



319 No. Fourth St., Ste. 800
St. Louis, MO 63102
(314) 231-4181 facsimile (314) 231-4184
www.greatriverslaw.org
Founding President: Lewis C. Green 1924-2003
President: Kathleen G. Henry
General Counsel: Bruce A. Morrison
Staff Attorneys: Henry B. Robertson, Bob Menees

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Caitlin Cunningham, Esq.
Land Program Team Lead, Real Property Service
U.S. Dept. of Veterans Affairs
810 Vermont Avenue, NW
Washington DC 20420
Via email: Caitlin.Cunningham@va.gov

Re: The Filling Up of Jefferson Barracks National Cemetery

Dear Ms. Cunningham:

On behalf of Martin Koch, I am writing to you to inform you that there are better sites in the St. Louis region that would satisfy the Department of Veterans Affairs' ("VA") need for new burial space than would Sylvan Springs Park. Mr. Koch is a resident of St. Louis County, a former St. Louis County Parks employee, and a plaintiff in a lawsuit against St. Louis County over the potential sale of Sylvan Springs Park.

The other sites are better because 1) they do not depend on St. Louis County making an illegal sale of a portion of a County Park; 2) they will serve the VA's needs for providing burial space for many times the number of years than will Sylvan Springs Park; 3) they are a great deal cheaper, and therefore a more frugal use of taxpayer dollars, than is Sylvan Springs Park.

I. The VA Has Not Clearly Defined its Purpose: It Has not Made it Clear Whether it is Trying to Accommodate Veterans in the St. Louis Region or a Seven State Region

It is unclear why the cemetery needs to expand in the St. Louis region, if it "accommodates the wishes of veterans from seven states," as was quoted in the St. Louis Post Dispatch on June 28, 2015, in the article entitled, "As grave sites dwindle, Jefferson Barracks Again Looks to St. Louis County." The idea of accommodating veterans from seven states seems contradictory to the VA's stated goal of providing burial sites within seventy-five miles of veterans' homes. See US Dept. of Veterans Affairs, National Cemetery Administration, ("NCA") "National Cemetery Development," "To NCA, reasonable access to burial benefits means that a first interment option, for casketed or cremated remains in a national or state

Veterans cemetery, is available within 75 miles of the Veteran's home.”

<http://www.cem.va.gov/cem/docs/factsheets/newcemdev.pdf>.

If the VA wants to accommodate veterans from seven states, that opens the field of available properties to seven states at least, and there is no reason why Sylvan Springs Park should be used. Assuming the VA wants to provide a burial site within seventy-five miles of Missouri and southern Illinois' veterans' homes, we will discuss available sites in Missouri and Southern Illinois.

II. The VA Should Add Up the Numbers of Veterans in Missouri and southern Illinois Counties and Determine What County To Put the New Cemetery In, Based on the Exact Numbers of Veterans within Seventy-Five Mile Radii of Various Counties

The VA makes public an enormous excel chart showing the numbers of veterans living in and projected to live in, every county in the US, from the years 2014-2043. *See:* http://www.va.gov/vetdata/veteran_population.asp, then click on “Counties,” then “Living” under the “Population” heading. The VA should analyze these numbers and determine which county in Missouri or Illinois would serve the most number of veterans for burials.

For example, the chart shows that the VA projects an almost equal number of veterans to be living in St. Charles County as in St. Louis County in the year 2043. The VA projects that St. Charles County will have **22,273** living veterans; and that St. Louis County will have **23,651** living veterans. There is no reason veterans have to be buried in South County. The VA should do its own analysis of the figures shown on the chart, for there are large numbers of veterans in the counties to the west, north and south of St. Louis County. The charts show that there will be **64,659** veterans living in Lincoln, Warren, Franklin, St. Louis, and St. Charles Counties and the City of St. Louis. There will be **52,131** veterans living in St. Genevieve, St. Francois, Washington, Jefferson, and St. Louis Counties and the City of St. Louis.

A. There is No Open Cemetery in Southern Illinois

The attached list of veterans cemeteries in Illinois shows there is no open cemetery serving the need of veterans in the Illinois counties surrounding St. Louis (Attachment pp. 4-6).

The VA should consider building a new cemetery in Southern Illinois, for one in that location would serve equally well veterans in St. Louis and St. Charles Counties as there are many major highways crossing the Mississippi River. Looking at Illinois is not far-fetched. In the year 2043, the VA projects there will be **31,697** veterans living in St. Clair County, IL, **dwarfing** the **23,651** number in St. Louis County. In the five counties bordering St. Louis on the Illinois side there will be **50,940** veterans in Calhoun, Jersey, Madison, Monroe and St. Clair Counties. *There are more veterans in the counties on the east side of St. Louis than in the surrounding Missouri counties.* If a cemetery were built in southern Illinois that is easily accessible for residents of St. Charles and St. Louis Counties, it would serve a huge number of veterans. The VA should take into account the needs of veterans in southern Illinois. Since there

will be so many more veterans in St. Clair County than in St. Louis County, and there is no Veterans cemetery near St. Clair County, the VA should consider building a cemetery there. There is greater need; the land is many times cheaper; and the cemetery will serve the VA's purposes much longer than will Sylvan Springs Park.

III. The VA Has Done Nothing to Solve the Problem of Jefferson Barracks National Cemetery's Eventual Closure Except for Plan to Take St. Louis County Tax-Payer Funded Parks

According to a VA official quoted in the St. Louis Post Dispatch in 2011, the VA has known Jefferson Barracks National Cemetery ("JBNC") would run out of space since the year 2001. "A decade ago, cemetery managers warned they would run out of space by 2010." "Cemetery Finds Room for Vets—Expansions, Above-Ground Vault Help Rapidly Filling Jefferson Barracks Buy Time," *St. Louis Post Dispatch*, May 29, 2011. Yet the VA has done nothing but set its sight on St. Louis County Parks. We believe that first the VA will take 38 acres of Sylvan Springs Park. Then the VA will take the last acres of Sylvan Springs Park. Then the VA will take Jefferson Barracks Park. The VA claims that taking the first part of Sylvan Springs Park would give the VA "18 more years of gravesite space." Jeff Barnes, quoted in, "County in Talks to Sell Part of Sylvan Springs," *The Call Newspaper*, Sept. 23, 2015.

The problems with this strategy are that 1) it is illegal for the County to sell any part of Sylvan Springs and Jefferson Barracks Parks; 2) St. Louis County land costs a great deal more than do large parcels elsewhere in Missouri and southern Illinois; 3) the VA should refrain from spending taxpayers' dollars on purchasing land that is a huge percentage more expensive than other land; 4) the VA should not encourage veterans to believe that JB Cemetery can and must be extended in perpetuity. Indeed, the VA "closes" cemeteries all the time. See the attached lists of cemeteries in Missouri and Illinois, showing many that are "closed" (Attachment, pp. 1-6). Veterans had no right to keep those cemeteries open forever; nor have they the right to keep JBNC open forever. **Cemeteries fill up, and eventually have to be closed.** This is a fact that the VA is not impressing upon veterans when it perpetuates the myth that JBNC will expand into St. Louis County properties forever.

Instead of grabbing in a piecemeal fashion small St. Louis County properties that will not solve the problem of the VA needing more space for burials, the VA should look at purchasing large parcels of land, namely parcels that are larger than 100 acres in size. This would solve the VA's problem for a much longer period of time than would Sylvan Springs Park.

IV. The VA Should Have Been Looking at Alternative Parcels of Land that are not Sylvan Springs Park for Many Years

A. The VA Has Known of another Parcel for Years and the Public has Made the VA Aware of Other Parcels

There are many alternatives to Sylvan Springs Park for burials. For many years, people have made the VA aware of other parcels of land that will be suitable for the VA to purchase and

make into a new cemetery. In fact, the VA even acknowledged it knew of an alternate site, but refused to pursue it. In 2015, VA cemetery director Jeff Barnes said that the VA knew of an alternative site, and that is the adjoining property occupied by the Jefferson Barracks VA Hospital. The St. Louis Post Dispatch reported that, "But because annexation requires an act of Congress, the VA has instead for six years engaged the county in on and off again negotiations to purchase approximately half of the 70-acre Sylvan Springs Park." The reporter quoted Mr. Barnes, "We continue to await a decision from the county," said cemetery director Jeff Barnes. "Those are 38 acres we'd like to have." "As Grave Sites Dwindle, Jefferson Barracks Again Looks at St. Louis County," *St. Louis Post Dispatch*, June 28, 2015. Yet on September 23, 2015, Mr. Barnes told a reporter that the VA could get "another 13,000 gravesites on property from the VA Medical Center," "County in Talks to sell part of Sylvan Springs," *The Call Newspaper* Sept. 23, 2015.

The VA should pursue the property owned by the VA Medical Center immediately, instead of illegally purchasing a beloved St. Louis County Park. There is no excuse for the delay. Mr. Barnes has no evidence Congress would not approve the VA taking part of unused land of the JB VA Hospital. Indeed, it would seem that would be popular with the Congresses of the last six years, as Congress has been very receptive to Veterans' issues that Senator Claire McCaskill has raised.

Another site mentioned at public hearings is the property currently owned by Wal-Mart adjoining the JBNC. "A series of residents at both meetings suggested the VA look into either purchasing or using eminent domain to seize the property currently occupied by Wal-Mart," "Residents Divided on Selling Part of Park for JB Cemetery," *The Call Newspaper*, July 29, 2015. We can find no evidence the VA gave this idea any consideration. There is no excuse for ignoring it.

Former County Parks Historian Esley Hamilton wrote of two alternative sites, in a letter addressed to the Society of Architectural Historians, County Historic Buildings Commission, and friends, dated July 10, 2015, and publicized on the internet by the Landmarks Association of St. Louis. Although Great Rivers cannot prove anyone made the VA aware of the two sites mentioned by Mr. Hamilton, it is highly likely that either someone from the VA was included on Mr. Hamilton's listserve, or that someone mentioned these sites at a public hearing or to Mr. Barnes during the past fifteen years. Mr. Hamilton wrote:

Since 2012 the public has learned much more about the failings of the Veterans Administration. The controversies over the inadequate medical care provided to veterans has revealed that the Department has a pattern of not asking for the resources it needs to carry out its mission, to the point of denying its needs even when funds are offered by Congress. The Sylvan Springs proposal is an example of this syndrome. It represents the least challenging but also the least adequate solution to the cemetery's space problems. Other land is available to the south of the cemetery, including the **Mehlville School property** and, on the other side of I-255, the **vacant property of the former Koch Hospital, which already**

includes a historic cemetery. As the Commission noted in 2012, a completely new site would be the best solution.

<https://groups.google.com/forum/#!topic/landmarks-association-of-st-louis/iRmzlgNBnpA>

The VA should pursue these options. A quick search of the Koch Hospital (no relation to Martin Koch), from Wikipedia, shows the following:

Robert Koch Hospital, located just off US 255 before it crosses the Jefferson Barracks Bridge in south county at 4101 Koch Road. There is a cemetery located on the grounds of this closed hospital, the building founded in 1875 with its last major renovation in 1949 is said to have been demolished, but the cemetery referred to as “Quarantine” cemetery is located on the **503 acres** (2.04 km²) associated with this hospital.

https://en.wikipedia.org/wiki/Koch,_Missouri

The Koch Hospital site is **2.7 miles from the JBNC**, or a 7 minute drive according to google maps. There is no way the Veterans could legitimately complain this is too far from the JBNC. This should be a top choice of the VA; not taking a St. Louis County Park.

The VA should also explore the Mehlville School property idea. Mr. Hamilton is widely respected as a pre-eminent historian in St. Louis and he should not be ignored or discredited by the VA. See the Resolution Passed by the Missouri House in 2005 honoring him.
<http://www.house.mo.gov/billtracking/bills051/hlrbillspdf/0562C.01.pdf>

Plaintiff Martin Koch also made the VA aware of other suitable parcels. At the hearings and in a letter published online in Outdoor Guide Magazine, he suggested that the VA could purchase land in Missouri, near the JBNC, south of I-255. He was referring to the Bussen Quarry property. Bussen Quarries operates several quarries in Missouri, the oldest one being at Jefferson Barracks Bridge very close to JBNC. Bussen says of this site: “The ‘original’ quarry site, with over 600 acres, began making crushed stone for the Corps of Engineers river levee program in 1882. JB is located on the Mississippi river in south St. Louis County, just 1/4 mile south of the Jefferson Barracks Bridge.” <http://www.bussenquarries.com/quarries/jefferson-barracks-quarry/>. It is possible that the Bussen quarry does not extend over all 600 acres, and there would be a large, suitable parcel of land to purchase. There is no reason the VA cannot investigate this site. Furthermore, the Bussen Property is adjacent to the Koch property. The VA should pursue a combination of these properties if it cannot purchase enough acres of one by itself.

Mr. Koch also made the VA aware of “abundant, suitable land just across the JB Bridge in Illinois that would take care of the cemetery needs for many, many decades.” Mr. Koch was referring to a parcel just off of IL Highway 255, near Columbia, IL.

B. A Public Search of Large Land Parcels for Sale Near St. Louis County Reveals Many Available that Would Satisfy the VA’s Need for Burial Space for Much Longer than Would Sylvan Springs Park and at Much Lower Cost than Sylvan Springs Park

I have conducted a quick search on the internet for large parcels of land for sale in Missouri and southern Illinois. There are many parcels available, and they **cost a great deal less** than does Sylvan Springs Park. The most recent appraisal of the 38-acre tract of Sylvan Springs that the VA intends to purchase shows its value at \$1.8 million, or **\$47,368.00 per acre**. Attached are sheets from LandWatch, one of perhaps many sites that show listings of large parcels of land for sale in many states in the nation (Attachment, pp. 7-27). Here are some sites near to St. Louis that are for sale for many times less than \$47,000 per acre.

- 287 acres in Richwoods, Washington County, MO, for \$272,650.00, or **\$950.00** per acre. This property is “only 60 minutes or less from St. Louis” (Attachment, pp. 7, 11).
- 184 acres in St. Charles County, MO, for \$2,318,400.00, or **\$12,600** per acre. St. Charles County is adjacent to St. Louis County (Attachment, p. 12).
- 197 acres in Belgrade, Washington County, MO, for \$549,000, or **\$2,786.80** an acre. This property is “just an easy drive south from St. Louis (Attachment, p. 13).”

There are many veterans in counties including Washington and neighboring counties who would be well-served by this property. ***The VA would spend taxpayer money wisely by purchasing land at \$2,786.80 an acre instead of \$47,386 per acre.*** Furthermore, the VA would satisfy the needs for future burials for many more years than it will by making piecemeal land grabs of St. Louis County.

Also attached are sheets showing there are currently 665 properties for sale in Missouri that are 101-200 acres in size (Attachment, p. 16). This size would satisfy the VA’s need for a much longer period of time than will Sylvan Springs.

Just across the Mississippi River from St. Louis, in Illinois, there are many suitable sites available, also at a much cheaper price per acre than Sylvan Springs. The attached sheets show that there are parcels such as the following:

- 78.6 acres in Godfrey, Madison County, IL, for \$795,000, or **\$10,114.50** per acre. Also attached is a map of Illinois Counties, which makes clear that Madison County is just across the Mississippi from St. Louis City (Attachment, p. 20).
- 95 acres in Glen Carbon, Madison County, IL, for \$2,090,000, or **\$22,000** per acre. “High visibility from I-270 near 55/70/270 exchange.” This is very close to St. Louis County (Attachment, p. 21).

There are seven more sites of comparable size and prices in Madison County (Attachments, pp. 20-21).

In St. Clair County, also just across the Mississippi River from St. Louis City and County, there are four properties advertised in the 51-100 acre range, all cheaper than Sylvan Springs (Attachment, p. 22). One example is this:

- 51.33 acres in Lebanon, St. Clair County, IL, for \$1,231,920, or **\$24,000** per acre. “Just 10 minutes to Scott AFB, Interstate 64, **20 minutes to downtown St. Louis** (Attachment, p. 22).

In the 101-200 acre size in St. Clair County the following parcel is available.

- 119 acres in New Athens, St. Clair County, IL, for \$1,500,000, or **\$12,605** per acre (Attachment, p. 24).

In Monroe County, IL, also across from St. Louis, there are two parcels for sale in the 101-200 acre size (Attachment, p. 25).

- 140 acres in Waterloo, Monroe County, IL, for \$434,000, or **\$3,100** per acre. This is a great deal cheaper than is Sylvan Springs Park, and would last the VA for many more years (Attachment, p. 25).

In Monroe County, there are seven parcels for sale in the 51-100 acre size (Attachment, p. 26).

- 100 acres, Fults, Monroe County, IL, for \$700,000, or **\$7,000** per acre (Attachment, p. 26).

In other states the VA has made recent purchases of large parcels of land for use as **new cemeteries**. The VA put out a press release in 2012, announcing the land purchase for two new national cemeteries in Florida. <http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2404>.

In the press release, the VA states it spent \$2 million for 318 acres of land for one of the sites, and \$6.8 million for a parcel 250 acres in size. The first site cost the VA **\$6,289** per acre; the second **\$27,200** per acre. Both of these parcels were cheaper than is Sylvan Springs. Furthermore, the VA acknowledges **closing two cemeteries** in Florida: Bay Pines National Cemetery, and St. Augustine National Cemetery. **The VA does not keep cemeteries open forever.**

In 2014, the VA announced it purchased land in New York for a new cemetery in the Buffalo area. http://www.cem.va.gov/CEM/pressreleases/VA_Makes_Land_Purchase_for_New_National_Cemetery_in_Western_New_York.asp. The VA purchased 132 acres for \$625,000, or **\$4,734** per acre. This would be the sixth national cemetery in New York. Note that the VA spent a great deal less per acre than it would for Sylvan Springs.

Ms. Caitlin Cunningham

January 29, 2016

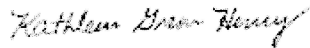
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**V. The VA Should Abandon Its Plan to Purchase Sylvan Springs Park
and Spend Taxpayer Dollars More Wisely**

There are many analyses the VA should undertake before purchasing any property for a new cemetery. The VA should add up people in neighboring counties in Missouri and Illinois, and determine a location that would be closest to the greatest number of veterans. The VA should look at the prices of many parcels of land, and not just buy close, small, and extremely expensive pieces. The VA has a duty to act frugally, as it is funded with taxpayers' dollars. The VA should consider the needs of the future, and not short-term, expensive and illegal solutions.

Thank you for your consideration of these issues.

Very truly yours,



Kathleen G. Henry
khenry@greatriverslaw.org

Attachment