Prime or Unique Farmlands or hydric soils to be converted to non-agricultural or non-hydric uses, and is not subject to the Act.

If you have any questions concerning soils information, please contact Richard Strait, State Soil Scientist, at (505) 761-4433 or email at Richard.Strait@nm.usda.gov.

Sincerely,



J. Xavier Montoya
State Conservationist

cc:

Pearl Armijo, District Conservationist for Team 2, NRCS, Los Lunas, NM
Richard Strait, State Soil Scientist, NRCS, Albuquerque, NM

GOVERNOR
Susana Martinez



DIRECTOR AND SECRETARY
TO THE COMMISSION
Alexandra Sandoval

DEPUTY DIRECTOR
Donald L. Jaramillo

STATE OF NEW MEXICO
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507
Post Office Box 25112, Santa Fe, NM 87504
Tel: (505) 476-8000 | Fax: (505) 476-8123
For information call: (888) 248-6866

www.wildlife.state.nm.us

STATE GAME COMMISSION
PAUL M. KIENZLE III
Chairman
Albuquerque
BILL MONTOYA
Vice-Chairman
Alto
ROBERT ESPINOZA, SR.
Farmington
RALPH RAMOS
Las Cruces
BOB RICKLEFS
Cimarron
ELIZABETH A. RYAN
Roswell
THOMAS "DICK" SALOPEK
Las Cruces

22 September 2017

Mr. Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Blvd.
Plymouth, Michigan 48170

Re: *Albuquerque National Cemetery; NMDGF No. 18016*

Dear Mr. Jackson:

The New Mexico Department of Game and Fish (Department) has reviewed your 25 August 2017 letter regarding the above-referenced project. The sites proposed for potential development include undeveloped grassland or rangeland. These habitats are known to support burrowing owls (*Athene cunicularia*) within Bernalillo and Sandoval counties, and owls could occur within the project proposed project sites. Burrowing owls are protected from take by the Migratory Bird Treaty Act and by New Mexico state statutes. Construction activities near nesting burrowing owls can lead to abandonment of eggs or nestlings and result in take. Therefore the Department requests that before construction begins, a qualified surveyor search the project area for burrowing owls during their breeding season (April 1 through July 31). Diurnal surveys should not be conducted if temperatures exceed 86 degrees Fahrenheit or winds exceed 12 miles per hour. The Department's recommended survey protocol can be found at wildlife.state.nm.us/conservation/habitat_handbook/index.htm. Should burrowing owls be found occupying the site, the Department recommends implementing construction activities outside of periods when owls would be present on their breeding areas, which could extend as late as October.

If no burrowing owls are found occupying the selected site, the Department does not anticipate significant effects to wildlife or important habitats from implementation of this project.

We appreciate the opportunity to comment on this project. Should you have any questions regarding our comments, please contact Mark Watson, Terrestrial Habitat Specialist, at (505) 476-8115, or mark.watson@state.nm.us.

Sincerely,

Matt Wunder, Ph.D.
Chief, Ecological and Environmental Planning Division

Paul Jackson

From: Flavin, Kasey, NMDOT <Kasey.Flavin@state.nm.us>
Sent: Thursday, August 31, 2017 3:31 PM
To: Paul Jackson
Subject: VA proposed national cemetery near Albuquerque, NM

Good afternoon Mr. Jackson,

Thank you for informing us of the VA's proposed National Cemetery near Albuquerque. The New Mexico Department of Transportation's Environmental Division would need to clear for cultural and biological resources any proposed access points that lie within NMDOT rights-of way. The proposed location in Bernalillo County **is not** located on an NMDOT right-of-way, and would require no further consultation with us.

I hope this helps. Please feel free to contact me with any questions or concerns.

Best,

Kasey M. Flavin

Environmental Scientist
CLA Coordinator
NMDOT Environmental Bureau
1120 Cerillos Rd.
Santa Fe, NM 87504
(505) 470-4156
Email: Kasey.Flavin@state.nm.us

Paul Jackson

From: Dan McGregor <dmcgregor@bernco.gov>
Sent: Thursday, September 7, 2017 1:44 PM
To: Paul Jackson
Cc: Enrico Gradi; Elias E. Archuleta; Richard Meadows
Subject: Proposed National Cemetery - Atrisco Vista Blvd.

Mr. Jackson

I am in receipt of a request for information from TTL Associates Dated August 25, 2017 regarding the NEPA research for a new national cemetery in Bernalillo County. I have received the requests for both the Natural Resource Services Section and also the Infrastructure Planning and GeoResources departments within the County.

Please add to your distribution list the Mid-Region Council of Governments [Home - www.mrcog-nm.gov](http://www.mrcog-nm.gov). That agency deals with many of the transportation related studies that have been conducted for ATRISCO VISTA Boulevard (your spelling in the letter is incorrect) including recent preliminary engineering studies for widening of Atrisco Vista which is of interest to one of our County Commissioners. MRCOG has ready access to those reports and findings, as well as to related studies for creation of a major linkage north of I-40 to Rio Ranch through a proposed construction/extension of Paseo Del Volcan into Rio Rancho. They would also be the coordinating agency for traffic for the Sandoval County site. The future development plans and long range transportation plans and traffic studies that MRCOG could provide for both sites would fall into the realm of "Traffic Concerns" and "Socioeconomic concerns" as Atrisco Vista is slated for industrial/commercial development, particularly south of the airport due to its ready proximity to I-40.

You will also need to contact the City of Albuquerque Aviation Department regarding the Double Eagle Airport operations located immediately north of the proposed site. That airport is a general aviation airport, but also is utilized by Kirtland AFB as a short hop training air corridor for helicopter operations (contact Kirtland AFB, 377th Air Base Wing 200 Wyoming Blvd. NM 87117 – Col. Richard W. Gibbs)

Regarding soils on the site – that information is available through the NRSS website soil surveys. That location is I believe aeolian sand dune deposits which are susceptible to wind erosion if disturbed, so a low impact approach to development will likely be needed. This has been of much concern recently in a large scale master plan development case that has been handled by the County. (Soils, potential air quality concern),

Regarding parks etc . Please note that there is an active shooting range and training facility (City of Albuquerque) located a few miles to the northwest. It is the primary gun range for both the City of Albuquerque Police Department and for Bernalillo County Sheriffs Department (which also stage air support units out of Double Eagle Airport). This may be of some noise concern for the use of the cemetery. The Petroglyphs National Monument also has access of Atrisco Vista and is located to the north east of the proposed site. You would likely need to contact the National Park Service as part of the NEPA study to address their concerns directly.

Depth to groundwater in the area is on the order of several hundred feet. Please contact the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) - Katherine Yuhas [Welcome to the Albuquerque Water Utility Authority](http://www.abcwua.com), as there is an active production well located a few miles south of the proposed site. That would likely be the most current water level data. There is also one USGS monitoring well located on the northeast corner of the ABCWUA land application facility and northeast of Double Eagle Airport – depth to water in that well is routinely on the order of 900 feet, but that is a few miles away to the northwest of the site. The road located immediately north of the site is also the access way for ABCWUA sludge haul trucks taking loads to the land treatment facility. I am unaware of any wells being located on the subject property, but you would need to confirm that with the New Mexico Office of the State Engineer. Water for irrigation might be available via the ABCWUA, but if well irrigation is intended that would require a

water rights acquisition which would need to be worked through the NMOSE District 1 Office ([New Mexico Office of the State Engineer/Interstate Stream Commission](#))

Please contact Bernalillo County Planning and Development Services with regard to permitting requirements for a cemetery. I don't believe that the property is currently zoned to allow that use, so some zoning/special use coordination would be needed. That contact would be Mr. Enrico Gradi, but I believe that he is already on your distribution list.

If I can be of further service, please feel free to contact me directly.



Daniel McGregor

*Natural Resource Services Section Manager and
IPGR Dissolution Lead*

Building N, 2400 Broadway Blvd. SE, Albuquerque NM, 87102

Email: dmcgregor@bernco.gov

O: (505) 8481578

www.bernco.gov

The mission of the Natural Resources Program is to steward the Bernalillo County's natural resources. We do this by educating the public about protection and conservation of these resources, assisting with prudent development, monitoring, and providing technical input to the county's policies and projects.

Paul Jackson

From: Hinde, James D. <JHinde@cabq.gov>
Sent: Friday, September 8, 2017 6:16 PM
To: Paul Jackson
Cc: Diane Souder (diane_souder@nps.gov); Mike Provine
Subject: RE: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM (Bernalillo County Site)

Paul

We will complete review and comment on the document. At this time, there does not appear to be any issues. However, the north/south runway at Double Eagle II Airport has future plans to extend to the south, which may create issues with our runway protection zone. We will verify that. Also, not wanting to overstate the obvious, there will be impact from aircraft noise to the site.

You may also want to contact the National Park Service which oversees the Petroglyph National Monument adjacent to and east of the site. The monument has significant religious significance to the Native American tribes in the area. Diane Souder would be the point of contact. I would also recommend contacting the Albuquerque Bernalillo County Water Utility Authority who may have support infrastructure closer to the site.

We will be in touch.

Jim



JAMES D. HINDE, C.M.

Director

ALBUQUERQUE INTERNATIONAL SUNPORT | DOUBLE EAGLE II AIRPORT

2200 Sunport Blvd | PO Box 9948 | Albuquerque, New Mexico 87119

Direct: 505-244-7725 | Fax: 505-244-7750

jhinde@cabq.gov | www.abqsunport.com | [Facebook](#) | [Twitter](#)

From: Paul Jackson [<mailto:pjackson@tlassoc.com>]

Sent: Thursday, September 07, 2017 12:22 PM

To: Hinde, James D.

Subject: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM

Mr. Hinde:

Mr. Dan McGregor of the Bernalillo County Natural Resources Services Section recommended that I contact you regarding the referenced VA project. To that end, please see the attached letter and provide any information or input that your agency may have for this project.

Thanks,

Paul Jackson

Environmental Scientist

TTL Associates, Inc.

44265 Plymouth Oaks Boulevard | Plymouth, MI 48170 | tlassoc.com

Direct: (734) 582-4960 | Fax: (734) 582-4961



Paul Jackson

From: Hinde, James D. <JHinde@cabq.gov>
Sent: Thursday, October 19, 2017 6:48 PM
To: Paul Jackson
Cc: Rob Clark
Subject: RE: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM
Attachments: West Mesa N2-NDA DD_FINAL pdf Comments Removed with Edits 100316 (002).pdf

We did not encounter and UXO during those projects. The Corps did an extensive survey on our property, primarily to the north of the runway system and did find UXO that was neutralized. I have attached the latest report from the Corps regarding their investigation in case you had not received it. They have been responsive in coming in and checking areas for us that we intend to work in, and your site is fairly far south of the main range, but better to be safe than sorry.

Jim

From: Paul Jackson [<mailto:pjackson@tlassoc.com>]
Sent: Thursday, October 19, 2017 8:40 AM
To: Hinde, James D. <JHinde@cabq.gov>
Cc: Rob Clark <rclark@tlassoc.com>
Subject: RE: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM

Mr. Hinde:

The US Army Corps of Engineers has notified us that our site is adjoining to the south of some former bombing target areas and have expressed a concern about unexploded ordnances (UXO) on our site. Based on aerial photographs, it looks like some airport expansion work south of the runway was done around 2006 and again around 2009. Are you aware if there were any UXO issues during those efforts?

Thanks,

Paul Jackson

Environmental Scientist

TTL Associates, Inc.

44265 Plymouth Oaks Boulevard | Plymouth, MI 48170 | tlassoc.com

Direct: (734) 582-4960 | Fax: (734) 582-4961



From: Hinde, James D. [<mailto:JHinde@cabq.gov>]
Sent: Friday, September 29, 2017 12:34 PM

To: Paul Jackson

Subject: RE: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM

Paul

Sorry I am a day late. FAA provided no comment as it is off airport, would be considered a compatible use anyway. I did forward the info to Diane Souder with the National Park Service, our neighbor on the east side of the airport and she said she would comment.

No additional comment otherwise.

Regards.....

Jim



JAMES D. HINDE, C.M.

Director

ALBUQUERQUE INTERNATIONAL SUNPORT | DOUBLE EAGLE II AIRPORT

2200 Sunport Blvd | PO Box 9948 | Albuquerque, New Mexico 87119

Direct: 505-244-7725 | Fax: 505-244-7750

jhinde@cabq.gov | www.abqsunport.com | [Facebook](#) | [Twitter](#)

From: Paul Jackson [<mailto:pjackson@tlassoc.com>]

Sent: Thursday, September 07, 2017 12:22 PM

To: Hinde, James D. <JHinde@cabq.gov>

Subject: Proposed Department of Veterans Affairs (VA) National Cemetery, near Albuquerque, NM

Mr. Hinde:

Mr. Dan McGregor of the Bernalillo County Natural Resources Services Section recommended that I contact you regarding the referenced VA project. To that end, please see the attached letter and provide any information or input that your agency may have for this project.

Thanks,

Paul Jackson

Environmental Scientist

TTL Associates, Inc.

44265 Plymouth Oaks Boulevard | Plymouth, MI 48170 | tlassoc.com

Direct: (734) 582-4960 | Fax: (734) 582-4961





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

October 27, 2022

Sent via email

**SUBJECT: Scoping Notice for the Proposed Albuquerque National Cemetery Draft
Environmental Assessment located at the Southwest Corner of Atrisco Vista
Boulevard and Shooting Range Access Road, Bernalillo County, New Mexico**

Dear Valued Stakeholder:

The U.S. Department of Veterans Affairs (VA) is preparing a Draft Environmental Assessment (EA) to analyze the potential environmental impacts associated with the Proposed Action to acquire, construct, and operate a new National Cemetery on approximately 230 acres of land located at the southwest corner of Atrisco Vista Boulevard and Shooting Range Access Road in Bernalillo County, New Mexico (Site). The Site is currently unimproved and mostly grassy pastureland. The location of the Site is shown on Figures 1 and 2. The Site features are depicted on Figure 3.

The cemetery would include a gated entrance and perimeter fencing, an administration building and public information building, an assembly area, a memorial wall, committal shelters, a loop road through the cemetery, casket gravesites, columbarium niches, and a maintenance facility. The cemetery would be developed in phases, with the first phase (approximately 40 to 60 acres) including the buildings and infrastructure needed to support the first 15-years of burial capacity. The first phase of cemetery development would begin following site acquisition.

The **purpose** of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of Veterans in central New Mexico. The Proposed Action is **needed** to address the depletion of National Cemetery burial space in central New Mexico.

This scoping notice will also be published in the Albuquerque Journal to inform and solicit input from the public. The notice is also available on the VA website at <https://www.cfm.va.gov/environmental>.

VA will prepare the Draft EA according to the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4370h), the Council on Environmental Quality Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and VA Implementing Regulations (38 CFR Part 26).

VA recognizes that you as an identified Stakeholder and/or your organization may have comments on the scope of issues for analysis or information relevant to the Proposed Action for consideration in the Draft EA. Please submit your comments/information via email within 30-days following receipt of this notice to vacoenvironment@va.gov with the subject line “Albuquerque National Cemetery EA Scoping”.

Through this notice, VA is also providing the public with information about the undertaking and seeking public comment and input about the undertaking’s effects on historic properties pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, (54 USC § 306108), and its implementing regulations (36 CFR Part 800 – Protection of Historic Properties). VA is using its procedures for public involvement under NEPA in lieu of public involvement requirements in subpart B of the Section 106 regulations per 36 CFR 800.2(d)(3). This notice does not serve as an invitation to consult under Section 106, it is solely to seek and consider the views of the public. VA will initiate its Section 106 review and send invitations to consulting parties separately.

VA will address and incorporate relevant comments in the Draft EA. Once VA completes the Draft EA, it will be published and made available for a 30-day public review and comment period. VA will announce the start of this review period by publishing a Notice of Availability (NOA) of the Draft EA in the Albuquerque Journal. VA will concurrently notify stakeholders via email and mail including include instructions on how to submit comments.

For additional information or questions, please contact Fernando Fernandez at Fernando.fernandez@va.gov with the subject line “Albuquerque National Cemetery EA Scoping”.

Respectfully,

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

Figure 1: Site Location Map

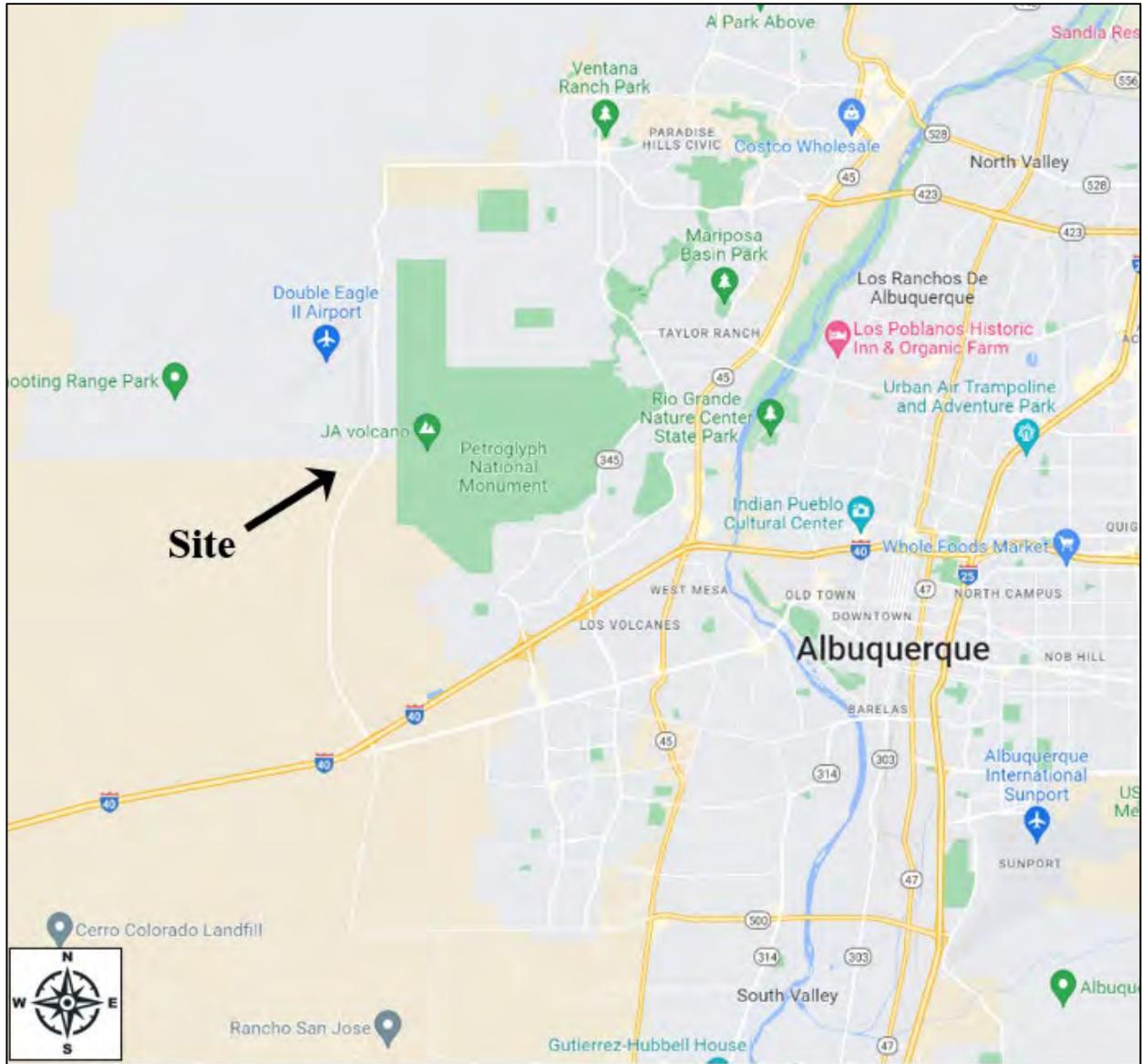


Figure 2: Topographic Site Location Map

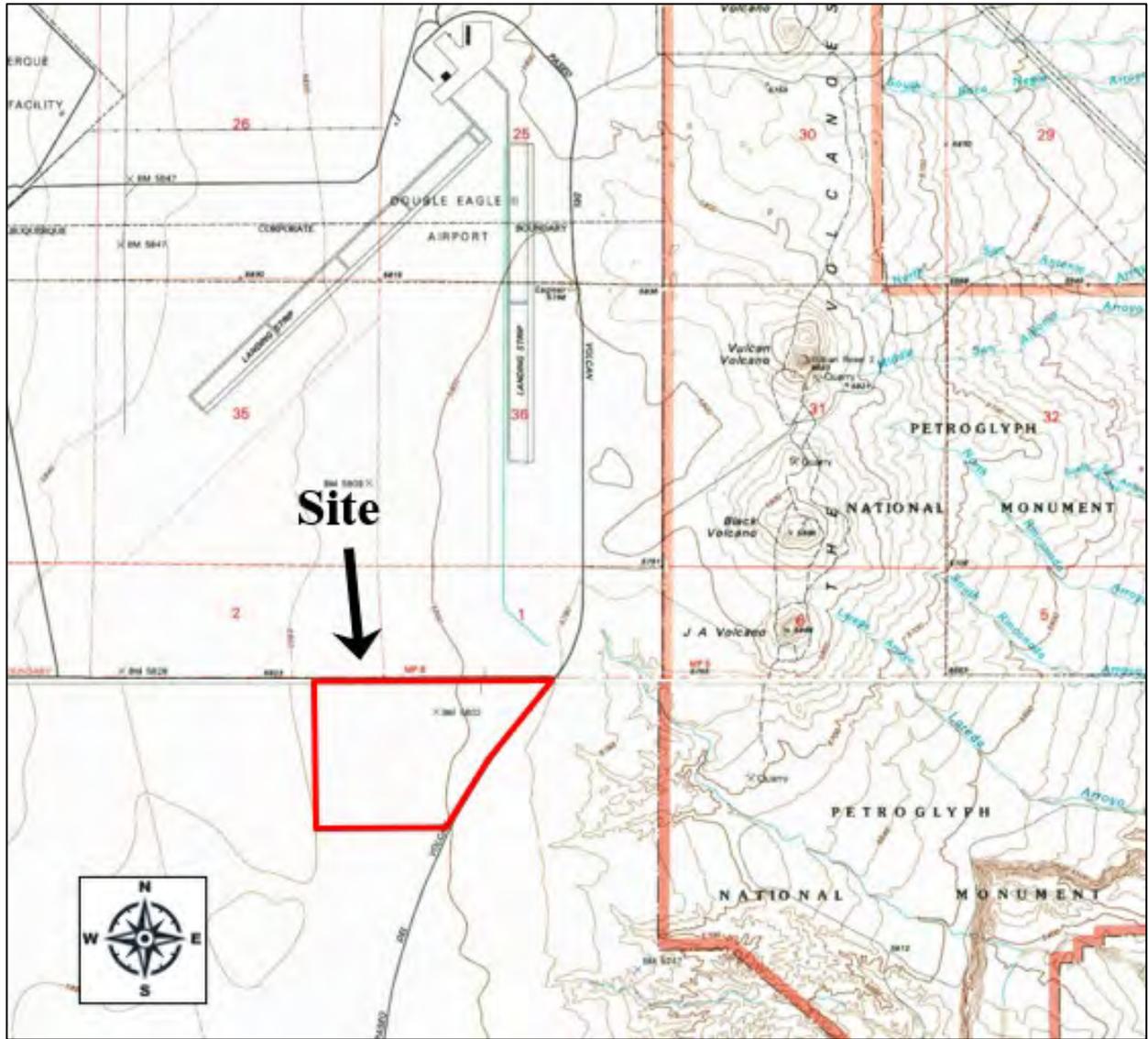


Figure 3: Site Aerial Photograph





December 7, 2022

Glenn Elliott, Director
Environmental Program Office
US Veteran's Administration Office of Construction and Facilities Management

Submitted electronically to: vacoenvironment@va.gov

RE: Albuquerque National Cemetery EA Scoping

Dear Glenn Elliott,

On behalf of the New Mexico Environment Department (NMED), attached please find our comments on your email of November 7, 2022, regarding the request for review and comment on Albuquerque National Cemetery EA Scoping.

Strong intergovernmental coordination, as required by the National Environmental Policy Act (NEPA), is essential to ensure protection of human health and the environment.

NMED offers a few areas of potential environmental impacts in the attachment for you to evaluate as the NEPA process continues.

Thank you for providing the opportunity to review the project materials. Please don't hesitate to reach out to us with any further questions or concerns you may have. In the future, please send all comment requests to env.review@env.nm.gov. This will help expedite a timely review of your request.

Sincerely,

Michael Chacón

Michael Chacón
Science Coordinator

Attachment (1)

Attachment

Introduction

The United States Department of Veteran's Affairs (VA) has requested review and comment on the Albuquerque National Cemetery Environmental Assessment (EA) Scoping.

Comments

Drinking Water

There are no regulated public groundwater system wells within 10 miles of the proposed site, nor any regulated public surface water system intakes within 10 miles downgradient. Therefore, this project is unlikely to have a significant impact on any regulated public water system.

If the proposed project includes public drinking water infrastructure to accommodate the new facilities, it may require either approval from or written notice to the New Mexico Environment Department Drinking Water Bureau (DWB). Please review 20.7.10.200 NMAC or contact the DWB to determine which option is appropriate. In either case, the water system should submit an Application for Construction or Modification of Public Water Supply System if it has not already done so. Please review the complete application requirements at: <https://www.env.nm.gov/forms/>.

Groundwater

NMED staff reviewed the information submitted, focusing specifically on the potential effect to ground water resources in the area of the proposed project.

State of New Mexico Ground and Surface Water Protection regulations in 20.6.2.1201 New Mexico Administrative Code (NMAC) include requirements for when to file a Notice of Intent to Discharge for any person intending to make a new water contaminant discharge or to alter the character or location of an existing water contaminant discharge. The notice shall be filed with the NMED Ground Water Quality Bureau for discharges that may affect ground water, and/or the Surface Water Quality Bureau for discharges that may affect surface water.

Onsite wastewater systems with design flows of more than 5,000 gallons per day must be constructed and operated in accordance with Ground Water Discharge Waste permits approved by the NMED Ground Water Quality Bureau. If domestic wastewater is to be delivered offsite to an existing municipal or regional wastewater treatment system, an additional permit will not be required by NMED.

Ground and Surface Water Protection Regulations, 20.6.2 NMAC, are available at <http://www.srca.nm.gov/parts/title20/20.006.0002.html>

Petroleum Storage Tank

The proposal contains no actions that will impact known petroleum storage tank systems currently regulated under 20.5 NMAC within 1-mile of the project area and does not appear to propose the installation of new petroleum storage tank systems. There are no registered active petroleum storage tank facilities and no confirmed petroleum storage tank releases (leaks or spills) within ½ mile of the project area. If an abandoned storage tank system or petroleum impacted soil or water is discovered during construction, the Petroleum Storage Tank Bureau must be notified (20.5.118 NMAC, etc.). Contact

the Leak of the Week here during business hours: https://www.env.nm.gov/petroleum_storage_tank/ (see box to the right, Report a Leak or Spill) or call 505-476-4397. During non-business hours, call 505-827-9329. Owners, operators, and others dealing with petroleum storage tank systems must comply with all regulations in 20.5 NMAC, New Mexico's Petroleum Storage Tank regulations.

Facilities where NMED's petroleum storage tank database shows all petroleum storage tanks have been removed or closed and does not show a release and facilities and releases unknown to the Petroleum Storage Tank Bureau are not included in this comment.

Surface Water Quality

NMED has reviewed the US Department for Veteran Affairs (VA) scoping notice for the proposed Albuquerque National Cemetery, focusing on the potential effects to surface waters in the area of the proposed project.

Specific to the project, the VA should manage the projects to manage stormwater during construction with appropriate best management practices and ensure that that stormwater drainage is appropriately planned/managed. NMED encourages the use of green infrastructure and low impact designs.

Clean Water Act, Section 402 NPDES Industrial Storm Water Construction General Permit (CGP)

The USEPA may require National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) coverage for storm water discharges from construction activities (such as clearing, grading, excavating, and stockpiling) that disturb (or re-disturb) one or more acres, including expansions, of total land area. Prior to discharging storm water, construction operators may need to obtain coverage under an NPDES permit.

A Construction General Permit (CGP) is not required if the disturbing activities are part of the normal day-to-day operation of a completed facility (e.g., daily cover for landfills, maintenance of gravel roads or parking areas, landscape maintenance). If work performed is routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Among other things, the CGP requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared for the project, including support and staging areas, and that appropriate best management practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil and grease, and construction materials from construction sites) in storm water runoff from entering waters of the United States (WOTUS) like the Rio Grande. This permit also requires that permanent stabilization measures (re-vegetation, paving, etc.), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering the Rio Grande or other Waters of the US.

Part 9 of the 2022 CGP includes permit conditions applicable to specific states, Indian country lands, or territories. In the State of New Mexico, except on tribal land, permittees must ensure that there is no increase in sediment yield and flow velocity from the construction site (both during and after construction) compared to pre-construction, undisturbed conditions (see Subpart 9.6.2 of the 2022 CGP).

The US EPA Requires that all “operators” obtain NPDES permit coverage for construction projects. Generally, this means at least two parties will require permit coverage. The owner/developer of this construction project who has operational control over project specifications; the general contractor who has day-to-day operational control of those activities at the site, which are necessary to ensure compliance with the SWPPP and other permit conditions; and possibly other "operators" will require appropriate NPDES permit coverage for this project.

The Construction General Permit, Notice of Intent, submittal requirements, Federal Register notice, and other information is available at: <https://www.epa.gov/npdes/stormwater-discharges-construction-activities>

NPDES Municipal Storm Sewer Systems Permit

Polluted stormwater runoff is commonly transported through municipal separate storm sewer systems (MS4s), and then often discharged, untreated, into local water bodies. EPA requires certain operators to obtain NPDES permits and develop stormwater management programs (SWMPs) to prevent pollutants from entering MS4s. The SWMP describes the stormwater control practices that will be implemented consistent with permit requirements to minimize the discharge of pollutants from the sewer system.

The proposed Albuquerque National Cemetery is within the boundaries of Census-designated Middle Rio Grande Watershed (MS4 permit number NMR04A00). The project will be required to comply with MS4 permit requirements and stormwater management practices of MS4 permit number NMR04A00 permitted entities, including the City of Albuquerque (NMR04A014), Bernalillo County Stormwater Program (NMR04A008), and Albuquerque Metropolitan Arroyo Flood Control Authority (NMR04A016).

USACE Section 404 Dredge and Fill Permits and NMED 401 Certifications

If construction activities or disturbances were to take place requiring discharge of dredge/fill material or activities were to take place in the riverbanks and wetlands, a 404 dredge and fill permit is required by the US Army Corps of Engineers.

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into waters of the United States, including wetlands, under Section 404 of the Federal Clean Water Act (CWA). The USACE issues or authorizes Standard Individual Permits (IPs), Nationwide Permits (NWP), and the Emergency Regional General Permit (RGP) for activities such as earth-moving work within wetlands, lakes, and streams (including ephemeral streams or arroyos) that are waters of the United States. If you have questions about activities within watercourses or wetlands that may require coverage under a CWA Section 404 permit, then more information is available on-line from the USACE, Albuquerque District, Regulatory Division at <http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

A water quality certification is required under Section 401 of the Federal CWA for activities regulated under Section 404. More information on the permitting and certification requirements is available on-line from NMED at <https://www.env.nm.gov/surface-water-quality/dredgeandfillactivities/>. If you have questions related to dredge and fill activities, then contact Abe Franklin, Program Manager, Watershed Protection Section, NMED Surface Water Quality Bureau at 505-827-0187.

**APPENDIX C – SECTION 106 AND NATIVE AMERICAN TRIBE
CORRESPONDENCE**



DEPARTMENT OF VETERANS AFFAIRS
Office of Construction & Facilities Management
Washington DC 20420

October 18, 2017

Dr. Jeff Pappas, Ph.D.
New Mexico State Historic Preservation Officer
New Mexico Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

RE: Section 106 Consultation for the Proposed New National Cemetery on One of Two Sites Near Albuquerque, New Mexico

Dear Dr. Pappas,

The mission of the U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) is to honor Veterans and their families with final resting places in national shrines and with lasting tributes that commemorate their service and sacrifice to our Nation. In order to fulfill this mission, VA proposes to acquire an at least 200-acre site for the development and operation of a new National Cemetery near Albuquerque, New Mexico (Undertaking). The proposed National Cemetery would be located on one of the following two potential sites:

- **Sandoval County Site:** Approximately 246 acres of land located at the northwest corner of Northwest Loop Road and US Route 550 in the City of Rio Rancho, Sandoval County, New Mexico. This site is undeveloped, generally level, mostly grassy land that has been platted and divided for mixed-use development. The location of the Sandoval County Site is shown in **Attachments 1a – 1c.**
- **Bernalillo County Site:** Approximately 230 acres of land located at the southwest corner of Shooting Range Road and Atrisco Vista Boulevard, Bernalillo County, New Mexico. This site consists of undeveloped, generally level, pasture land. The Bernalillo County Site has been unimproved land since at least 1888. The location of the Bernalillo County Site is shown in **Attachments 1a, 1d, and 1e.**

Construction details for the proposed National Cemetery development are unknown at this time. However, the proposed National Cemetery would include the development of the necessary infrastructure associated with a cemetery (e.g., roads, water supply, grave sites, committal structure, support structures, and fencing). Through the VA's site screening and selection process, the proposed sites have been identified as being physically and operationally best suited to meet the purpose of and need for the proposed National Cemetery for a variety of reasons.

Area of Potential Effect

The area of potential effect (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character or use of historic properties. An APE of the boundaries of the selected site would be suitable for direct effects. A radius of 0.25-mile around the selected site will address potential indirect effects to historic properties in the area.

Identification of Historic Properties

Identification efforts included limited walking surveys of the sites by an architectural historian who exceeds the Professional Qualification Standards established by the Secretary of the Interior, and a records and literature search of New Mexico Historic Preservation Division (NM SHPO) files via the New Mexico Cultural Resources Information System. The surveys also included limited pedestrian and windshield surveys of adjacent areas within one mile of the sites. The windshield surveys were limited to the right-of-way for the surrounding areas.

Built Resources

Sandoval County Site: The Sandoval County Site is undeveloped with no extant buildings or structures. No National Historic Landmark (NHL) or National Register of Historic Places (NRHP)-listed or eligible for listing properties were identified on or in the vicinity of the Sandoval County Site.

Bernalillo County Site: The Bernalillo County Site is undeveloped with no extant buildings or structures. No NHL or NRHP-listed or eligible for listing properties were identified on the Bernalillo County Site. One significant historic property was identified in the vicinity of the Bernalillo County Site; the western boundary of Petroglyphs National Monument is located approximately 0.43-mile east of the site. One of the principal cultural resources of Petroglyphs National Monument, the Three Sisters or Albuquerque Volcanoes, a sacred landscape to many Native American groups, is located approximately 0.75-mile east of the site.

Archaeological Resources

Sandoval County Site: Three archaeological sites have been recorded on the Sandoval County Site. These sites were identified as part of a larger survey undertaken by the landowner, AMREP Southwest, Inc., in advance of future development. The archaeological investigation was undertaken by Rio Grande Consultants, Inc. in 1998. The 2006 final report of the Hawk Project investigation states 10 archaeological sites were located and over 10,000 artifacts recovered. The report recommends that development of the property would not have an adverse effect on any archaeological sites eligible for listing in the NRHP as the data potential had been “exhausted” by the investigation.

Bernalillo County Site: The NM SHPO does not have any record of previous archaeological investigations on the Bernalillo County Site. A review of data supplied via NMCRIS revealed multiple archaeological investigations have been completed in vicinity of the site, particularly adjacent to Atrisco Vista Boulevard and at Petroglyph National Monument. These investigations have yielded prehistoric and historic artifacts. There are 19 archaeological sites within approximately 1 mile of the site; of those, 16 are within the boundaries of Petroglyph National Monument. None of the identified archaeological sites have been evaluated for listing in the NRHP.

Traditional Cultural Properties

Sandoval County Site: No Traditional Cultural Properties (TCPs) were identified on the Sandoval County Site or within the recommended APE.

Bernalillo County Site: No TCPs were identified on the Bernalillo County Site or within the recommended APE. However, components within Petroglyphs National Monument, such as the Three Sisters, likely meet the criteria for consideration as TCPs.

Effects of the Proposed Project on Historic Properties

Adverse effects of an undertaking occur when the action directly or indirectly alters the characteristics of a historic property that qualify it for inclusion in the NRHP. Reasonably foreseeable effects that are caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative also need to be considered.

Sandoval County Site: At the Sandoval County Site, the proposed project would have no adverse effect on identified NHL-listed or NRHP-listed historic properties.

Bernalillo County Site: At the Bernalillo County Site, the proposed project would have no adverse direct effect on identified NHL-listed or NRHP-listed historic properties. However, development of the identified site as a cemetery may affect as-yet unidentified archaeological deposits within the property. An archaeological survey to identify any archaeological deposits is recommended.

Based on the distance of the Petroglyph National Monument from the Bernalillo County Site, combined with the plans for largely low-scale development as a National Cemetery, it is anticipated that the proposed project would have no adverse effect on significant cultural resources at Petroglyph National Monument.

This letter serves as an invitation to participate in consultation regarding the proposed acquisition and development of a new National Cemetery at one of the proposed sites. Please respond to this letter by November 24, 2017 to acknowledge your interest in participating in this process as a consulting party. Should significant interest arise from the proposed acquisition VA will host a Consulting Party meeting to discuss the proposed Area(s) of Potential Effect, identified historic properties within those area(s), the potential for archaeological resources within the project footprint, and the level of effect posed by the proposed alternatives. We will forward call information to your organization should you elect to participate in consultation regarding this project.

We thank you for your review of this VA undertaking. If you have any questions about this project, please contact Kelli Witt at kelli.witt@va.gov, 202 632-5706.

Sincerely,

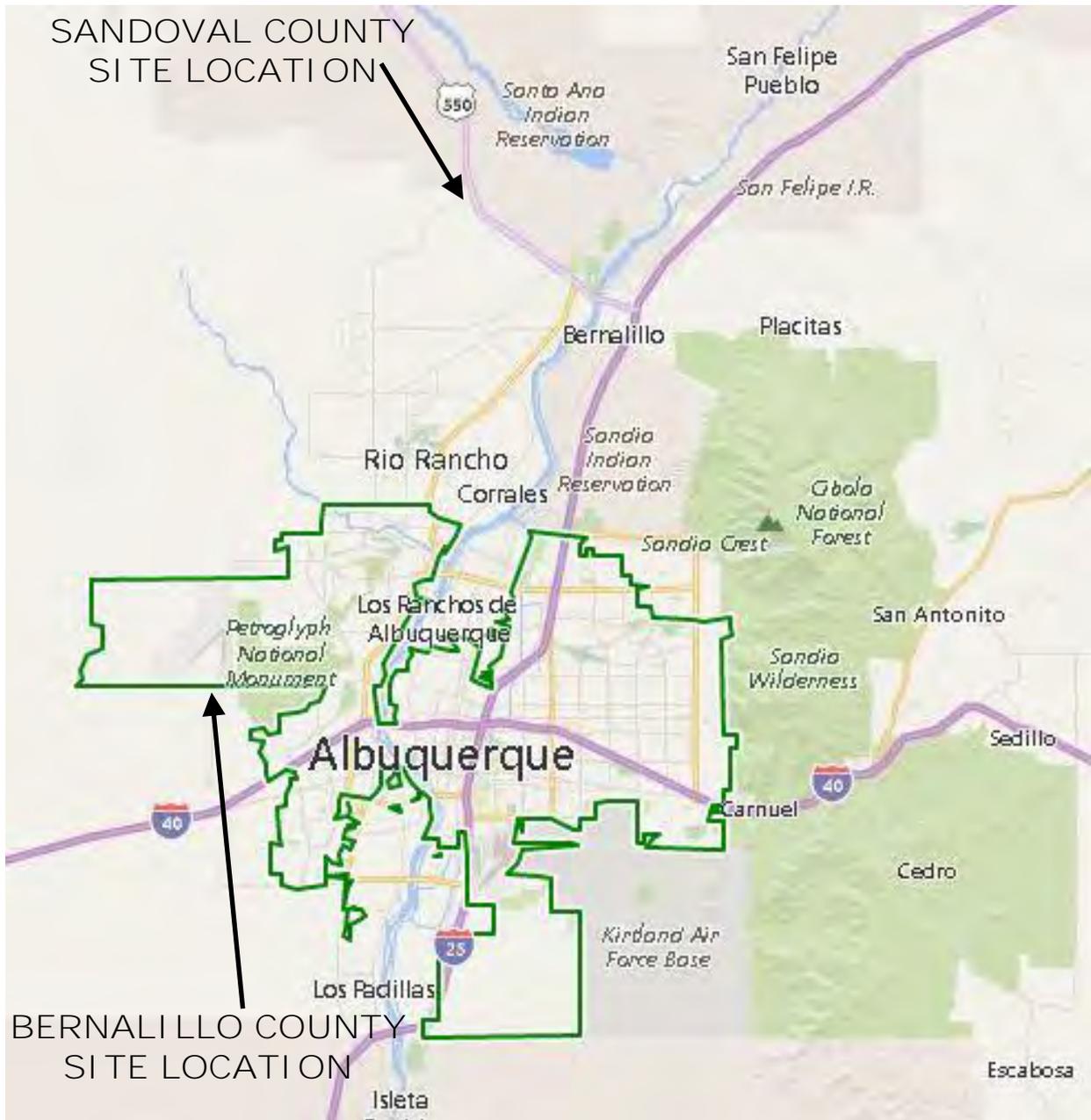


Kelli M. Witt
Sr. Realty Specialist
U.S. Department of Veterans Affairs
Office of Real Property

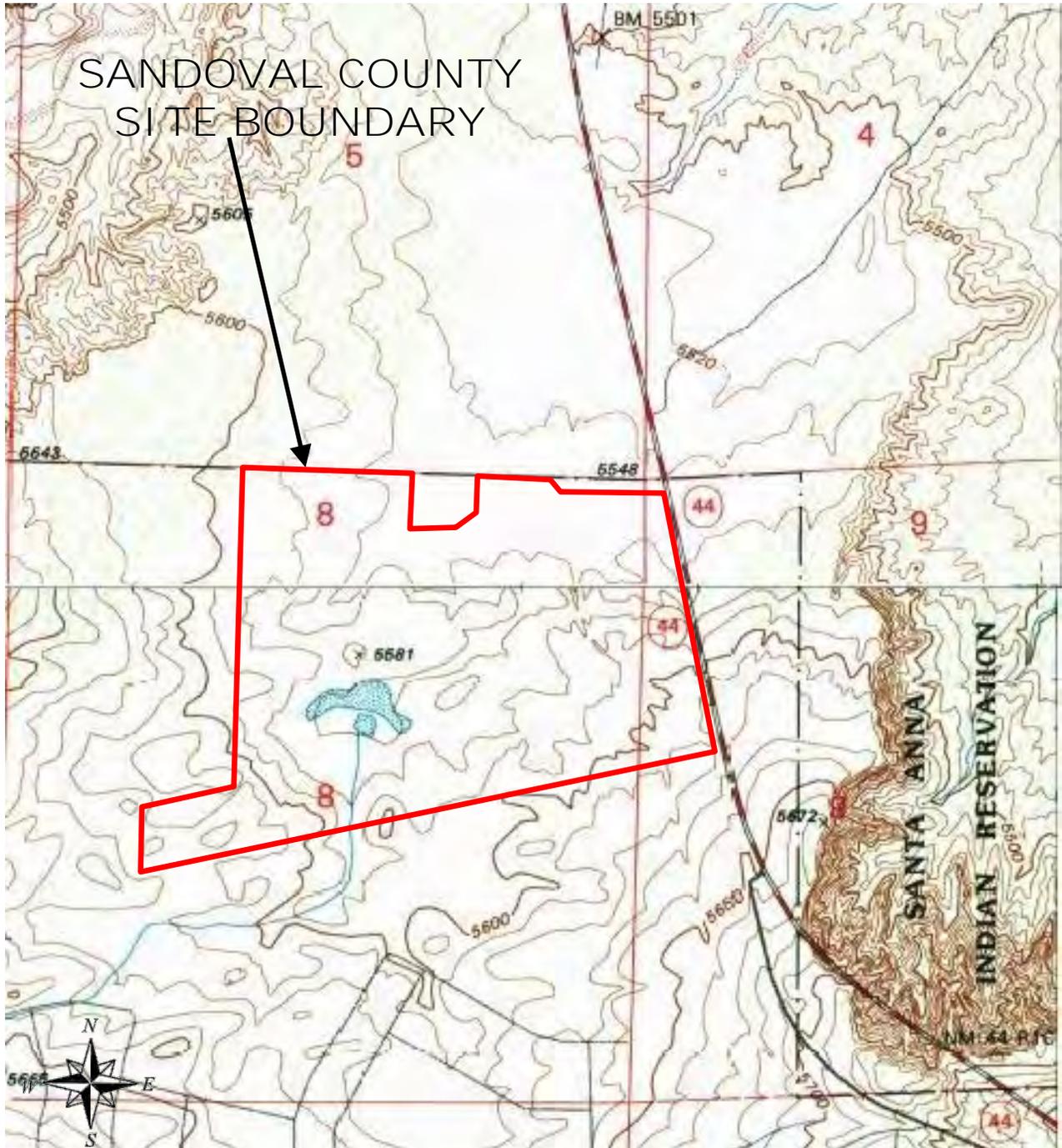
**ATTACHMENTS 1A THROUGH 1E
LOCATION MAPS**

ATTACHMENT 1a

Location Map Proposed Albuquerque National Cemetery Bernalillo and Sandoval Counties, New Mexico

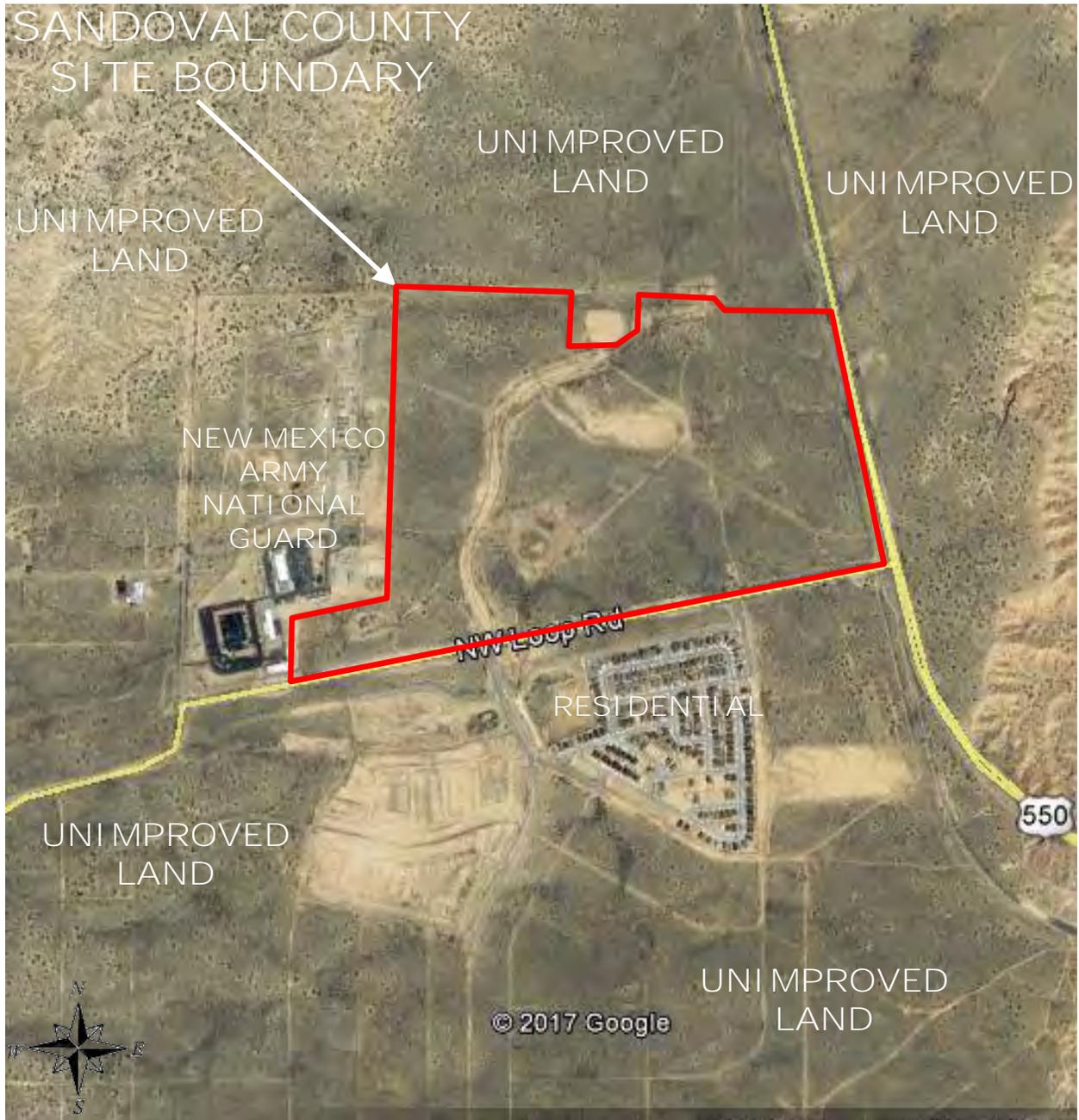


ATTACHMENT 1b
Topographic Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico



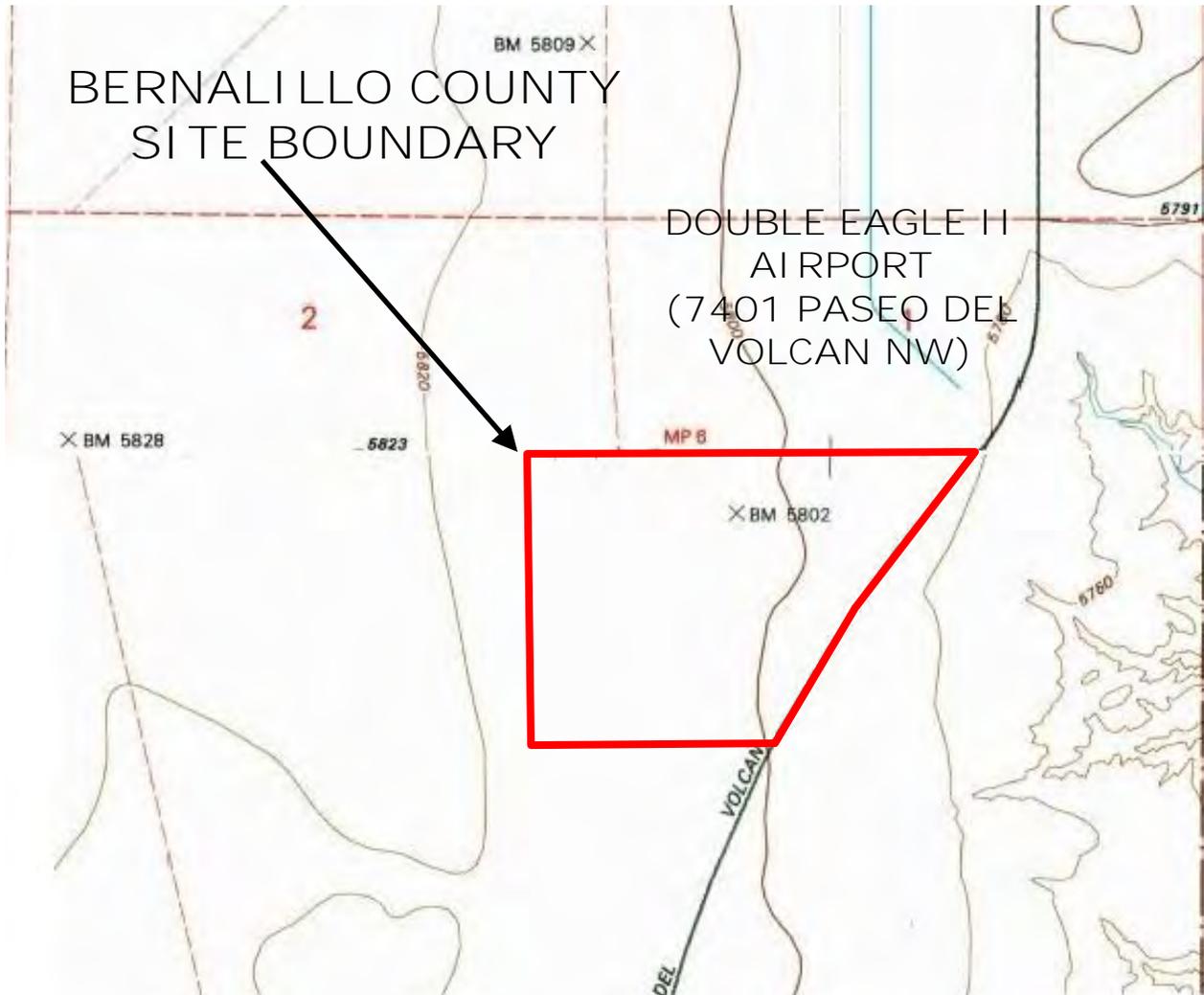
ATTACHMENT 1c

**Aerial Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico**



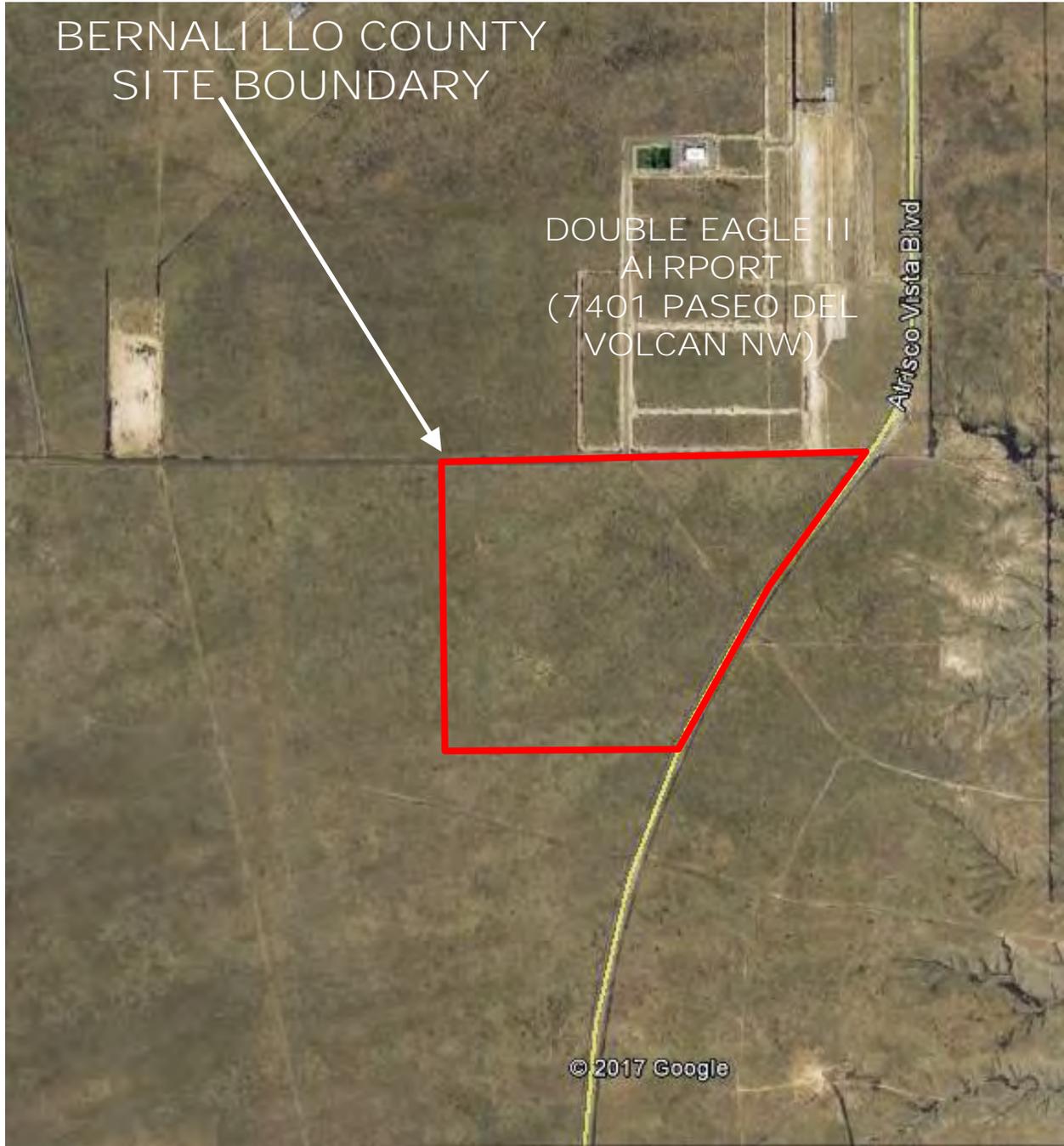
ATTACHMENT 1d

**Topographic Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**



ATTACHMENT 1e

**Aerial Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**





DEPARTMENT OF VETERANS AFFAIRS
Office of Construction & Facilities Management
Washington DC 20420

October 18, 2017

Ute Mountain Tribe of the Ute Mountain Reservation
Mr. Terry Knight
P.O. Box 468
Towaoc, Colorado 81334

RE: Section 106 Consultation for the Proposed New National Cemetery on One of Two Sites Near Albuquerque, New Mexico

Dear Mr. Knight,

The mission of the U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) is to honor Veterans and their families with final resting places in national shrines and with lasting tributes that commemorate their service and sacrifice to our Nation. In order to fulfill this mission, VA proposes to acquire an at least 200-acre site for the development and operation of a new National Cemetery near Albuquerque, New Mexico (Undertaking). The proposed National Cemetery would be located on one of the following two potential sites:

- **Sandoval County Site:** Approximately 246 acres of land located at the northwest corner of Northwest Loop Road and US Route 550 in the City of Rio Rancho, Sandoval County, New Mexico. This site is undeveloped, generally level, mostly grassy land that has been platted and divided for mixed-use development. The location of the Sandoval County Site is shown in **Attachments 1a – 1c.**
- **Bernalillo County Site:** Approximately 230 acres of land located at the southwest corner of Shooting Range Road and Atrisco Vista Boulevard, Bernalillo County, New Mexico. This site consists of undeveloped, generally level, pasture land. The Bernalillo County Site has been unimproved land since at least 1888. The location of the Bernalillo County Site is shown in **Attachments 1a, 1d, and 1e.**

Construction details for the proposed National Cemetery development are unknown at this time. However, the proposed National Cemetery would include the development of the necessary infrastructure associated with a cemetery (e.g., roads, water supply, grave sites, committal structure, support structures, and fencing). Through the VA's site screening and selection process, the proposed sites have been identified as being physically and operationally best suited to meet the purpose of and need for the proposed National Cemetery for a variety of reasons.

Area of Potential Effect

The area of potential effect (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character or use of historic properties. An APE of the boundaries of the selected site would be suitable for direct effects. A radius of 0.25-mile around the selected site will address potential indirect effects to historic properties in the area.

Identification of Historic Properties

Identification efforts included limited walking surveys of the sites by an architectural historian who exceeds the Professional Qualification Standards established by the Secretary of the Interior, and a records and literature search of New Mexico Historic Preservation Division (NM SHPO) files via the New Mexico Cultural Resources Information System. The surveys also included limited pedestrian and windshield surveys of adjacent areas within one mile of the sites. The windshield surveys were limited to the right-of-way for the surrounding areas.

Built Resources

Sandoval County Site: The Sandoval County Site is undeveloped with no extant buildings or structures. No National Historic Landmark (NHL) or National Register of Historic Places (NRHP)-listed or eligible for listing properties were identified on or in the vicinity of the Sandoval County Site.

Bernalillo County Site: The Bernalillo County Site is undeveloped with no extant buildings or structures. No NHL or NRHP-listed or eligible for listing properties were identified on the Bernalillo County Site. One significant historic property was identified in the vicinity of the Bernalillo County Site; the western boundary of Petroglyphs National Monument is located approximately 0.43-mile east of the site. One of the principal cultural resources of Petroglyphs National Monument, the Three Sisters or Albuquerque Volcanoes, a sacred landscape to many Native American groups, is located approximately 0.75-mile east of the site.

Archaeological Resources

Sandoval County Site: Three archaeological sites have been recorded on the Sandoval County Site. These sites were identified as part of a larger survey undertaken by the landowner, AMREP Southwest, Inc., in advance of future development. The archaeological investigation was undertaken by Rio Grande Consultants, Inc. in 1998. The 2006 final report of the Hawk Project investigation states 10 archaeological sites were located and over 10,000 artifacts recovered. The report recommends that development of the property would not have an adverse effect on any archaeological sites eligible for listing in the NRHP as the data potential had been “exhausted” by the investigation.

Bernalillo County Site: The NM SHPO does not have any record of previous archaeological investigations on the Bernalillo County Site. A review of data supplied via NMCRIS revealed multiple archaeological investigations have been completed in vicinity of the site, particularly adjacent to Atrisco Vista Boulevard and at Petroglyph National Monument. These investigations have yielded prehistoric and historic artifacts. There are 19 archaeological sites within approximately 1 mile of the site; of those, 16 are within the boundaries of Petroglyph National Monument. None of the identified archaeological sites have been evaluated for listing in the NRHP.

Traditional Cultural Properties

Sandoval County Site: No Traditional Cultural Properties (TCPs) were identified on the Sandoval County Site or within the recommended APE.

Bernalillo County Site: No TCPs were identified on the Bernalillo County Site or within the recommended APE. However, components within Petroglyphs National Monument, such as the Three Sisters, likely meet the criteria for consideration as TCPs.

Effects of the Proposed Project on Historic Properties

Adverse effects of an undertaking occur when the action directly or indirectly alters the characteristics of a historic property that qualify it for inclusion in the NRHP. Reasonably foreseeable effects that are caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative also need to be considered.

Sandoval County Site: At the Sandoval County Site, the proposed project would have no adverse effect on identified NHL-listed or NRHP-listed historic properties.

Bernalillo County Site: At the Bernalillo County Site, the proposed project would have no adverse direct effect on identified NHL-listed or NRHP-listed historic properties. However, development of the identified site as a cemetery may affect as-yet unidentified archaeological deposits within the property. An archaeological survey to identify any archaeological deposits is recommended.

Based on the distance of the Petroglyph National Monument from the Bernalillo County Site, combined with the plans for largely low-scale development as a National Cemetery, it is anticipated that the proposed project would have no adverse effect on significant cultural resources at Petroglyph National Monument.

This letter serves as an invitation to participate in consultation regarding the proposed acquisition and development of a new National Cemetery at one of the proposed sites. Please respond to this letter by November 24, 2017 to acknowledge your interest in participating in this process as a consulting party. Should significant interest arise from the proposed acquisition VA will host a Consulting Party meeting to discuss the proposed Area(s) of Potential Effect, identified historic properties within those area(s), the potential for archaeological resources within the project footprint, and the level of effect posed by the proposed alternatives. We will forward call information to your organization should you elect to participate in consultation regarding this project.

We thank you for your review of this VA undertaking. If you have any questions about this project, please contact Kelli Witt at kelli.witt@va.gov, 202 632-5706.

Sincerely,

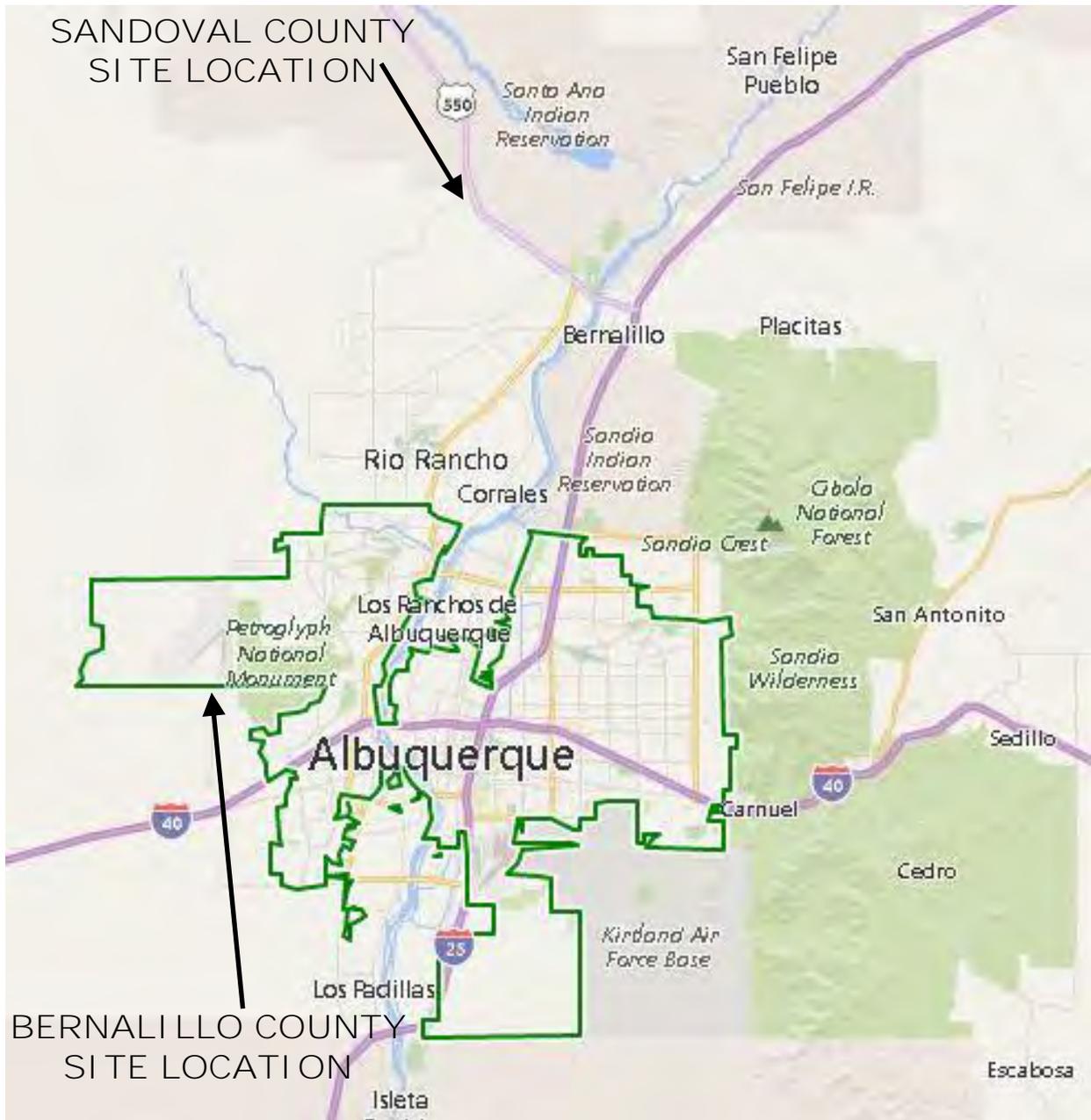


Kelli M. Witt
Sr. Realty Specialist
U.S. Department of Veterans Affairs
Office of Real Property

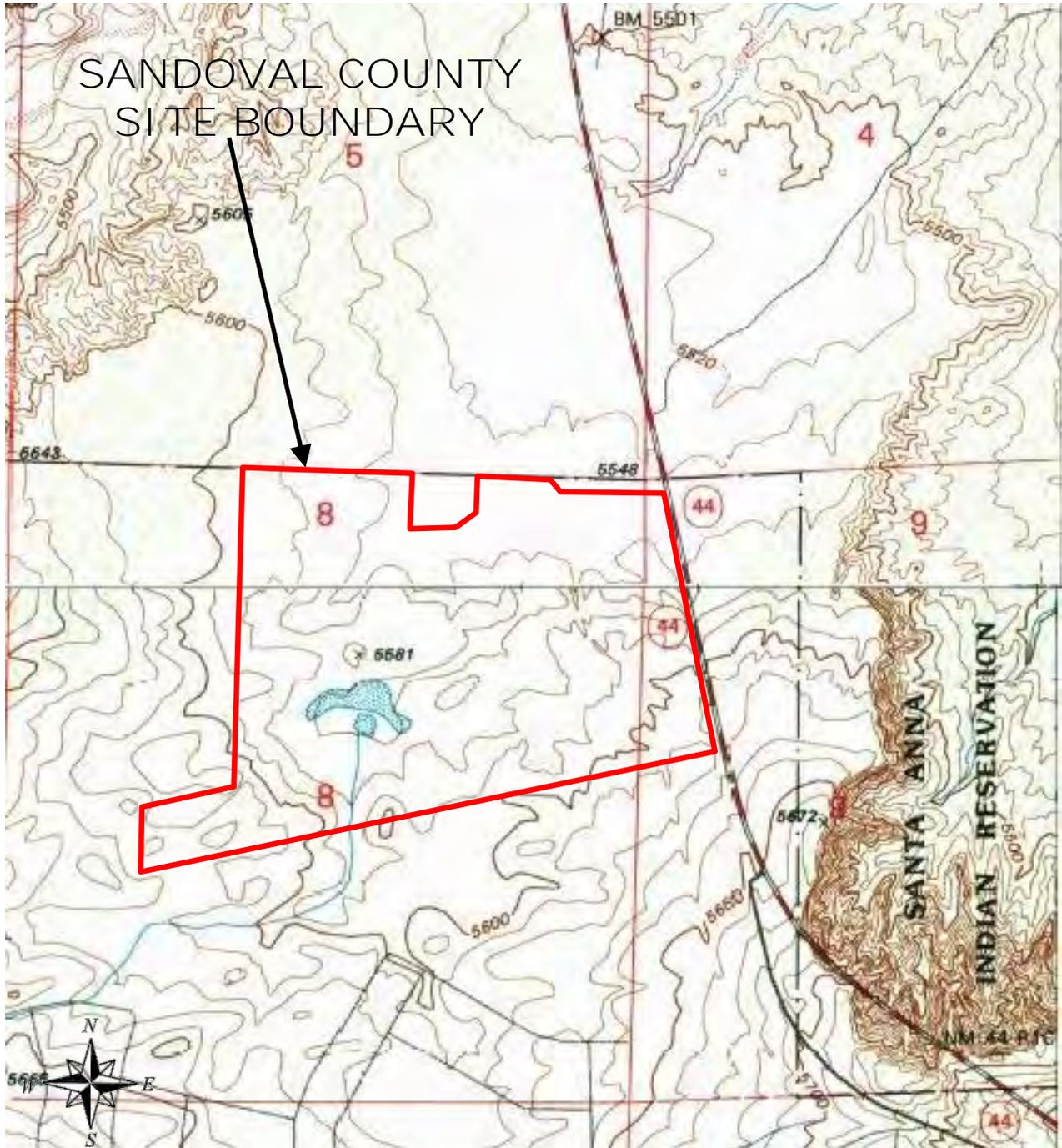
**ATTACHMENTS 1A THROUGH 1E
LOCATION MAPS**

ATTACHMENT 1a

Location Map Proposed Albuquerque National Cemetery Bernalillo and Sandoval Counties, New Mexico

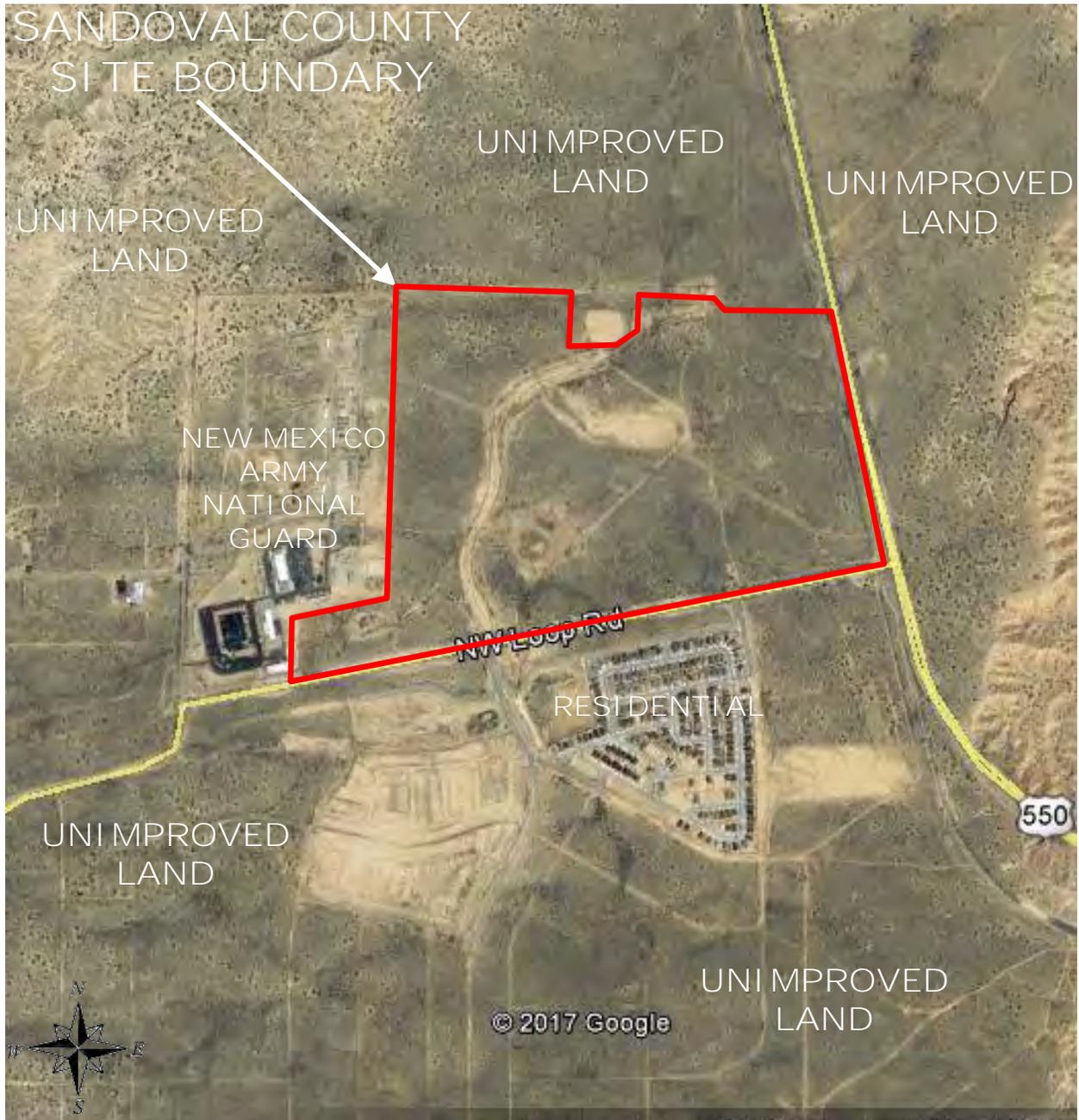


ATTACHMENT 1b
Topographic Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico



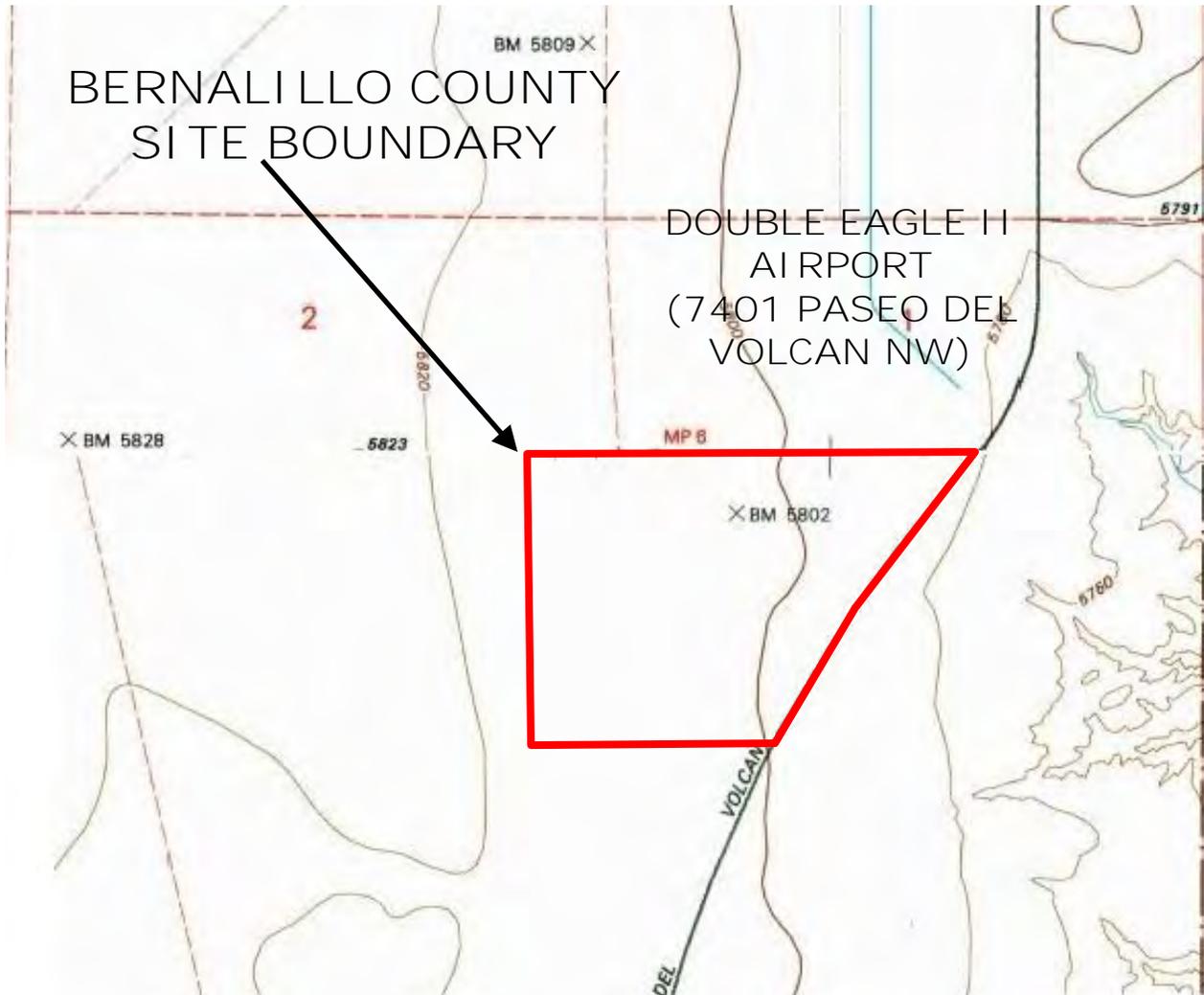
ATTACHMENT 1c

**Aerial Location Map
Proposed Albuquerque National Cemetery
Sandoval County Site
Rio Rancho, Sandoval County, New Mexico**



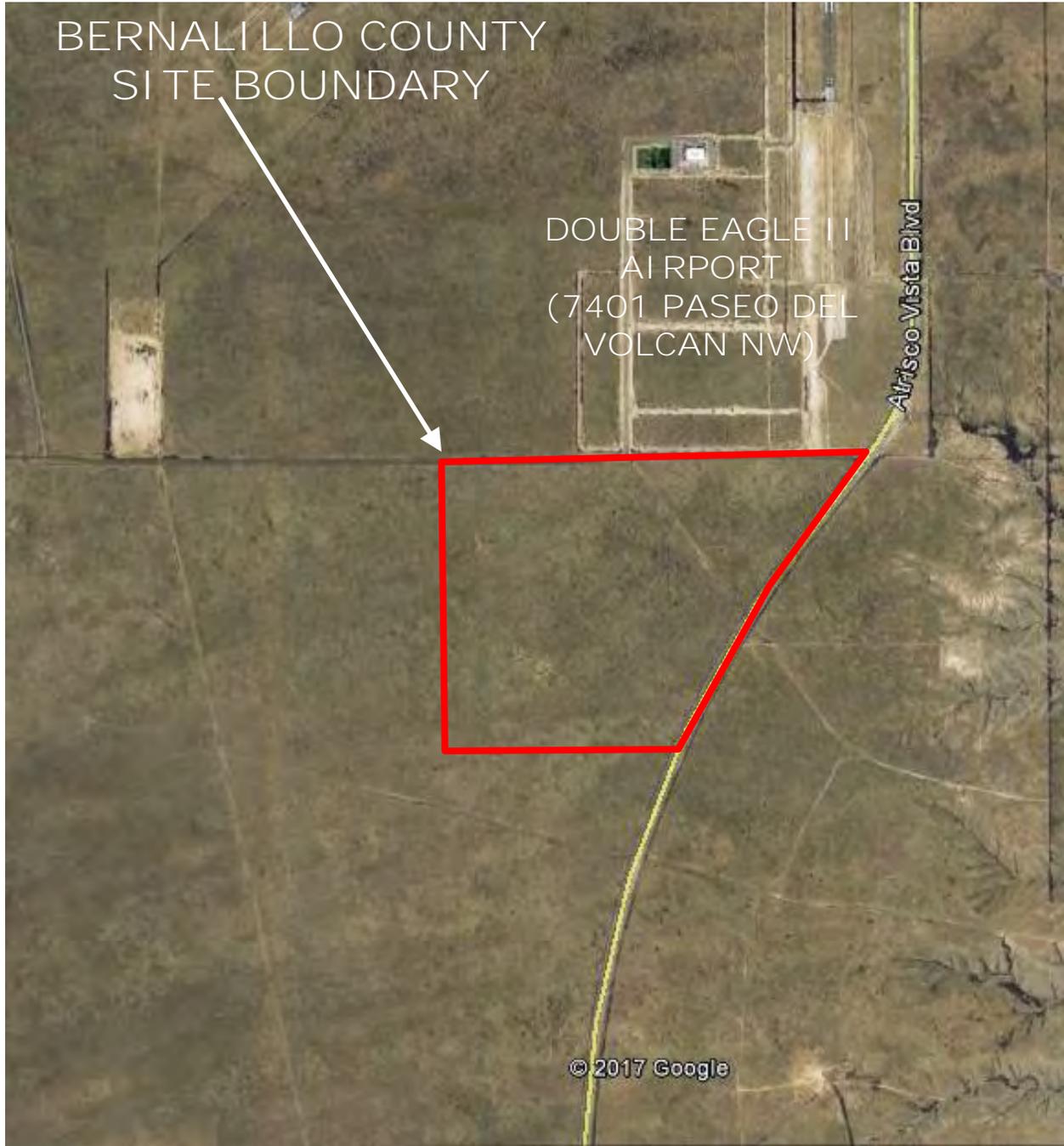
ATTACHMENT 1d

**Topographic Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**



ATTACHMENT 1e

**Aerial Location Map
Proposed Albuquerque National Cemetery
Bernalillo County Site
Bernalillo County, New Mexico**



Attachment 2
List of Agencies and Organizations Contacted
Department of Veterans Affairs
Proposed Albuquerque National Cemetery
Bernalillo and Sandoval Counties, New Mexico

Pueblo of Taos

Ruben Romero, Governor
P.O. Box 1846
Taos, New Mexico 87571
Phone: (575) 758-9593

Pueblo of Picuris

Craig Quanchello, Governor
P.O. Box 127
Pensaco, New Mexico 87553
Phone: (575) 587-2519

Ohkay Owingeh

Peter Garcia, Jr., Governor
P.O. Box 1099
San Juan Pueblo, New Mexico 87566
Phone: (505) 852-4400

Pueblo of Santa Clara

Ben Chavarria
P.O. Box 580
Española, New Mexico 87532
Phone: (505) 753-7326

Jicarilla Apache Nation

Dr. Jeffrey Blythe
P.O. Box 1367
Dulce, New Mexico 87528
Phone: (505) 765-8659

Pueblo of San Ildefonso

James R. Mountain, Governor
02 Tunyo Po
Santa Fe, New Mexico 87506
Phone: (505) 455-2273

Pueblo of Nambe

Phillip A. Perez, Governor
Route 1
Box 117-BB
Santa Fe, New Mexico 87506
Phone: (505) 455-2036

Pueblo of Pojoaque

Bruce Bernstein, Ph.D.
78 Cities of Gold Road
Santa Fe, New Mexico 87506
Phone: (505) 455-7052

Pueblo of Tesuque

Charlie Dorame
Office of the Governor
Route 42
Box 360-T
Santa Fe, New Mexico 87506
Phone: (505) 955-7711

Pueblo of Conchiti

Eugene Herrera, Governor
P.O. Box 70
Cochiti Pueblo, New Mexico 87072
Phone: (505) 465-2244

Pueblo of San Felipe

Ricardo Ortiz
P.O. Box 4339
San Felipe, New Mexico 87001
Phone: (505) 867-5280

Pueblo of Santa Ana

Dr. Phillip H. Shelley, Director
02 Dove Road
Santa Ana Pueblo, New Mexico 87004
Phone: (505) 280-5478

Pueblo of Sandia

Malcom Montoya, Governor
481 Sandia Loop
Bernalillo, New Mexico 87004
Phone: (505) 867-3317

Pueblo of Zia

Carl B. Schmidt, Governor
135 Capitol Square Drive
Zia Pueblo, New Mexico 87053
Phone: (505) 867-3304

Pueblo of Jemez

Christopher Toya
P.O. Box 100
Jemez Pueblo, New Mexico 87024
Phone: (575) 834-7696 ext. 104

Pueblo of Isleta

Dr. Henry Walt
P.O. Box 1270
Isleta, New Mexico 87022
Phone: (505) 869-9767

Pueblo of Acoma

Kurt Riley, Governor
P.O. Box 309
Acoma, New Mexico 87034
Phone: (505) 552-6604

Pueblo of Laguna

Gaylord Siow
P.O. Box 194
Laguna, New Mexico 87026
Phone: (505) 552-5033

Zuni Pueblo

Kurt Dongoske
P.O. Box 1149
Zuni Pueblo, New Mexico 87327
Phone: (505) 782-4814

Attachment 2 (continued)
List of Agencies and Organizations Contacted
Department of Veterans Affairs
Proposed Albuquerque National Cemetery
Bernalillo and Sandoval Counties, New Mexico

Mescalero Apache Tribe

Holly Houghten
P.O. Box 227
Mescalero, New Mexico 88340
Phone: (575) 464-3005

Fort Sill Apache Tribe

Jeff Haozous
Route 2
Box 121
Apache, Oklahoma 73006
Phone: (580) 588-2298

Navajo Nation

Richard M. Begay
P.O. Box 4950
Window Rock, Arizona 86515
Phone: (928) 871-1798

Pueblo of Santo Domingo

Brian Coriz
P.O. Box 99
Santo Domingo Pueblo, New Mexico 87052
Phone: (505) 465-2214

Ute Mountain Tribe of the Ute Mountain Reservation

Terry Knight
P.O. Box 468
Towaoc, Colorado 81334
Phone: (970) 564-5731



STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

Susana Martinez
Governor

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

November 15, 2017

Kelli M. Witt
Sr. Realty Specialist
U.S. Department of Veterans Affairs
Office of Real Property
810 Vermont Avenue NW (003C)
Washington DC 20420

Re: Section 106 Consultation for the Proposed New National Cemetery on One of Two Sites
Near Albuquerque, New Mexico

Dear Ms. Witt:

I am writing in response to your letter, received at the New Mexico State Historic Preservation Office (SHPO) on October 30, 2017, concerning the above referenced project. We look forward to continuing Section 106 consultation on the project, although it may not be necessary for us to attend a consulting party meeting. I offer some comments on the proposed project areas below, for your consideration as the consultation process moves forward.

Sandoval County Site. Your letter references a final report completed in 2006 for the Hawk project. Our records show the submittal of a survey report and a copy of an archaeological testing report for this area. We do not have evidence of being provided a copy of the final report. If this location is selected for the new cemetery, we will need a copy of the final report in order to continue consultation.

Bernalillo County Site. Your letter indicates that we do not have record of previous archaeological investigations on the Bernalillo County site. In fact, there has been some archaeological survey; but this survey is more than 20 years old and did not cover the entire project area. Therefore, we recommend that if this site is selected, a professional archaeologist conduct an intensive pedestrian survey of the area to document any archaeological sites or other historic properties that might be present.

Lastly, your letter indicates that there are no TCPs within either project area, but your letter does not say if Veterans Affairs has conducted consultation with Native American Tribes. A list of tribes who wish to be contacted for projects occurring in Sandoval and Bernalillo Counties can

be found on our website, along with contact information. Our web site address is www.nmhistoricpreservation.org.

If you have any questions, please do not hesitate to contact me at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,



Michelle M. Ensey
Deputy State Historic Preservation Officer
& State Archaeologist

Log: 106723

Lee Brewer

From: Kelli Witt <kelli.witt@va.gov>
Sent: Wednesday, November 8, 2017 1:38 PM
To: Bernard Mora
Subject: RE: Re proposed National Cemetery sites
Attachments: Curation_Amrep_11Feb2009.pdf

Hi Bernard,

Per the attached curation Agreement between AMREP Southwest, Inc. and The Maxwell Museum of Anthropology, all artifacts that were recovered have been conveyed to the museum.

Upon consultation with SHPO, we may conduct an archeological survey. Should that occur, we will share the findings with all interested parties.

Let me know if I can answer any further questions.

Respectfully,

Kelli M. Witt | Realty Specialist | Department of Veterans Affairs | Office of Real Property (003C1E) | 425 Eye Street, NW Washington, DC 20001 | kelli.witt@va.gov | (202) 632-5706



From: Bernard Mora [mailto:bmora@pueblooftesuque.org]
Sent: Wednesday, November 01, 2017 12:34 PM
To: Witt, Kelli M. (CFM)
Subject: [EXTERNAL] Re proposed National Cemetery sites

Good morning, Kelli,

I am Bernard mora, Pueblo of Tesuque THPO, I am in receipt of the information on these proposed sites and am requesting a status on the artifacts that were recovered at the Sandoval County Site. Please forward an itemized list of artifacts and what you propose to do with these artifacts. Upon receipt of the list other recommendations may be forwarded.

We also wish to be informed on any other finds within both locations and a copy of the Archaeological Survey Reports. Thank you in Advance.

Bernard Mora, THPO

Lee Brewer

From: Phillip Shelley <Phillip.Shelley@santaana-nsn.gov>
Sent: Monday, November 13, 2017 12:09 PM
To: Kelli Witt
Cc: Julian T. Garcia; Tim Menchego
Subject: [EXTERNAL] Section 106 Consultation for the Proposed New National Cemetery

Dear Ms. Witt,

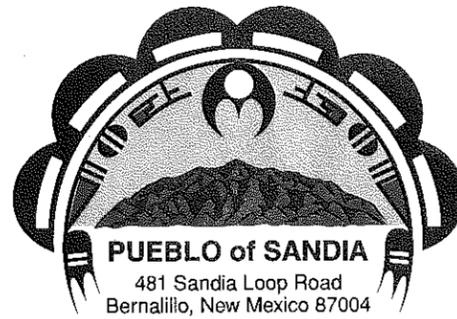
We have reviewed your report on the two locations proposed for the new National Cemetery (Sandoval County and Bernalillo County locations) and we concur with your findings of no adverse effect for the Sandoval County site and we concur with the recommendation for an archaeological survey for the Bernalillo County site if it is selected for the new cemetery.

Phillip H. Shelley, PhD, RPA
Tribal Historic Preservation Office Division Director and
Tribal Historic Preservation Officer
Pueblo of Santa Ana
02 Dove Road,
Santa Ana Pueblo, NM 87004
Phillip.Shelley@santaana-nsn.gov
505-280-5478

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Malcolm Montoya
Governor

Lawrence Gutierrez
Lt. Governor



(505) 867-3317
Fax (505) 867-9235
www.sandiapueblo.nsn.us

November 20, 2017

Kelli M. Witt, Sr. Realty Specialist
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
Washington, DC 20420

RE: Section 106 Consultation for the Proposed New National Cemetery on One of Two Sites Near Albuquerque, New Mexico

Dear Mr. Witt

In response to your letter of invitation for the Pueblo of Sandia (Pueblo) to be a consulting party, regarding the Proposed New National Cemetery on One of Two Sites. The Pueblo has reviewed your letter and maps, summarizing the proposed sites for development of a new National Cemetery in Bernalillo or Sandoval County.

The Pueblo is very interested in being a consulting party in process of the proposed acquisition and development of a new National Cemetery. The Pueblo feels that the two proposed sites are in such a close proximity to pueblo lands, cultural sites, and historical properties which may be affected in this endeavor. It will be in our best interest to participate in the consulting process.

We would like to share our thoughts on the proposed development of the National Cemetery. To make sure it does not impede or disturb any archaeological, sacred or burial sites in the area. We would also like to make sure the National Cemetery represents our Nations Veterans in the proper manner deserved by a Military Veteran.

Thank you for your time and invitation. Please contact Sage Mountainflower, Environment Director of my staff at smountainflower@sandiapueblo.nsn.edu or (505)-867-4533 concerning any future meetings.

Sincerely,


Malcolm Montoya
Governor

\SM

cc: Sage Mountainflower, Pueblo of Sandia Environment Department (via e-mail)
Brooke Wyman, Pueblo of Sandia Water Resources Manager (via e-mail)
J. Xavier Montoya, USDA Natural Resources Conservation Service (USPS mail)
File



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
WASHINGTON DC 20420

November 21, 2022

Dr. Jeff Pappas, Ph.D.
New Mexico State Historic Preservation Officer
New Mexico Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

RE: Section 106 Consultation for a Proposed New National Cemetery on an Approximately 230-acre parcel in Albuquerque, Bernalillo County, New Mexico

Dear Dr. Pappas,

The mission of the U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) is to honor Veterans and their families with final resting places in national shrines and with lasting tributes that commemorate their service and sacrifice to our Nation. To fulfill this mission, VA proposes to acquire an approximately 230-acre parcel for the development and operation of a new National Cemetery near Albuquerque, New Mexico (Undertaking). This Undertaking was previously presented to your office as one of two parcels under consideration in a letter dated October 18, 2017 (see Attachment D).

The proposed cemetery parcel consists of approximately 230 acres of land located at the southwest corner of Shooting Range Road and Atrisco Vista Boulevard, Bernalillo County, New Mexico. This parcel consists of undeveloped, generally level, pastureland. This parcel has been unimproved land since at least 1888. The location of the Bernalillo County parcel is shown in Attachment A.

Undertaking

As noted above, the Undertaking is the acquisition, construction, and operation of an approximately 230-acre parcel for a new National Cemetery near Albuquerque, New Mexico. Construction details for the proposed National Cemetery development are unknown at this time. However, the proposed National Cemetery will include the development of the necessary infrastructure typical of other National Cemeteries, including site preparation for interment, in-ground burials with standard NCA markers, the construction and use of columbaria and other receptacles for cremated remains, and the construction and use of a chapel, and/or support buildings. Installation of roads, fences, entrance gates, a flagpole, and landscaping, and construction of support facilities and additional utilities are also anticipated. These assumptions include that any buildings added to the parcel will not exceed two stories in height. If construction plans deviate markedly from these assumptions, effects to historic properties may need to be reevaluated.

Area of Potential Effects

The area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The boundary of the selected 230-acre parcel is recommended as suitable for assessing physical effects related to the acquisition, construction, and operation of the cemetery. An additional radius of 0.25 miles surrounding the parcel described above is recommended as appropriate for assessing potential visual/auditory effects to historic

properties in the area. Therefore, for this undertaking, an area encompassing the 230-acre parcel plus an additional 0.25-mile radius buffer is recommended for an APE.

Identification of Historic Properties

Identification efforts included limited walking surveys of the parcel in 2017 and 2022 by an architectural historian who exceeds the Professional Qualification Standards established by the Secretary of the Interior, and a records and literature search of New Mexico Historic Preservation Division (NM SHPO) files via the New Mexico Cultural Resources Information System. The survey also included limited pedestrian and windshield survey of adjacent areas within one mile of the parcel. The windshield survey was limited to the right-of-way for the surrounding area.

Built Resources

The parcel is undeveloped with no extant buildings or structures. No National Historic Landmark (NHL) or National Register of Historic Places (NRHP)-listed or eligible properties were identified on the Bernalillo County parcel. One significant historic property was identified in the vicinity of the parcel; the western boundary of Petroglyph National Monument is located approximately 0.43-mile east of the parcel. One of the principal cultural resources of Petroglyph National Monument, the Three Sisters or Albuquerque Volcanoes, a sacred landscape to many Native American groups, is located approximately 0.75-mile east of the parcel. Photographs of the proposed parcel are located in Attachment B: Photographs.

Archaeological Resources

In 2018, Okun Consulting Solutions (OCS) conducted a 100-percent (Class III) pedestrian cultural resource survey of the parcel and a visual inspection of a 50-foot area surrounding the parcel. The purpose of this investigation was to identify and evaluate all cultural resources within the parcel, potentially including historic districts, archaeological sites, linear resources, isolated occurrences (IOs), and historic buildings and structures over 50 years in age. All discovered resources were evaluated for their eligibility to the NRHP, and the potential effects of the proposed undertaking on all historic properties was assessed.

One linear resource (post-contact) and 26 IOs (14 pre-contact and 12 post-contact) were documented during survey of the parcel. The linear resource (HCPI 44595) is an early to mid-twentieth century road alignment consisting of a linear swale and associated artifacts. While the road is clearly visible and remains in good condition, it was likely a minor transportation route, and no mention of its construction or use was found in local transportation records. As a minor road, there is no evidence that the alignment was associated with important events or persons or that any such association would be demonstrably significant; the road does not visually convey a strong sense of time and place and therefore does not qualify for listing on the NRHP under Criteria A or B. The alignment lacks distinctive design or engineering characteristics and does not qualify for listing under Criterion C. Further, as a minor road, it is not likely to provide significant information about past use of the West Mesa and does not qualify for listing under Criterion D. HCPI 44595, therefore, lacks historic significance and VA has determined it *not eligible* for listing on the NRHP. No further management considerations are warranted for this resource. The 26 IOs documented during this investigation lack additional data potential and are not likely to increase our understanding of the past. Therefore, VA has determined them *not eligible* for listing on the NRHP. No further management considerations are warranted for these resources. See the full archaeological report in Attachment C.

Traditional Cultural Properties

No Traditional Cultural Properties (TCPs) were identified on the Bernalillo County parcel or within the recommended APE. However, components within Petroglyph National Monument, such as the Three Sisters, meet the criteria for consideration as TCPs.¹ While no TCPs have yet been identified within the APE, VA is seeking input from the Tribes listed below and will reassess its identification efforts should new information be provided. In 2017, VA submitted invitation to consult to the following parties:

Table 1 Table of Invited Consulting Parties

¹ "That Place that People Talk About": *The Petroglyph National Monument, Ethnographic Landscape Report*, Anschuetz, Ferguson, Francis, Kelly, Scheick (2002).

Advisory Council on Historic Preservation
New Mexico Historic Preservation Division
Pueblo of Taos
Pueblo of Picuris
Ohkay Owingeh
Pueblo of Santa Clara
Jicarilla Apache Nation
Pueblo of San Ildefonso
Pueblo of Nambe
Pueblo of Pojoaque
Pueblo of Tesuque
Pueblo of Conchiti
Pueblo of San Felipe
Pueblo of Santa Ana
Pueblo of Sandia
Pueblo of Zia
Pueblo of Jemez
Pueblo of Isleta
Pueblo of Acoma
Pueblo of Laguna
Zuni Pueblo
Mescalero Apache Tribe
Fort Sill Apache Tribe
Navajo Nation
Pueblo of Santo Domingo
Ute Mountain Tribe of the Ute Mountain Reservation
Open Space Division, City of Albuquerque
Petroglyph National Monument
Albuquerque Historical Society
Hispanic Genealogical Research Center of New Mexico
Historic ABQ (Historic Albuquerque, Inc.)
Historical Society of New Mexico
National Hispanic Cultural Center
The Indian Pueblo Cultural Center

At that time, your office and the Pueblo of Sandia both expressed interest in consultation (See Attachment D: Consulting Party Responses). For the current Undertaking, VA is inviting the above organizations, **as well as** the Hopi Tribe, the Apache Tribe of Oklahoma, the Comanche Nation (Oklahoma), and the Ysleta del Sur, to account for the current tribal consultation recommendations of your office, the National Park Service Petroglyph Monument staff, and the Department of Housing and Urban Development Tribal Directory Assessment Tool (TDAT).

Effects of the Proposed Undertaking on Historic Properties

Effects of an undertaking occur when the action directly or indirectly alters the characteristics of a historic property that qualify it for inclusion in the NRHP. Reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative also need to be considered.

VA finds that there are no historic properties present within the APE. Therefore, in accordance with 36 CFR 800.4(d)(1), VA finds the Undertaking will result in no historic properties affected.

This letter serves as an invitation to participate in Section 106 consultation regarding the proposed acquisition and development of a new National Cemetery at the proposed parcel. VA requests your concurrence on the APE, identification of historic properties, and assessment of effects.

We look forward to your input on this Undertaking. VA requests a response to this letter within 30 days of receipt. If you have any questions about this Undertaking, please contact Mr. William Edward Hooker at William.hooker@va.gov, 202-632-6631. We thank you for your commitment to historic resources and ongoing support of Veterans.

Sincerely,

W. Edward Hooker, III
Historic Architect/Cultural Resources Manager
National Cemetery Administration

CC: Héctor M. Abreu-Cintrón, VA Federal Preservation Officer



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
WASHINGTON DC 20420

November 21, 2022

THPO
Terry Knight
Ute Mountain Tribe of the Ute Mountain Reservation
P. O. Box 468 Towaoc, CO 81334
tknight@utemountain.org

RE: Section 106 Consultation for a Proposed New National Cemetery on an Approximately 230-acre site in Albuquerque, Bernalillo County, New Mexico

Dear THPO Terry Knight,

The mission of the U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) is to honor Veterans and their families with final resting places in national shrines and with lasting tributes that commemorate their service and sacrifice to our Nation. To fulfill this mission, VA proposes to acquire an approximately 230-acre parcel for the development and operation of a new National Cemetery near Albuquerque, New Mexico (Undertaking).

The proposed cemetery parcel consists of approximately 230 acres of land located at the southwest corner of Shooting Range Road and Atrisco Vista Boulevard, Bernalillo County, New Mexico. This parcel consists of undeveloped, generally level, pastureland. This parcel has been unimproved land since at least 1888. The location of the Bernalillo County parcel is shown in Attachment A.

Undertaking

As noted above, the Undertaking is the acquisition, construction, and operation of an approximately 230-acre parcel for a new National Cemetery near Albuquerque, New Mexico. Construction details for the proposed National Cemetery development are unknown at this time. However, the proposed National Cemetery will include the development of the necessary infrastructure typical of other National Cemeteries, including site preparation for interment, in-ground burials with standard NCA markers, the construction and use of columbaria and other receptacles for cremated remains, and the construction and use of a chapel, and/or support buildings. Installation of roads, fences, entrance gates, a flagpole, and landscaping, and construction of support facilities and additional utilities are also anticipated. These assumptions include that any buildings added to the parcel will not exceed two stories in height. If construction plans deviate markedly from these assumptions, effects to historic properties may need to be reevaluated.

Area of Potential Effects

The area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The boundary of the selected 230-acre parcel is recommended as suitable for assessing physical effects related to the acquisition,

construction, and operation of the cemetery. An additional radius of 0.25 miles surrounding the parcel described above is recommended as appropriate for assessing potential visual/auditory effects to historic properties in the area. Therefore, for this undertaking, an area encompassing the 230-acre parcel plus an additional 0.25-mile radius buffer is recommended for an APE.

Identification of Historic Properties

Identification efforts included limited walking surveys of the parcel in 2017 and 2022 by an architectural historian who exceeds the Professional Qualification Standards established by the Secretary of the Interior, and a records and literature search of New Mexico Historic Preservation Division (NM SHPO) files via the New Mexico Cultural Resources Information System. The survey also included limited pedestrian and windshield survey of adjacent areas within one mile of the parcel. The windshield survey was limited to the right-of-way for the surrounding area.

Built Resources

The parcel is undeveloped with no extant buildings or structures. No National Historic Landmark (NHL) or National Register of Historic Places (NRHP)-listed or eligible properties were identified on the Bernalillo County parcel. One significant historic property was identified in the vicinity of the parcel; the western boundary of Petroglyph National Monument is located approximately 0.43-mile east of the parcel. One of the principal cultural resources of Petroglyph National Monument, the Three Sisters or Albuquerque Volcanoes, a sacred landscape to many Native American groups, is located approximately 0.75-mile east of the parcel. Photographs of the proposed parcel are located in Attachment B: Photographs.

Archaeological Resources

In 2018, Okun Consulting Solutions (OCS) conducted a 100-percent (Class III) pedestrian cultural resource survey of the parcel and a visual inspection of a 50-foot area surrounding the parcel. The purpose of this investigation was to identify and evaluate all cultural resources within the parcel, potentially including historic districts, archaeological sites, linear resources, isolated occurrences (IOs), and historic buildings and structures over 50 years in age. All discovered resources were evaluated for their eligibility to the NRHP, and the potential effects of the proposed undertaking on all historic properties was assessed.

One linear resource (post-contact) and 26 IOs (14 pre-contact and 12 post-contact) were documented during survey of the parcel. The linear resource (HCPI 44595) is an early to mid-twentieth century road alignment consisting of a linear swale and associated artifacts. While the road is clearly visible and remains in good condition, it was likely a minor transportation route, and no mention of its construction or use was found in local transportation records. As a minor road, there is no evidence that the alignment was associated with important events or persons or that any such association would be demonstrably significant; the road does not visually convey a strong sense of time and place and therefore does not qualify for listing on the NRHP under Criteria A or B. The alignment lacks distinctive design or engineering characteristics and does not qualify for listing under Criterion C. Further, as a minor road, it is not likely to provide significant information about past use of the West Mesa and does not qualify for listing under Criterion D. HCPI 44595, therefore, lacks historic significance and VA has determined it *not eligible* for listing on the NRHP. No further management considerations are warranted for this resource. The 26 IOs documented during this investigation lack additional data potential and are not likely to increase our understanding of the past. Therefore, VA has determined them *not eligible* for listing on the NRHP. No further management considerations are warranted for these resources. See the full archaeological report in Attachment C.

Traditional Cultural Properties

No TCPs were identified on the Bernalillo County Site or within the recommended APE. However, components within Petroglyph National Monument, such as the Three Sisters, meet the criteria for

consideration as TCPs.²⁵ It should also be noted that this effort did not include a TCP survey; however, as part of this consultation, VA is seeking input from both your Tribe and others.

Effects of the Proposed Undertaking on Historic Properties

Effects of an undertaking occur when the action directly or indirectly alters the characteristics of a historic property that qualify it for inclusion in the NRHP. Reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative also need to be considered.

VA finds that there are no historic properties present within the APE. Therefore, in accordance with 36 CFR 800.4(d)(1), VA finds the Undertaking will result in no historic properties affected.

This letter serves as an invitation to participate in Section 106 consultation regarding the proposed acquisition and development of a new National Cemetery at the proposed parcel. We would like to consult with your Tribe to help identify any areas of traditional religious or cultural importance that may be within the APE. VA welcomes any comments you would like to provide, particularly in relation to its historic property identification efforts and its assessment of the Undertaking's effects on historic properties.

We look forward to your input on this Undertaking. VA requests a response to this letter within 30 days of receipt. If you have any questions about this Undertaking, please contact Mr. William Edward Hooker at William.hooker@va.gov, 202-632-6631. We thank you for your commitment to historic resources and ongoing support of Veterans.

Sincerely,

W. Edward Hooker, III
Historic Architect/Cultural Resources Manager
National Cemetery Administration

CC: Héctor M. Abreu-Cintrón, VA Federal Preservation Officer

²⁵ *"That Place that People Talk About": The Petroglyph National Monument, Ethnographic Landscape Report, Anschuetz, Ferguson, Francis, Kelly, Scheick (2002).*



Michelle Lujan
Grisham, Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

December 6, 2022

William E. Hooker, III
Historic Architect/Cultural Resources Manager
National Cemetery Administration
William.hooker@va.gov

Re: Section 106 Consultation for a Proposed New Cemetery on an Approximately 230-acre parcel in Albuquerque, Bernalillo County, New Mexico (HPD Log#118519)

Dear Mr. Hooker:

Thank you for consulting with the State Historic Preservation Office (SHPO) regarding the proposed development and operation of a new National Cemetery in Bernalillo County, New Mexico. I have reviewed the archaeological survey report (NMCRIS 140024) prepared by Okun Consulting Solutions and concur with the Veterans Administration (VA) that the historic road segment (HCPI 44595) and the isolated occurrences are not eligible for listing in the National Register of Historic Places.

The SHPO concurs with the VA that there are no historic properties within the APE for direct effects. However, since the cemetery is located less than ½ mile from the boundary of Petroglyph National Monument, the Monument is within the visual effects APE. In our view, the undertaking will have no adverse effect on historic properties because the proposed cemetery will be visible but will comprise a low-lying, landscaped area with few buildings.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me. I can be reached at (505) 827-4064 or by email at michelle.ensey@dca.nm.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle M. Ensey".

Michelle M. Ensey
Deputy State Historic Preservation Officer
& State Archaeologist

Rob Clark

From: Larry Samuel <lsamuel@pueblooftesuque.org>
Sent: Wednesday, December 7, 2022 1:19 PM
To: Katy Coyle
Cc: McArdle, Angela B. (CFM); Hooker III, William E.; Fernandez, Fernando L. (CFM); Rob Clark
Subject: RE: Invitation to consult on a proposed new National Cemetery in Albuquerque, NM

You don't often get email from lsamuel@pueblooftesuque.org. [Learn why this is important](#)

Good morning,

The Pueblo of Tesuque will consult on the proposed new National Cemetery in Albuquerque, NM.

Thank you.

From: Katy Coyle <katy@row10hps.com>
Sent: Tuesday, November 22, 2022 10:24 AM
To: Larry Samuel <lsamuel@pueblooftesuque.org>
Cc: McArdle, Angela B. (CFM) <Angela.McArdle@va.gov>; Hooker III, William E. <William.Hooker@va.gov>; Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>; 'Rob Clark (rclark@ttlassoc.com)' <rclark@ttlassoc.com>
Subject: Invitation to consult on a proposed new National Cemetery in Albuquerque, NM

On behalf of the National Cemetery Administration of the Department of Veterans Affairs, attached please find an invitation to consult on a proposed new National Cemetery in Albuquerque, NM, as well as supporting materials.

Thank you for your attention to this matter.

Respectfully,

Katy Coyle, M.A.
Partner
Row 10 Historic Preservation Solutions, LLC
Katy@Row10HPS.com
Phone (504) 210-9234

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.



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
WASHINGTON DC 20420

December 19, 2022

Mr. Larry Samuel
Tribal Historic Preservation Officer, Pueblo of Tesuque
Office of the Governor
Route 42, Box 360-T
Santa Fe, NM 87506
Via email: lsamuel@pueblooftesuque.org

RE: Section 106 Consultation for a Proposed New National Cemetery on an Approximately 230-acre site in Albuquerque, Bernalillo County, New Mexico

Dear Tribal Historic Preservation Officer Samuel,

The U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) appreciates your December 7, 2022 response and welcomes your participation in the consultation on the above-noted Undertaking. On November 21, 2022, NCA submitted a letter to consulting parties, including your Tribe, describing the Undertaking, the work completed to identify historic properties, and VA's finding of effect.

On December 6, 2022, the New Mexico State Historic Preservation Office (NM SHPO) responded to NCA's letter, recommending the Area of Potential Effects (APE) for visual effects include the Petroglyph National Monument and concurring that the project will not have an adverse effect to any historic properties. VA agrees to include Petroglyph National Monument within the visual APE and accordingly changes its finding of effect from "no historic properties affected" (36 CFR 800.4(d)(1)) to "no adverse effect" to historic properties (36 CFR 800.5(b)).

If the Pueblo of Tesuque have specific comments or concerns regarding properties of religious or cultural significance that may be affected by the Undertaking, please let us know at your earliest convenience.

If you have any questions about this Undertaking, please contact Ms. Angela McArdle, at angela.mcardle@va.gov, or 254.922.4938. We thank you for your commitment to historic resources and ongoing support of Veterans.

Sincerely,

Angela McArdle, RPA
Senior Historic Preservation Specialist
Office of Construction and Facilities Management

CC: Héctor M. Abreu-Cintrón, VA Federal Preservation Officer



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
WASHINGTON DC 20420

January 17, 2023

Ms. Michelle M. Ensey
Deputy State Historic Preservation Officer
& State Archaeologist
New Mexico Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501
Via email: michelle.ensey@dca.nm.gov

RE: Section 106 Consultation for a Proposed New National Cemetery on an Approximately 230-acre Parcel in Albuquerque, Bernalillo County, New Mexico

Dear Ms. Ensey,

The U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) appreciates your response and welcomes your comments on the above-noted Undertaking. On November 21, 2022, NCA submitted a letter to consulting parties, describing the Undertaking, the work completed to identify historic properties, and VA's finding of effect. On December 6, 2022, you responded, recommending that the Area of Potential Effects (APE) for visual effects be extended to include the Petroglyph National Monument and concurring that the project will not have an adverse effect to any historic properties.

VA agrees to expand the visual APE to include the Petroglyph National Monument (see Attachment A) and accordingly changes the finding of effect from "no historic properties affected" (36 CFR 800.4(d)(1)) to "no adverse effect" to historic properties (36 CFR 800.5(b)). Thus far, VA has not received any objections to the Undertaking.

If you have any questions about this Undertaking, please contact Ms. Angela McArdle, at angela.mcardle@va.gov, or 254.922.4938. We thank you for your commitment to historic resources and ongoing support of Veterans.

Sincerely,

W. Edward Hooker, III
Historic Architect and Cultural Resources Manager
National Cemetery Administration
William.Hooker@va.gov

Attachments:

Attachment A: Project Maps – Revised APE (2023)

CC: Doug Pulak, VA Federal Preservation Officer



United States Department of the Interior

NATIONAL PARK SERVICE
Petroglyph National Monument
6001 Unser Blvd NW
Albuquerque, New Mexico 87120



PETR I.A.I.

December 14, 2022

U.S. Department of Veterans Affairs
Attn: Mr. Fernando Fernandez

Sent via email to: vacoenvironment@va.gov

Regarding: Albuquerque National Cemetery EA Scoping

Dear Mr. Fernandez:

Thank you for your November 21, 2022, letter inviting the National Park Service (NPS) to participate in Section 106 consultation regarding the proposed acquisition and development of a new National Cemetery west of Petroglyph National Monument. We appreciate you providing us with the opportunity to comment on the proposal and being a part of the Section 106 consultation process.

Petroglyph National Monument (Monument) was designated by Congress in 1990 as a unit of the National Park System (Public Law 101-313) to protect, preserve, and interpret the prehistoric and historic rock art of the Rio Grande Valley. The NPS stewards the Monument's cultural and natural resources, including the landscape that is of profound meaning and significance for traditional communities within the middle Rio Grande Valley and the 29 associated Pueblos and Tribes that consider the Monument sacred. Recognizing the significance of the resources to the nation, Congress directed the Secretary of the Interior to administer, manage, and protect the Monument in partnership with the City of Albuquerque pursuant to the NPS Organic Act of 1916 to protect and conserve its cultural and natural resources "unimpaired for the enjoyment of future generations" (39 Stat. 535; 54 U.S.C. §§ 100101 et seq.). NPS staff work closely with the City of Albuquerque's Open Space Division to co-manage the Monument.

Some of the most significant features of the Monument are the cultural landscapes, including the five volcanoes located on the western side of the Monument that are sacred to 29 associated Pueblos and Tribes. Our recommendation is that the cemetery be designed to reduce or eliminate visual impacts to nearby Petroglyph National Monument.

As you develop the site plan and design, we request to be involved to determine if there could be an adverse effect on Monument cultural resources based on the design of the cemetery and potential effects to the viewshed of the Monument, including views from the Volcanoes. We would like you to include Petroglyph National Monument in your Visual Area of Potential Effect (APE) and would therefore like you to consider expanding the APE beyond the 0.25 mile as currently proposed. We suggest there be a full range of alternatives for the design that include the visual impacts, and a "water-wise" design incorporating low water and native vegetation. We request visual simulations of views for each alternative from key locations within the Monument. The NPS would be happy to coordinate access into the Monument to accomplish this work.

We trust that, through the National Historic Preservation Act (NHPA) Section 106 process, you will consult with and share the alternative designs with the Monument's 29 associated Tribes and Pueblos to

get their input and recommendations. As consultation with area Pueblos and Tribes is conducted, we would like to review the information that was provided to them, and any responses received. We would like to know if the Pueblos and Tribes were invited to be consulting parties under NHPA and if any were interested. Also, as stated in the November 2022 letter, in 2018 a Class III pedestrian cultural resources survey of the area was completed. We would like to review this information as this area is close to the Monument and may have a direct connection to the cultural resources and landscapes of the Monument.

The November 2022 letter mentioned that the 2018 survey recorded one linear resource within the APE, and that it was identified as an early to mid-twentieth century road alignment consisting of a linear swale and associated artifacts. Interestingly, we have a draft Cultural Landscape Inventory for Historic Roads and Trails that we are hoping to finalize over the next year that identifies historical routes within the Monument and provides draft recommendations for eligibility to the National Register of Historic Places (NRHP). There are a few historic routes that crossed through and extended beyond the southern portion of the Monument that have been identified as to be potentially eligible for listing on the NRHP. These include a wagon route and other historic routes. We recommend additional investigation of the linear route and would be happy to collaborate and share information that we have available on historic routes in the area to see if there is a connection with the routes that have been identified within the Monument. Also, the location of the proposed National Cemetery likely falls within the historical boundary of the Atrisco Land Grant.

Thank you again for the opportunity to comment on this proposal. We respectfully request continued communication regarding this project so that we may collaborate to minimize activities from impacting NPS resources and look forward to learning more about the potential range of project alternatives including alternative designs of the cemetery.

For more information, please contact Chanteil Walter, Environmental Protection Specialist (chanteil_walter@nps.gov 505-377-3375) or Superintendent Nancy Hendricks (nancy_hendricks@nps.gov 559-967-0492).

Sincerely,



Nancy Hendricks
Superintendent



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
WASHINGTON DC 20420

January 17, 2023

Superintendent Nancy Hendricks
Petroglyph National Monument
Headquarters Administrative Office
6001 Unser Blvd.
Albuquerque, NM 87120
Via email: nancy_hendricks@nps.gov

RE: Section 106 Consultation for a Proposed New National Cemetery on an Approximately 230-acre Parcel in Albuquerque, Bernalillo County, New Mexico

Dear Superintendent Hendricks,

The U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) appreciates your response and welcomes your comments on the above-noted Undertaking. On November 21, 2022, NCA submitted a letter to consulting parties, describing the Undertaking, the work completed to identify historic properties, and VA's finding of effect. On December 14, 2022, you responded, recommending that the Area of Potential Effects (APE) for visual effects be extended to include the Petroglyph National Monument. VA agrees to expand the visual APE to include the Petroglyph National Monument (Attachment A) and accordingly changes the finding of effect from "no historic properties affected" (36 CFR 800.4(d)(1)) to "no adverse effect" to historic properties (36 CFR 800.5(b)).

On December 6, 2022, VA received a response from the New Mexico (NM) State Historic Preservation Officer (SHPO) (Attachment B). The NM SHPO concurred on VA's determination that the linear resource/road identified in the 2018 Class III pedestrian cultural resources survey of the area is not eligible for listing on the National Register of Historic Places and concurred on a finding of no adverse effect to historic properties for the Undertaking. VA thanks the National Park Service (NPS) for the offer to share information on the historic routes in the area. While VA does not plan to conduct additional archaeological investigations, we welcome any additional information NPS would like to provide. For more information and as requested, please see "A Cultural Resource Survey for the Proposed Albuquerque National Cemetery, Albuquerque West Mesa, Bernalillo County, New Mexico" (Attachment C).

For the current Undertaking, VA invited 37 parties to consult, including 28 Indian tribes (see Table 1 below). The tribes invited included all the tribes originally invited in the 2017 consultation, as well as all the tribes listed on the NM SHPO's 2022 tribal consultation list and the Department of Housing and Urban Development Tribal Directory Assessment Tool (TDAT) for Bernalillo County. This list is identical to the list submitted to you on November 7, 2022, and includes the recommendations made by your office on the call with VA contractors on November 3, 2022. VA provided the tribes with the same information that was provided to NPS in the November 21, 2022 communication; however, tribes were also provided the 2018 Archaeology Report (Attachment C) in the initial mailing. Of the 37 parties invited to consult, VA has

received five responses as of the writing of this letter (Attachment B). These responses were submitted by:

1. your office;
2. the NM SHPO, who requested the visual APE be expanded to include the Petroglyph National Monument, and who concurred with a finding of no adverse effect to historic properties;
3. the Pueblo of Tesuque, who accepted VA’s invitation to consult, but did not provide comments;
4. Historic Albuquerque Inc., who did not request to participate, but offered design assistance in the future, if needed; and
5. the Director of the Parks & Recreation Department, David J. Simon, of the City of Albuquerque’s Open Space Division, who provided updated contact information, but did not provide comments.

*Table 1 Consulting Parties Invited in November 2022; Parties Invited in 2017 in **Bold***

New Mexico Historic Preservation Division	Pueblo of Jemez	Open Space Division, City of Albuquerque
Pueblo of Taos	Pueblo of Isleta	Petroglyph National Monument
Pueblo of Picuris	Pueblo of Acoma	Albuquerque Historical Society
Ohkay Owingeh	Pueblo of Laguna	Hispanic Genealogical Research Center of New Mexico
Pueblo of Santa Clara	Zuni Pueblo	Historic ABQ (Historic Albuquerque, Inc.)
Jicarilla Apache Nation	Mescalero Apache Tribe	Historical Society of New Mexico
Pueblo of San Ildefonso	Fort Sill Apache Tribe	National Hispanic Cultural Center
Pueblo of Nambe	Navajo Nation	The Indian Pueblo Cultural Center
Pueblo of Pojoaque	Pueblo of Santo Domingo	
Pueblo of Tesuque	Ute Mountain Tribe of the Ute Mountain Reservation	
Pueblo of Cochiti	Hopi Tribe	
Pueblo of San Felipe	Apache Tribe of Oklahoma	
Pueblo of Santa Ana	Comanche Nation (Oklahoma)	
Pueblo of Sandia	Ysleta del Sur Tribe	
Pueblo of Zia		

The 2017 consultation resulted in two Section 106 responses (Attachment D): the NM SHPO requested an updated archaeological survey and confirmation of tribal consultation, and the Pueblo of Sandia replied that due to the “close proximity to pueblo lands, cultural sites, and historical properties which may be affected in this endeavor it will be in our best interest to participate in the consulting process.” The Pueblo of Sandia did not submit comments when VA recontacted them in 2022.

VA acknowledges NPS’ recommendation to design the cemetery in a manner that will reduce or eliminate visual impacts to Petroglyph National Monument. The design of the cemetery is anticipated to be low-lying, with no elements over two stories, and VA agrees with the NM SHPO, who stated in their concurrence letter: “In our view, the Undertaking will have no adverse effect on historic properties because the proposed cemetery will be visible but will comprise a low-lying, landscaped area with few buildings.”

VA also acknowledges NPS’ request for a “water-wise” design incorporating low water and native vegetation. This request has been shared with NCA leadership and is currently under active consideration. VA has several cemeteries where this design approach has been successfully used, including at [Fort Bliss National Cemetery](#) and the [Bakersfield National Cemetery](#). The websites linked demonstrate the type of water-wise design VA has used in similar climates.

VA will share plans for the cemetery at the approximately 30%, 60%, and 90% design stages with your

office and any other consulting parties that request to see them, for review and comment. VA will take any timely comments received into consideration in finalizing the plans. While VA appreciates the offer to coordinate access to the monument to generate visual simulations of views of the cemetery from the monument, VA does not feel that is necessary due to the low-lying design and the distance between the monument and the cemetery. If design parameters change, and buildings over two stories are proposed, VA will revisit this request.

If you have any questions about this Undertaking, please contact Ms. Angela McArdle, at angela.mcardle@va.gov, or 254.922.4938. We thank you for your commitment to historic resources and ongoing support of Veterans.

Sincerely,

W. Edward Hooker, III
Historic Architect and Cultural Resources Manager
National Cemetery Administration
William.Hooker@va.gov

Attachments:

Attachment A: Project Maps – Revised APE (2023)
Attachment B: Current Consultation Letters (2022)
Attachment C: Archaeology Report (2018)
Attachment D: Previous Consultation Letters (2017)

CC: Doug Pulak, VA Federal Preservation Officer

From: Katy Coyle <katy@row10hps.com>

Date: Monday, January 23, 2023 at 7:56 AM

To: Historic Abq <historicabq@aol.com>

Subject: Re: Invitation to consult on a proposed new National Cemetery in Albuquerque, NM

Ms. Schaller,

Thank you so much for your response. VA is planning to build a new National Cemetery in Albuquerque, and is seeking input on potential effects to historic properties for National Historic Preservation Act, Section 106 consultation. We are grateful for your time. Please do not hesitate to contact us if you have questions or concerns.

Sincerely,

Katy Coyle

Katy Coyle, M.A.

Partner

Row 10 Historic Preservation Solutions, LLC

Katy@Row10HPS.com

Phone (504) 210-9234

From: Historic Abq <historicabq@aol.com>

Reply-To: Historic Abq <historicabq@aol.com>

Date: Monday, December 12, 2022 at 11:59 PM

To: Katy Coyle <katy@row10hps.com>

Subject: Re: Invitation to consult on a proposed new National Cemetery in Albuquerque, NM

Hello Katy,

I apologize for taking so long to reply. I was out of the country. I would be happy to help with your project, but I'm not sure I'm the right person. I would suggest Susan Schwartz, who is Albuquerque's Fairview Cemetery Historian. Although she now lives in Florida, she is still active in helping preserve the cemetery's history and assisting family members find their loved ones' graves. She is very familiar with many other cemeteries in the state and how cemeteries work, since she was, at one time, an employee at Fairview.

Please let me know how I (or Susan) might help.
Diane Schaller

In a message dated 11/22/2022 1:01:36 PM Mountain Standard Time, kathy@row10hps.com writes:

On behalf of the National Cemetery Administration of the Department of Veterans Affairs, attached please find an invitation to consult on a proposed new National Cemetery in Albuquerque, NM, as well as supporting materials.

Thank you for your attention to this matter.
Respectfully,

Katy Coyle, M.A.
Partner
Row 10 Historic Preservation Solutions, LLC
Katy@Row10HPS.com
Phone (504) 210-9234

TTL-B

APPENDIX D – SITE PHOTOGRAPHS

SITE PHOTOGRAPHS



Photo #1:

Looking southwest across the Site from the intersection of Atrisco Vista Boulevard and Shooting Range Access Road.



Photo #2:

Looking west across the Site from the intersection of Atrisco Vista Boulevard and Shooting Range Access Road.



Photo #3:

Looking south across the Site.



Photo #4:

Looking south across the Site with the Amazon Warehouse (2021) beyond.



Photo #5:

Looking southwest across the Site.



Photo #6:

Looking north from the Site toward the Double Eagle II Airport.

SITE PHOTOGRAPHS



Photo #7: Looking northeast from the Site towards the Petroglyph National Monument.



Photo #8: Looking west across the Site.



Photo #8: Looking southwest across the Site.



Photo #9: Looking southeast across the Site.



Photo #10: Unimproved former road running northwest-southeast across the Site.



Photo #11: Looking north-northwest across the Site.

APPENDIX E – OTHER RELEVANT ENVIRONMENTAL DATA

- **Soil Map**
- **IPaC Report**
- **NMDGF Online Species Review**
- **Wetlands Map**
- **Floodplain Map**
- **EJSCREEN Report**

Soil Map—Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico



Map Scale: 1:7,830 if printed on A landscape (11" x 8.5") sheet.

0 100 200 400 600 Meters

0 350 700 1400 2100 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N 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: Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico
Survey Area Data: Version 17, Sep 8, 2022

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

Date(s) aerial images were photographed: Oct 22, 2021—Dec 2, 2021

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
MWA	Madurez-Wink associatin, gently sloping	233.3	97.8%
WaB	Wink fine sandy loam, 0 to 5 percent slopes	5.3	2.2%
Totals for Area of Interest		238.6	100.0%

Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico

MWA—Madurez-Wink associatin, gently sloping

Map Unit Setting

National map unit symbol: 1vxn
Elevation: 1,400 to 6,000 feet
Mean annual precipitation: 4 to 13 inches
Mean annual air temperature: 57 to 70 degrees F
Frost-free period: 170 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Madurez and similar soils: 55 percent
Wink and similar soils: 25 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Madurez

Setting

Landform: Fan piedmonts, alluvial fans
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile

H1 - 0 to 4 inches: fine sandy loam
H2 - 4 to 21 inches: fine sandy loam
H3 - 21 to 60 inches: sandy loam

Properties and qualities

Slope: 1 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 7 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water supply, 0 to 60 inches: Moderate (about 8.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: B

Ecological site: R042BE052NM - Loamy, Cool Desert Grassland

Hydric soil rating: No

Description of Wink

Setting

Landform: Alluvial fans, fan piedmonts

Landform position (three-dimensional): Rise

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile

H1 - 0 to 4 inches: fine sandy loam

H2 - 4 to 60 inches: sandy loam

Properties and qualities

Slope: 1 to 7 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High
(2.00 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 2.0

Available water supply, 0 to 60 inches: Moderate (about 7.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A

Ecological site: R042BE052NM - Loamy, Cool Desert Grassland

Hydric soil rating: No

Minor Components

Latene

Percent of map unit: 7 percent

Ecological site: R042BE052NM - Loamy, Cool Desert Grassland

Hydric soil rating: No

Bluepoint

Percent of map unit: 7 percent

Ecological site: R042BE054NM - Deep Sand, Cool Desert
Grassland

Hydric soil rating: No

Pajarito

Percent of map unit: 6 percent

Ecological site: R042BE051NM - Sandy, Cool Desert Grassland

Hydric soil rating: No

Data Source Information

Soil Survey Area: Bernalillo County and Parts of Sandoval and Valencia
Counties, New Mexico

Survey Area Data: Version 17, Sep 8, 2022

Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico

WaB—Wink fine sandy loam, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 1vz2
Elevation: 3,900 to 6,000 feet
Mean annual precipitation: 7 to 10 inches
Mean annual air temperature: 57 to 61 degrees F
Frost-free period: 170 to 210 days
Farmland classification: Not prime farmland

Map Unit Composition

Wink and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Wink

Setting

Landform: Alluvial fans, fan piedmonts
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile

H1 - 0 to 6 inches: fine sandy loam
H2 - 6 to 60 inches: sandy loam

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Gypsum, maximum content: 3 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water supply, 0 to 60 inches: Moderate (about 7.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A

Ecological site: R042BE052NM - Loamy, Cool Desert Grassland

Hydric soil rating: No

Minor Components

Latene

Percent of map unit: 15 percent

Ecological site: R042BE052NM - Loamy, Cool Desert Grassland

Hydric soil rating: No

Data Source Information

Soil Survey Area: Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico

Survey Area Data: Version 17, Sep 8, 2022



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna Road Ne
Albuquerque, NM 87113-1001
Phone: (505) 346-2525 Fax: (505) 346-2542



In Reply Refer To:
Project Code: 2023-0004469
Project Name: Albuquerque

October 13, 2022

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:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 *et seq.*), the Migratory Bird Treaty Act as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668(c)). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area, and to recommend some conservation measures that can be included in your project design.

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, 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 ESA 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. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. 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 ESA 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 ESA 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 (NEPA; 42 USC 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 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>.

Candidate Species and Other Sensitive Species

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico State agencies. These lists, along with species information, can be found at the following websites.

Biota Information System of New Mexico (BISON-M): www.bison-m.org

New Mexico State Forestry. The New Mexico Endangered Plant Program:
<https://www.emnrd.nm.gov/sfd/rare-plants/>

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: nmrareplants.unm.edu

Natural Heritage New Mexico, online species database: nhnm.unm.edu

WETLANDS AND FLOODPLAINS

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, www.fws.gov/wetlands/Data/Mapper.html, integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

MIGRATORY BIRDS

In addition to responsibilities to protect threatened and endangered species under the ESA, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 CFR 10.12 and 16 USC 668(a)). For more information regarding these Acts see <https://www.fenws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a Federal nexus) or a Bird/Eagle Conservation Plan (when there is no Federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>. We also recommend review of the Birds of Conservation Concern list (<https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>) to fully evaluate the effects to the birds at your site. This list identifies migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent top conservation priorities for the Service, and are potentially threatened by disturbance, habitat impacts, or other project development activities.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 thereby provides additional protection for both migratory birds and migratory bird habitat. Please visit <https://www.fws.gov/migratorybirds/pdf/management/executiveordertoprotectmigratorybirds.pdf> for information

regarding the implementation of Executive Order 13186.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State protected and at-risk species fish, wildlife, and plants.

For further consultation with the Service we recommend submitting inquiries or assessments electronically to our incoming email box at nmesfo@fws.gov, where it will be more promptly routed to the appropriate biologist for review.

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 Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - Migratory Birds
-

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:

New Mexico Ecological Services Field Office

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

(505) 346-2525

Project Summary

Project Code: 2023-0004469
Project Name: Albuquerque
Project Type: Acquisition of Lands
Project Description: development
Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.121376749999996,-106.79772913100794,14z>



Counties: Bernalillo County, New Mexico

Endangered Species Act Species

There is a total of 6 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
New Mexico Meadow Jumping Mouse <i>Zapus hudsonius luteus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7965	Endangered

Birds

NAME	STATUS
Mexican Spotted Owl <i>Strix occidentalis lucida</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8196	Threatened
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Fishes

NAME	STATUS
Rio Grande Silvery Minnow <i>Hybognathus amarus</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1391	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

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

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bendire's Thrasher <i>Toxostoma bendirei</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9435	Breeds Mar 15 to Jul 31
Cassin's Finch <i>Carpodacus cassinii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15

NAME	BREEDING SEASON
Virginia's Warbler <i>Vermivora virginiae</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9441	Breeds May 1 to Jul 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

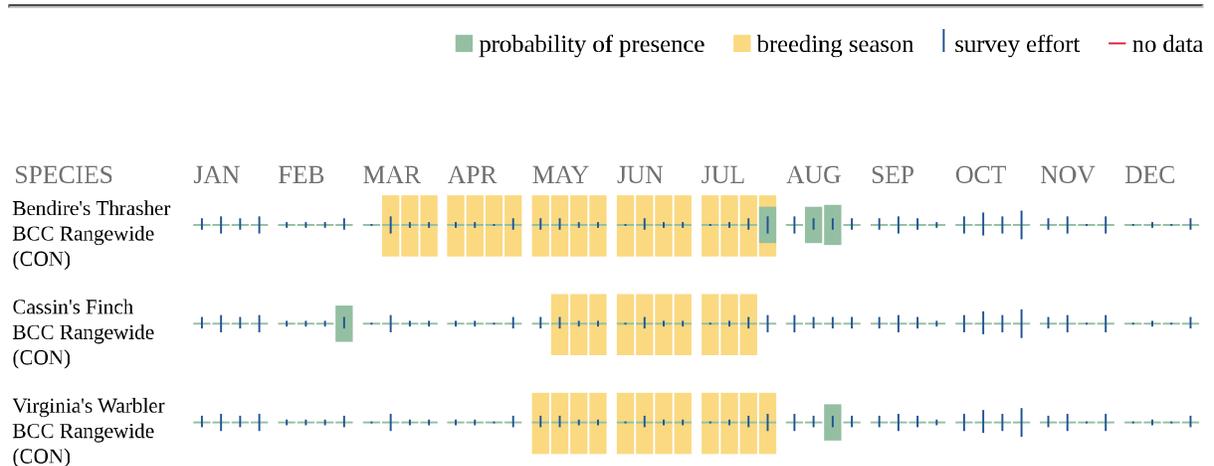
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangelwide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
 2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
 3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles)
-

potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

IPaC User Contact Information

Agency: TTL Associates, Inc

Name: paul hotz

Address: 1915 N 12th Street

City: Toledo

State: OH

Zip: 43623

Email photz@tlassoc.com

Phone: 4192145056



PROJECT INFORMATION

Project Title: Species Exploratory
Project Type: ENDANGERED SPECIES
Latitude/Longitude (DMS): 35.121469 / -106.796966
County(s): BERNALILLO
Project Description: Exploratory Review

REQUESTOR INFORMATION

Project Organization: OTHER
Contact Name: Lee Brewer
Email Address: lbrewer@tlassoc.com
Organization: TTL Associates, Inc.
Address: 44265 Plymouth Oaks Boulevard, Plymouth MI 48170
Phone: 717-888-0249

OVERALL STATUS

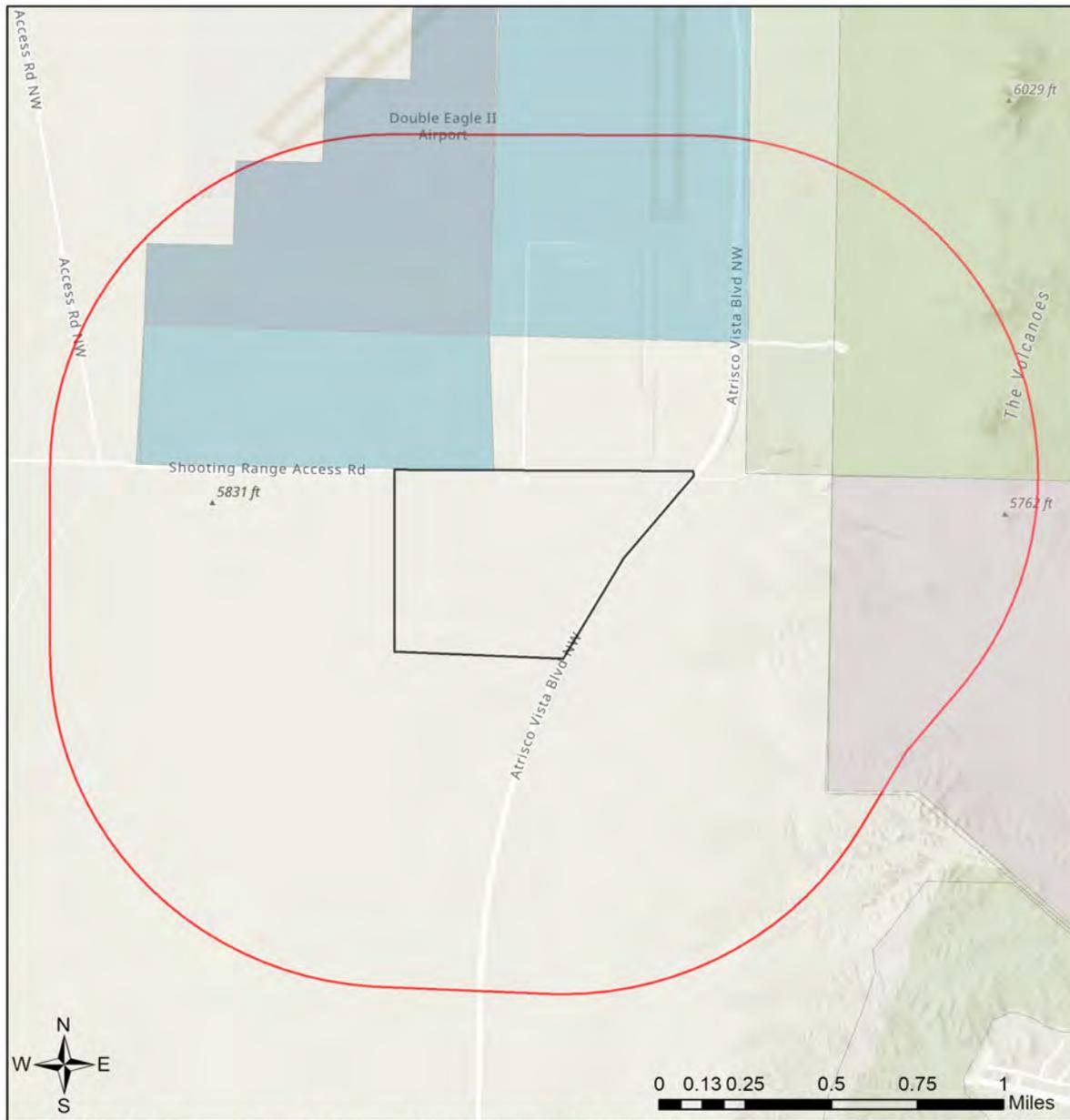
This report contains an initial list of recommendations regarding potential impacts to wildlife or wildlife habitats from the proposed project; see the Project Recommendations section below for further details. Your project proposal is being forwarded to a New Mexico Department of Game and Fish (Department) biologist for review to determine whether there are any additional recommendations regarding the proposed actions. A Department biologist will be in touch within 30 days if there are further recommendations regarding this project proposal.

About this report:

- This environmental review is based on the project description and location that was entered. The report must be updated if the project type, area, or operational components are modified.
- This is a preliminary environmental screening assessment and report. It is not a substitute for the potential wildlife knowledge gained by having a biologist conduct a field survey of the project area. Federal status and plant data are provided as a courtesy to users. The review is also not intended to replace consultation required under the federal Endangered Species Act (ESA), including impact analyses for federal resources from the U.S. Fish and Wildlife Service (USFWS) using their [Information for Planning and Consultation tool](#).
- The New Mexico Environmental Review Tool (ERT) utilizes species observation locations and species distribution models, both of which are subject to ongoing change and refinement. Inclusion or omission of a species within a report can not guarantee species presence or absence at a precise point location, as might be indicated through comprehensive biological surveys. Specific questions regarding the potential for adverse impacts to vulnerable wildlife populations or habitats, especially in areas with a limited history of biological surveys, may require further on-site assessments.
- The Department encourages use of the ERT to modify proposed projects for avoidance, minimization, or mitigation of wildlife impacts. However, the ERT is not intended to be used in a repeatedly iterative fashion to adjust project attributes until a previously determined recommendation is generated. The ERT serves to assess impacts once project details are developed. The [New Mexico Crucial Habitat Assessment Tool](#) is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.



Species Exploratory



- | | | | |
|---------------------------|------------------------------|------------------------------|---|
| Buffered Project Boundary | Department of Energy | State Land Office | U.S. Department of Agriculture |
| Project Boundary | NM Department of Game & Fish | State of New Mexico | U.S. Fish and Wildlife Service |
| Bureau of Land Management | NM State Forestry Division | Tribal Land | U.S. Forest Service |
| City Land | NM State Parks | U.S. Army Corps of Engineers | U.S. Natural Resources Conservation Service |
| County Land | National Park Service | U.S. Bureau of Reclamation | |
| Department of Defense | Private | | |

USGS, New Mexico Department of Game and Fish (NMDGF), Natural Heritage New Mexico (NHNM), and USDA Forest Service,

Compiled by Richard Norwood of NHNM over the period 2020 to 2021.

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastysreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Special Status Animal Species within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI
American Bittern	Botaurus lentiginosus			SGCN
Aplomado Falcon	Falco femoralis		E	SGCN
Peregrine Falcon	Falco peregrinus		T	SGCN
Mountain Plover	Charadrius montanus			SGCN
Elf Owl	Micrathene whitneyi			SGCN
Lewis's Woodpecker	Melanerpes lewis			SGCN
Red-headed Woodpecker	Melanerpes erythrocephalus			SGCN
Williamson's Sapsucker	Sphyrapicus thyroideus			SGCN
Olive-sided Flycatcher	Contopus cooperi			SGCN
Bank Swallow	Riparia riparia			SGCN
Pinyon Jay	Gymnorhinus cyanocephalus			SGCN
Clark's Nutcracker	Nucifraga columbiana			SGCN
Juniper Titmouse	Baeolophus ridgwayi			SGCN
Pygmy Nuthatch	Sitta pygmaea			SGCN
Western Bluebird	Sialia mexicana			SGCN
Bendire's Thrasher	Toxostoma bendirei			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Gray Vireo	Vireo vicinior		T	SGCN
Painted Redstart	Myioborus pictus			SGCN
Spotted Bat	Euderma maculatum		T	SGCN
Black-tailed Prairie Dog	Cynomys ludovicianus			SGCN
Gunnison's Prairie Dog	Cynomys gunnisoni			SGCN
Cougar	Puma concolor			SERI
Mule Deer	Odocoileus hemionus			SERI
Pronghorn	Antilocapra americana americana			SERI

ESA = Endangered Species Act, WCA = Wildlife Conservation Act, SGCN = Species of Greatest Conservation Need, SERI = Species of Economic and Recreational Importance

Project Recommendations

Your proposed project activities may require a custom review for assessment of potential effects to wildlife. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. A Department biologist will confirm whether any additional conservation measures are needed. You should expect to receive any additional project recommendations within 30 days of your project submission. If the "OVERALL STATUS" section indicates that no further consultation with the Department is required based on its location, then you will only receive additional project feedback from the Department if a biologist deems it necessary.

Burrowing owl (*Athene cunicularia*) is known to occur within or near your project area. Before any ground disturbing activities occur, the Department recommends that a preliminary survey be conducted by a qualified biologist using the Department's [burrowing owl survey protocol](#). Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.



Disclaimers regarding recommendations:

- The Department provides technical guidance to support the persistence of all protected species of native fish and wildlife, including game and nongame wildlife species. Species listed within this report include those that have been documented to occur within the project area, and others that may not have been documented but are projected to occur within the project vicinity.
- Recommendations are provided by the Department under the authority of § 17-1-5.1 New Mexico Statutes Annotated 1978, to provide "communication and consultation with federal and other state agencies, local governments and communities, private organizations and affected interests responsible for habitat, wilderness, recreation, water quality and environmental protection to ensure comprehensive conservation services for hunters, anglers and nonconsumptive wildlife users".
- The Department has no authority for management of plants or Important Plant Areas. The [New Mexico Endangered Plant Program](#), under the Energy, Minerals, and Natural Resources Department's Forestry Division, identifies and develops conservation measures necessary to ensure the survival of plant species within New Mexico. Plant status information is provided within this report as a courtesy to users. Recommendations provided within the ERT may not be sufficient to preclude impacts to rare or sensitive plants, unless conservation measures are identified in coordination with the Endangered Plant Program.
- Additional coordination may also be necessary under the federal ESA or National Environmental Policy Act (NEPA). Further site-specific recommendations may be proposed during ESA and/or NEPA analyses, or through coordination with affected federal agencies.



October 18, 2022

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.

National Flood Hazard Layer FIRMette



106°47'44"W 35°7'39"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/17/2022 at 4:57 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette



106°48'7"W 35°7'37"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		8 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/17/2022 at 5:00 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EJScreen Report (Version 2.1)



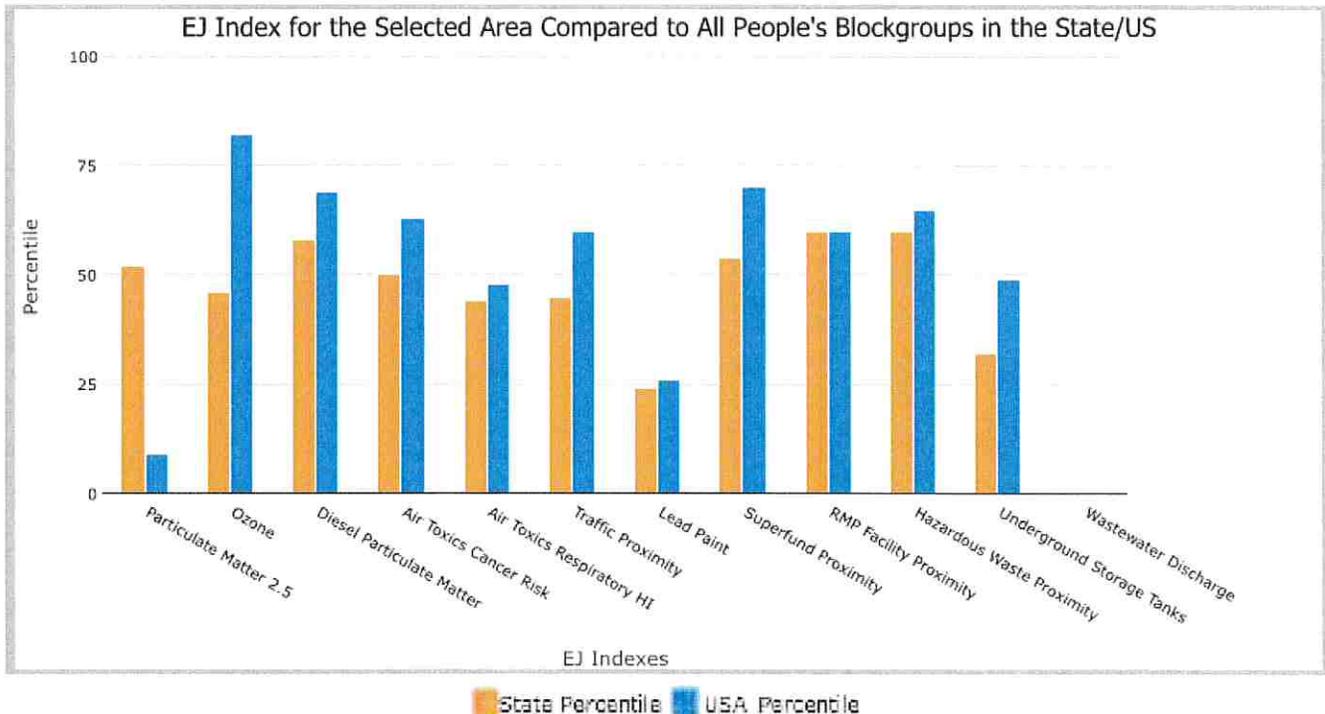
2.5 miles Ring Centered at 35.123659,-106.792430, NEW MEXICO, EPA Region 6

Approximate Population: 203

Input Area (sq. miles): 19.63

(The study area contains 1 blockgroup(s) with zero population.)

Selected Variables	State Percentile	USA Percentile
Environmental Justice Indexes		
EJ Index for Particulate Matter 2.5	52	9
EJ Index for Ozone	46	82
EJ Index for Diesel Particulate Matter*	58	69
EJ Index for Air Toxics Cancer Risk*	50	63
EJ Index for Air Toxics Respiratory HI*	44	48
EJ Index for Traffic Proximity	45	60
EJ Index for Lead Paint	24	26
EJ Index for Superfund Proximity	54	70
EJ Index for RMP Facility Proximity	60	60
EJ Index for Hazardous Waste Proximity	60	65
EJ Index for Underground Storage Tanks	32	49
EJ Index for Wastewater Discharge	N/A	N/A



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.

2.5 miles Ring Centered at 35.123659,-106.792430, NEW MEXICO, EPA Region 6

Approximate Population: 203

Input Area (sq. miles): 19.63

(The study area contains 1 blockgroup(s) with zero population.)



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

EJScreen Report (Version 2.1)



2.5 miles Ring Centered at 35.123659,-106.792430, NEW MEXICO, EPA Region 6

Approximate Population: 203

Input Area (sq. miles): 19.63

(The study area contains 1 blockgroup(s) with zero population.)

Selected Variables	Value	State Avg.	%ile in State	USA Avg.	%ile in USA
Pollution and Sources					
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	6.01	5.54	67	8.67	4
Ozone (ppb)	57.1	56	63	42.5	95
Diesel Particulate Matter* ($\mu\text{g}/\text{m}^3$)	0.349	0.198	80	0.294	70-80th
Air Toxics Cancer Risk* (lifetime risk per million)	30	20	99	28	80-90th
Air Toxics Respiratory HI*	0.3	0.23	87	0.36	<50th
Traffic Proximity (daily traffic count/distance to road)	320	510	57	760	56
Lead Paint (% Pre-1960 Housing)	0.0075	0.18	22	0.27	15
Superfund Proximity (site count/km distance)	0.1	0.14	69	0.13	68
RMP Facility Proximity (facility count/km distance)	0.39	0.24	82	0.77	54
Hazardous Waste Proximity (facility count/km distance)	1.4	0.81	80	2.2	62
Underground Storage Tanks (count/km ²)	0.2	3.3	36	3.9	32
Wastewater Discharge (toxicity-weighted concentration/m distance)	N/A	3.5	N/A	12	N/A
Socioeconomic Indicators					
Demographic Index	33%	51%	21	35%	55
People of Color	61%	63%	48	40%	73
Low Income	5%	39%	3	30%	7
Unemployment Rate	2%	7%	33	5%	33
Limited English Speaking Households	1%	5%	45	5%	60
Less Than High School Education	3%	14%	20	12%	23
Under Age 5	4%	6%	44	6%	40
Over Age 64	20%	17%	59	16%	66

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

For additional information, see: 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 – PUBLIC NOTICES AND COMMENTS



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

October 27, 2022

Sent via email

**SUBJECT: Scoping Notice for the Proposed Albuquerque National Cemetery Draft
Environmental Assessment located at the Southwest Corner of Atrisco Vista
Boulevard and Shooting Range Access Road, Bernalillo County, New Mexico**

Dear Valued Stakeholder:

The U.S. Department of Veterans Affairs (VA) is preparing a Draft Environmental Assessment (EA) to analyze the potential environmental impacts associated with the Proposed Action to acquire, construct, and operate a new National Cemetery on approximately 230 acres of land located at the southwest corner of Atrisco Vista Boulevard and Shooting Range Access Road in Bernalillo County, New Mexico (Site). The Site is currently unimproved and mostly grassy pastureland. The location of the Site is shown on Figures 1 and 2. The Site features are depicted on Figure 3.

The cemetery would include a gated entrance and perimeter fencing, an administration building and public information building, an assembly area, a memorial wall, committal shelters, a loop road through the cemetery, casket gravesites, columbarium niches, and a maintenance facility. The cemetery would be developed in phases, with the first phase (approximately 40 to 60 acres) including the buildings and infrastructure needed to support the first 15-years of burial capacity. The first phase of cemetery development would begin following site acquisition.

The **purpose** of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of Veterans in central New Mexico. The Proposed Action is **needed** to address the depletion of National Cemetery burial space in central New Mexico.

This scoping notice will also be published in the Albuquerque Journal to inform and solicit input from the public. The notice is also available on the VA website at <https://www.cfm.va.gov/environmental>.

VA will prepare the Draft EA according to the National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code 4321-4370h), the Council on Environmental Quality Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and VA Implementing Regulations (38 CFR Part 26).

VA recognizes that you as an identified Stakeholder and/or your organization may have comments on the scope of issues for analysis or information relevant to the Proposed Action for consideration in the Draft EA. Please submit your comments/information via email within 30-days following receipt of this notice to vacoenvironment@va.gov with the subject line “Albuquerque National Cemetery EA Scoping”.

Through this notice, VA is also providing the public with information about the undertaking and seeking public comment and input about the undertaking’s effects on historic properties pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, (54 USC § 306108), and its implementing regulations (36 CFR Part 800 – Protection of Historic Properties). VA is using its procedures for public involvement under NEPA in lieu of public involvement requirements in subpart B of the Section 106 regulations per 36 CFR 800.2(d)(3). This notice does not serve as an invitation to consult under Section 106, it is solely to seek and consider the views of the public. VA will initiate its Section 106 review and send invitations to consulting parties separately.

VA will address and incorporate relevant comments in the Draft EA. Once VA completes the Draft EA, it will be published and made available for a 30-day public review and comment period. VA will announce the start of this review period by publishing a Notice of Availability (NOA) of the Draft EA in the Albuquerque Journal. VA will concurrently notify stakeholders via email and mail including include instructions on how to submit comments.

For additional information or questions, please contact Fernando Fernandez at Fernando.fernandez@va.gov with the subject line “Albuquerque National Cemetery EA Scoping”.

Respectfully,

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

Figure 1: Site Location Map

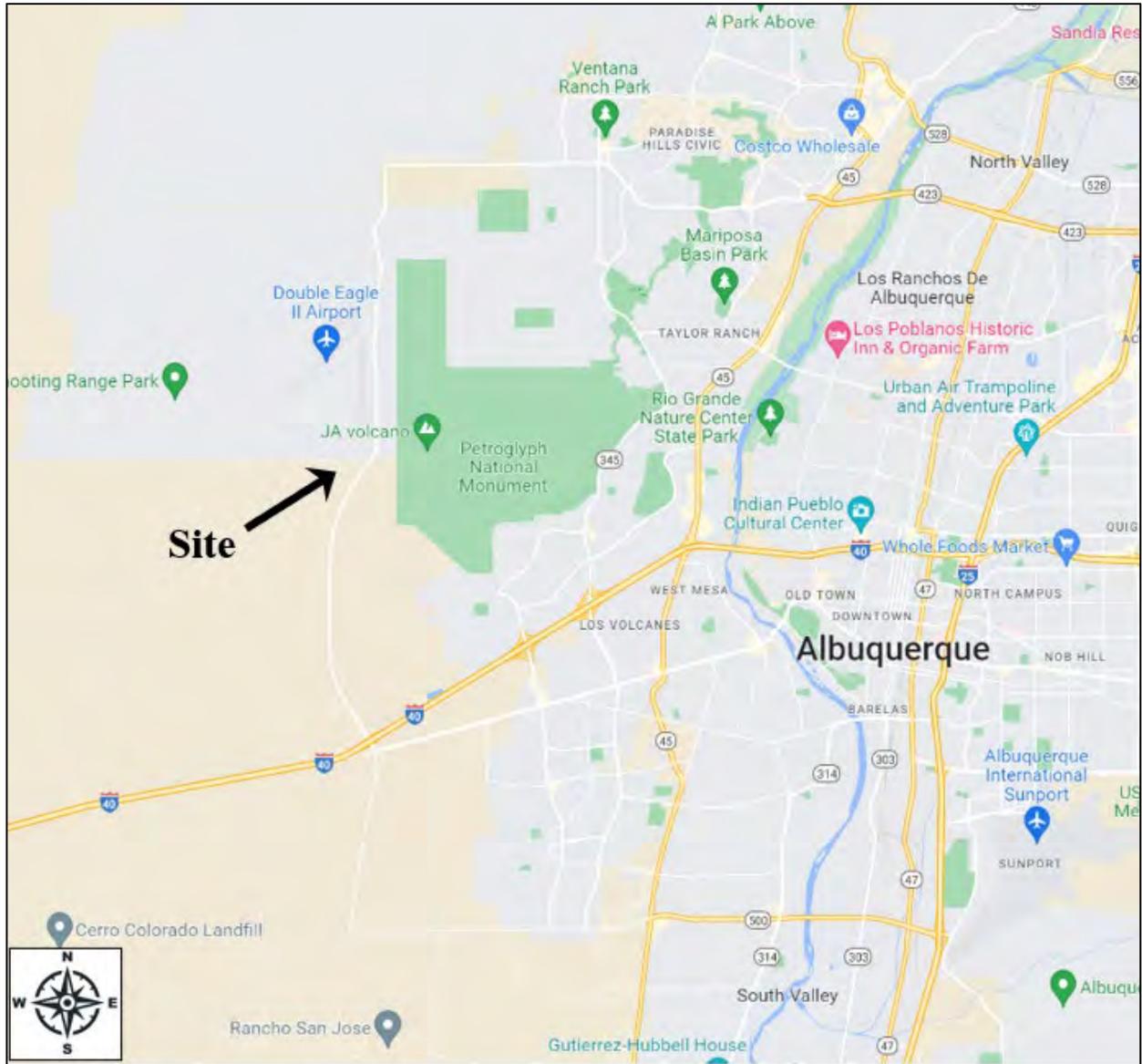


Figure 2: Topographic Site Location Map

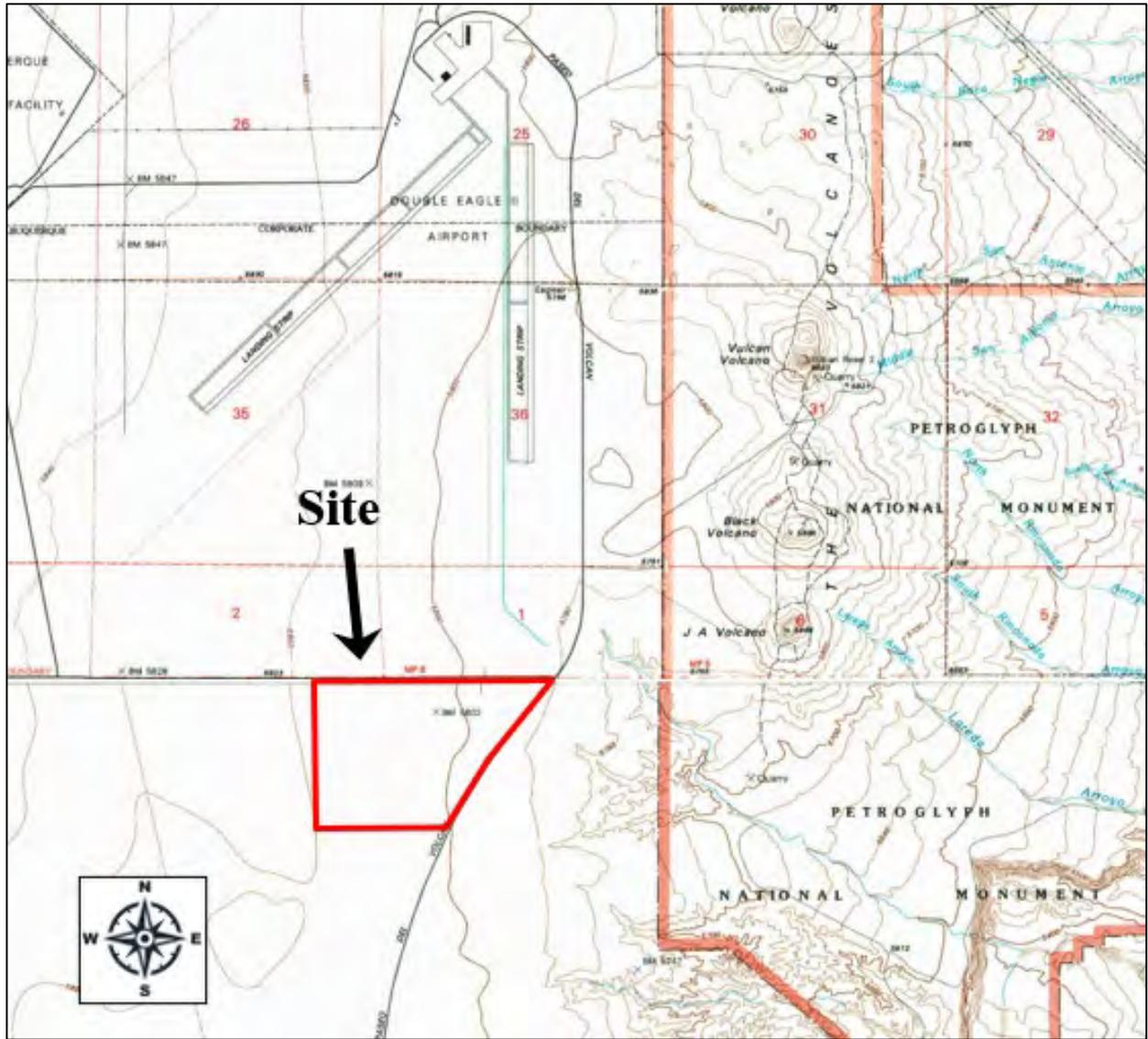


Figure 3: Site Aerial Photograph



PUBLIC NOTICE
SCOPING FOR AN
ENVIRONMENTAL
ASSESSMENT
U.S. DEPARTMENT OF
VETERANS AFFAIRS
PROPOSED
ALBUQUERQUE NATIONAL
CEMETERY
BERNALILLO COUNTY,
NEW MEXICO

The U.S. Department of Veterans Affairs (VA) requests scoping input for the preparation of a National Environmental Policy Act Environmental Assessment (EA) for proposed acquisition of approximately 230 acres of land located at the southwest corner of Alrisco Vista Boulevard and Shooting Range Access Road in Bernalillo County, New Mexico (Site) and the construction and operation of a new National Cemetery at the property. The Site is currently unimproved, mostly grassy pastureland. The purpose of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of veterans in central New Mexico. The Proposed Action is needed to address the depletion of National Cemetery burial space in central New Mexico. Additional project details are available in the scoping notice at <https://www.cfm.va.gov/environmental/>.

Through this notice, VA is also providing the public with information about the undertaking and seeking public comment and input about the undertaking's effects on historic properties pursuant to Section 106 of the National Historic Preservation Act.

If you have any of the following: comments on the scope of issues for analysis, input on potential alternatives, information or existing analyses relevant to the Proposed Action, or information concerning historic properties at the Site, please submit your comments input via email by December 3, 2022 to vacoenvironment@va.gov with the subject line "Albuquerque National Cemetery EA Scoping." For additional information or questions please contact Fernando Fernandez, VA Environmental Engineer, at fernandez@va.gov. Reference "Albuquerque National Cemetery EA Scoping" in your correspondence.

VA anticipates publishing the Draft EA for a 30-day public review and comment period in December 2022 or January 2023. VA will publish a notice of availability of the Draft EA in the Albuquerque Journal and solicit public comments at that time.

Journal November 3, 6, 2022

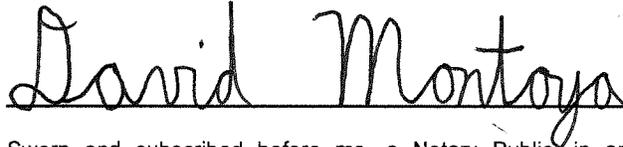
AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

David Montoya, the undersigned, authorized Representative of the Albuquerque Journal, on oath states that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, that payment therefore has been made of assessed as court cost; and that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 2 time(s) on the following date(s):

11/03/2022, 11/06/2022



Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this

8 day of November of 2022

PRICE \$226.27

Statement to come at the end of month.

ACCOUNT NUMBER 1082760

CHRISTINA MARIE WHITE
Notary Public - State of New Mexico
Commission # 1122050
My Comm. Expires Jul 26, 2026





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

December 19, 2022

Sent via email

SUBJECT: Notice of Availability – Draft Environmental Assessment for the Proposed Albuquerque National Cemetery, Southwest Corner of Atrisco Vista Boulevard and Shooting Range Access Road, Bernalillo County, New Mexico

Dear Valued Stakeholder:

The U.S. Department of Veterans Affairs (VA) announces the availability for review and comment of the National Environmental Policy Act (NEPA) Draft Environmental Assessment (EA) for the proposed acquisition of approximately 230 acres of land located at the southwest corner of Atrisco Vista Boulevard and Shooting Range Access Road in Bernalillo County, New Mexico (Site) and the construction and operation of a new National Cemetery at the property. The Site is currently unimproved, mostly grassy pastureland. The location of the Site is shown on Figures 1 and 2. The Site features are depicted on Figure 3.

The cemetery would include a gated entrance and perimeter fencing, an administration building and public information building, an assembly area, a memorial wall, committal shelters, a loop road through the cemetery, casket gravesites, columbarium niches, and a maintenance building/facility. The cemetery would be developed in phases, with the first phase (approximately 40 to 60 acres) including the buildings and infrastructure needed to support the first 15 years of burial capacity.

The purpose of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of Veterans in central New Mexico. The Proposed Action is needed to address the depletion of National Cemetery burial space in central New Mexico.

VA prepared the Draft EA in accordance with the NEPA (40 CFR Part 1500), the Council on Environmental Quality Guidance and VA NEPA implementation regulations (38 CFR Part 26). Comments received will be addressed in the Final EA.

The Draft EA is available for review at <https://www.cfm.va.gov/environmental/index.asp>. A hard copy for review is also on file at the Central & Unser Library located at 8081 Central Avenue, Albuquerque, NM.

Please email comments by January 30, 2023 to vacoenvironment@va.gov. Please use “Albuquerque National Cemetery Draft EA” in the subject line. If you have any questions or are unable to submit your comments by email, please contact Mr. Fernando Fernandez at Fernando.Fernandez@va.gov.

Respectfully,

A handwritten signature in cursive script that reads "Glenn Elliott".

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

Figure 1: Site Location Map

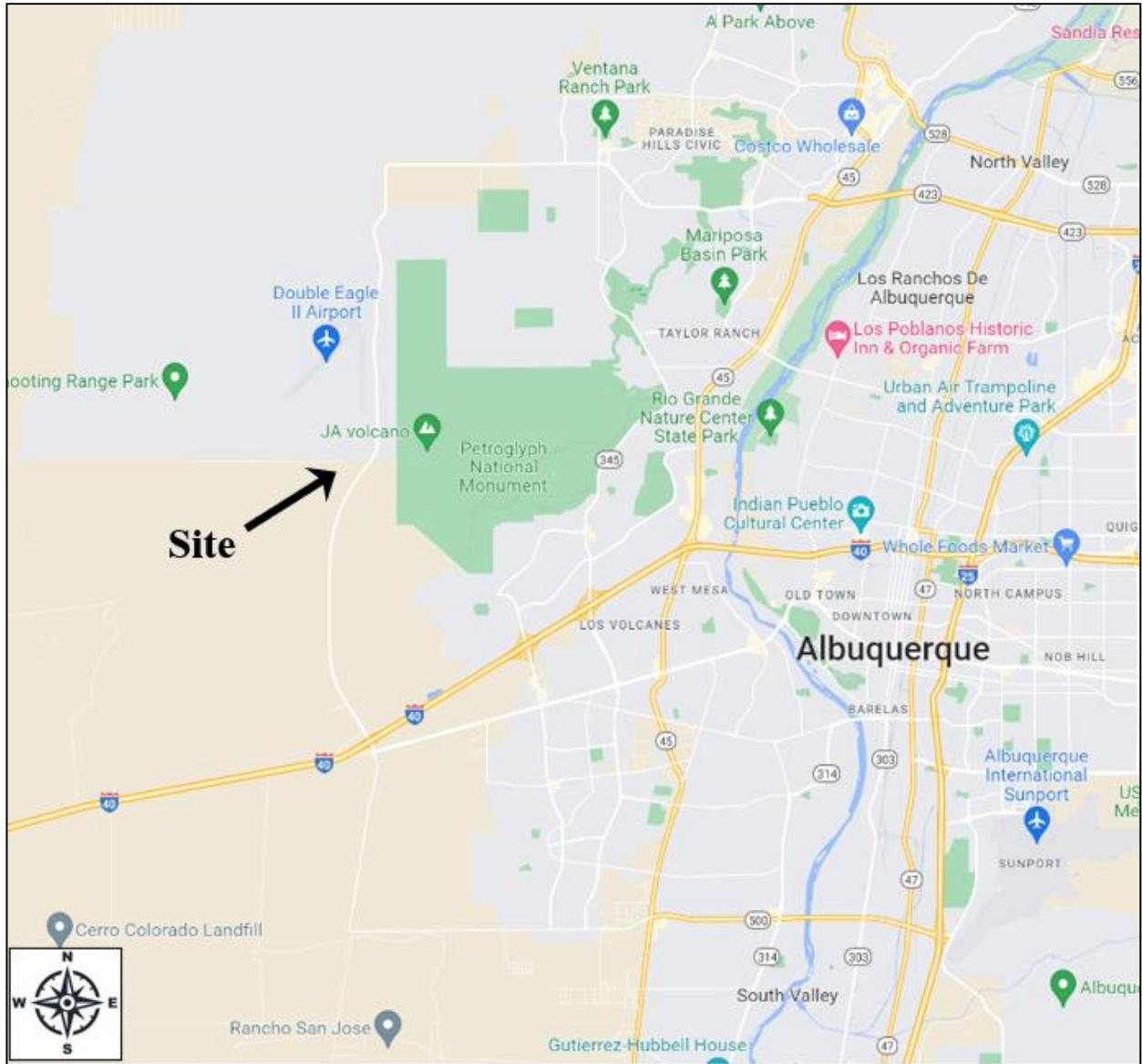


Figure 2: Topographic Site Location Map

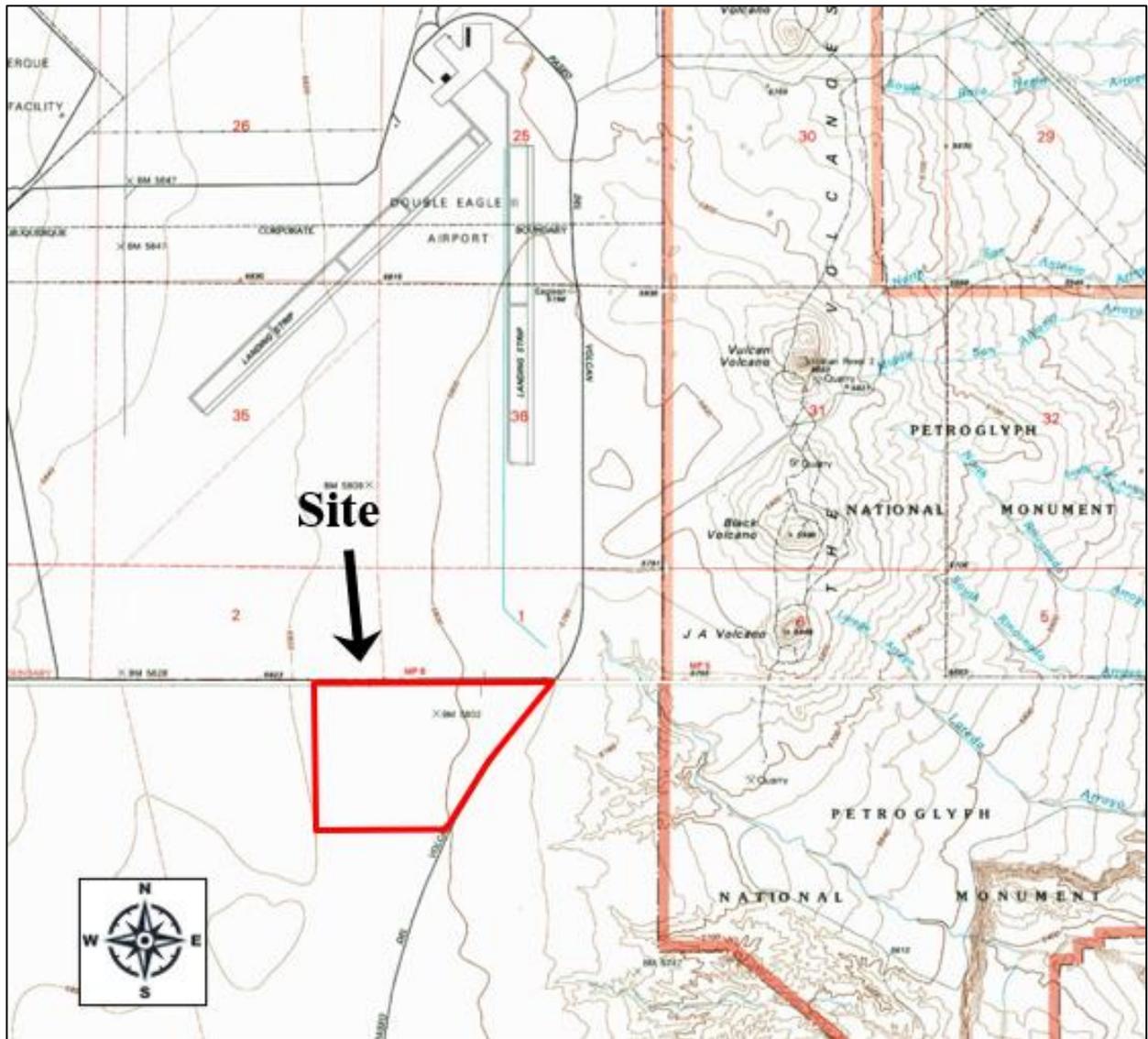


Figure 3: Site Aerial Photograph



NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL
ASSESSMENT
U.S. DEPARTMENT OF
VETERANS AFFAIRS
PROPOSED
ALBUQUERQUE NATIONAL
CEMETERY
BERNALILLO COUNTY,
NEW MEXICO

The U.S. Department of Veterans Affairs (VA) announces the availability for review and comment of the National Environmental Policy Act (NEPA) Draft Environmental Assessment (EA) for the proposed acquisition of approximately 230 acres of land located at the southwest corner of Atrisco Vista Boulevard and Shooting Range Access Road in Bernalillo County, New Mexico (Site) and the construction and operation of a new National Cemetery at the property. The Site is currently unimproved, mostly grassy pastureland. The purpose of the Proposed Action is to establish a new National Cemetery of sufficient size and capacity to serve the projected burial needs of Veterans in central New Mexico. The Proposed Action is needed to address the depletion of National Cemetery burial space in central New Mexico.

VA prepared the Draft EA in accordance with the NEPA (40 CFR Part 1500), the Council on Environmental Quality Guidance and VA NEPA implementation regulations (38 CFR Part 26).

The Draft EA is available for review at the at the Central & Unser Library located at 8081 Central Avenue, Albuquerque, NM, and on the VA website at:

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

VA will prepare and publish the Final EA following the 30-day public comment period. The Final EA will summarize and address comments on the Draft EA. The public comment period ends on January 30, 2023.

Please submit your comments via email by January 30, 2023 to vacoenvironment@va.gov with the subject line "Albuquerque National Cemetery Draft EA." For additional information or questions, please contact Fernando Fernandez at fernando.fernandez@va.gov.

Journal: December 28, 2022,
January 1, 8, 2023

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

David Montoya, the undersigned, authorized Representative of the Albuquerque Journal, on oath states that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, that payment therefore has been made of assessed as court cost; and that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 2 time(s) on the following date(s):

12/28/2022, 01/08/2023

David Montoya

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this

13 day of January of 2023

PRICE \$203.86

Statement to come at the end of month.

ACCOUNT NUMBER 1082760

CHRISTINA MARIE WHITE
Notary Public - State of New Mexico
Commission # 1122050
My Comm. Expires Jul 26, 2026

Christina Marie White

Robin Clark

From: Anderson, Elizabeth <eanderson@abcwua.org>
Sent: Friday, February 3, 2023 5:02 PM
To: Carrie Hess
Cc: Fernandez, Fernando L. (CFM); Robin Clark
Subject: RE: Albuquerque National Cemetery Draft EA

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.

Hi Carrie,

The water lines serving Double Eagle Airport are restricted to a limited number of customers by the EPC Official Notification of Decision for Project 1002177/02EPC-01357, dated October 17, 2002. That document states: "The purposes of these pipelines will be to serve the airport, the Soils Amendment Facility and the Shooting Range Park. There are no other facilities or development to be served by this infrastructure." The site described in the draft EA would need to be served by the infrastructure planned for the Upper Petroglyphs area. The Water Authority does not know the developer's timeline for expansion of other infrastructure to this area. The Upper Petroglyphs planning documents did not include plans for extension of reuse water lines to this area. Reuse service on the westside of Albuquerque will be dependent upon construction of the planned Westside/Bosque Reuse Facility near Montano Blvd. and Coors Blvd., followed by extension of reuse pipelines from that facility to the surrounding areas.

Please let me know if you have any other questions or require additional information.

Sincerely,
Liz

From: Carrie Hess <CHess@ctconsultants.com>
Sent: Monday, January 30, 2023 12:27 PM
To: Anderson, Elizabeth <eanderson@abcwua.org>
Cc: Robin Clark <RClark@ctconsultants.com>; Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: Albuquerque National Cemetery Draft EA

[CAUTION: This email was received from an EXTERNAL source]

Hi Elizabeth!

Thank you for your feedback, I just have a couple of additional questions that would help us round out the report.

Since the cemetery would likely be constructed years before the Upper Petroglyph development project got to that section, is there any opportunity to connect to water and sewer that are closer to the north (the Aerospace Technology Park)? Do you have any more information on the timing of the water and sewer line extensions from the south (independent of the cemetery)? Is there currently reuse water in the site area? If not, how would the cemetery potentially be able to provide irrigation until it was available?

Thank you!

Carrie Hess
Cell: (574) 361-9236

From: Anderson, Elizabeth <eanderson@abcwua.org>
Sent: Monday, January 30, 2023 12:39 AM
To: VACO Environment <VACOEnvironment@va.gov>
Subject: [EXTERNAL] Albuquerque National Cemetery Draft EA

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) has an approved development agreement that governs provision of water and sewer service to development in the Upper Petroglyphs area. At this time, water and sewer service are not available in the area described for this project. Extension of service would require construction of master plan infrastructure in accordance with the approved planning documents for the Upper Petroglyphs area. Extension of service would include installation of approximately 3 miles of 24-inch diameter water transmission lines and approximately 3 miles of 12-inch sewage collector lines. Construction of this infrastructure must be paid for by the developer of the property in accordance with the Water Authority's policies stating that development will occur at no-net-expense to current customers. In addition, to support conservation of resources this type of facility should be constructed in an area where reuse water (treated wastewater effluent) is available for service to irrigate the green spaces. Water Authority policies support using reuse water for turf irrigation. The Water Authority has reuse water service available or planned to be available throughout much of the service area. Please contact Elizabeth Anderson at #505-289-3004 with any questions.