Finding of No Significant Impact

Land Acquisition for Expansion of the WNYNC

The U.S. Department of Veterans Affairs (VA) is proposing to acquire approximately 92 acres of land east of the Western New York National Cemetery (WNYNC) located at 1254 Indian Falls Rd., Corfu, New York (Genesee County) for future facility expansion. As required by the National Environmental Policy Act of 1969 (NEPA; 42 U.S. Code 4321-4370) and VA's regulations implementing NEPA (38 Code of Federal Regulations Part 26), VA prepared an environmental assessment (EA) evaluating the Proposed Action. The Final EA was completed in May 2025 and is incorporated by reference.

Purpose and Need

The purpose of the Proposed Action is to acquire land near the existing WNYNC in order to provide a larger, expanded cemetery with additional burial capacity for eligible individuals once the existing WNYNC reaches capacity.

The Proposed Action is needed to address the eventual depletion of interment capacity at the WNYNC. The WNYNC is the only National Cemetery in western New York, with the next closest option for eligible individuals being the Bath National Cemetery located approximately 85 miles southeast of the WNYNC. VA estimates that the existing burial space at the WNYNC may not be depleted for 30 years or more. However, the Proposed Action would preserve land adjacent to the WNYNC for future expansion needs for the WNYNC and provide additional capacity and meet burial objectives for eligible Veterans in the region.

Proposed Action and Alternatives

The EA examined in-depth two alternatives, the Proposed Action Alternative and the No Action Alternative, defined as follows:

- **Proposed Action Alternative:** VA would acquire the privately owned 92 acres to the east of the existing WNYNC for future development. The project site would be leased by VA to others for continued agricultural use until such time as the WNYNC nears interment capacity. VA would then expand the cemetery onto the 92 acres.

- **No Action Alternative:** Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families in the region would continue to use the WNYNC until interment options are no longer available. In the future, VA would likely seek other land to expand the cemetery but may not be able to acquire the land contiguous with or near the existing WNYNC. The Proposed Action area would likely continue to be privately owned and utilized for agricultural purposes. The No Action Alternative would not meet

the need to expand National Cemetery capacity to meet future demand in the Western New York area.

Potential Environmental Effects

The Final EA analyzed the existing physical, environmental, cultural, and socioeconomic conditions at the Cemetery, the Proposed Action area, and its general vicinity, with emphasis on those resources potentially affected by the Proposed Action. Effects were identified as either significant, minor (that is, common effects that would not be of the context or intensity to be considered significant under NEPA or CEQ Regulations), less-than-significant, or no effect. Where appropriate and clearly discernible, each effect is identified as either adverse or beneficial. Table 1 summarizes these findings and the potential environmental effects of the Proposed Action Alternative and the No Action Alternative. A detailed analysis of the potential effects to these resource areas is provided in the Final EA.

Table 1. Summary of Resource Area Impacts

Resource Area	Impacts of Proposed Action	Impacts of No Action
Aesthetics	**No impacts anticipated**	No impacts anticipated
Air Quality	**No impacts anticipated**	No impacts anticipated
Cultural and Historic Resources	Site acquisition and continued use of already cultivated areas are not anticipated to result in significant impacts historic properties. **No significant impact.**	No impacts anticipated
Geology and Soils	Site acquisition and continued use of already cultivated areas are not anticipated to result in significant impacts to soils. **No significant impact.**	No impacts anticipated
Hydrology and Water Quality	Site acquisition and continued use of already cultivated areas are not anticipated to result in significant impacts to hydrology and water quality. **No significant impact.**	No impacts anticipated
Wildlife and Habitat	The site has potential habitat for protected species, but site acquisition and continued use of already cultivated areas are not anticipated to result in significant impacts to protected species. **No significant impact.**	No impacts anticipated
Noise	**No impacts anticipated**	No impacts anticipated
Land Use	Site acquisition and continued use of already cultivated areas does not result in irreversible conversion of that farmland to nonagricultural use. **No significant impact.**	No impacts anticipated
Floodplains, Wetlands, and Coastal Zone Management	Wetlands are present at the site, but site acquisition and continued use of already cultivated areas are not anticipated to result in impacts to the wetlands. The project site is outside of floodplains and the coastal zone management area. **No significant impact.**	No impacts anticipated
Community Services	**No impacts anticipated.**	No impacts anticipated

Resource Area	Impacts of Proposed Action	Impacts of No Action
Solid and Hazardous Materials	**No impacts anticipated.**	No impacts anticipated
Traffic and Transportation	**No impacts anticipated**	No impacts anticipated
Utilities	**No impacts anticipated**	No impacts anticipated
Socioeconomics	**No impacts anticipated**	No impacts anticipated
Reasonably Foreseeable Effects	**No impacts anticipated**	No impacts anticipated

One project-specific protection and compliance measure was identified for incorporation into the Proposed Action. A notice of Intent is to be filed with the Commissioner of the New York State Department of Agriculture and Markets for the acquisition of more than one acre from an actively operated farm within an Agricultural District.

Public Comment and Agency Consultation

VA requested public scoping input in July 2024 and published the Draft EA for public comment in April 2025. In each case, newspaper notices were published in the Buffalo News, and VA notified agencies, tribes, elected officials, and other stakeholders via email.

VA received one scoping comment and two agency comments on the Draft EA. Comments were considered in developing the EA.

VA consulted under Section 106 of the NHPA with the New York State Historic Preservation Officer (SHPO) and federally recognized tribes on potential effects of the Proposed Action on historic properties. The Final EA includes the consultation correspondence and summarizes the outcome of the consultation, including VA's determination that the Proposed Action will have no adverse effects on historic properties and the SHPO's concurrence with this determination.

VA also consulted with the U.S. Department of Agriculture's Natural Resources Conservation Service on potential effects of the Proposed Action in accordance with the Farmland Protection Policy Act (FFPA). The Final EA includes the consultation correspondence and summarizes the outcome of the consultation, including the Service's conclusion that FPPA does not currently apply for purchasing of the property and leasing the ground for continued agricultural production.

Finding of No Significant Impact

Based on the analyses in the Final EA, which is summarized and incorporated by reference herein, VA concludes that implementing the Proposed Action would not have a significant adverse impact

on the quality of the natural or human environment within the meaning of Section 102(2)(C) of NEPA. Therefore, preparation of an environmental impact statement is not required.

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Willie C. Marsh
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