**PRESS RELEASE**

**STAMP Sewer Works to Hold Eminent Domain Hearing for Wastewater Pipeline Construction**

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On Thursday, July 27 at 10am, STAMP Sewer Works will hold a condemnation hearing at the Town of Alabama Fire Department in a bid to strip three individual landowners of their property rights in order to build a wastewater pipeline that may be used by potential future industrial tenants at the STAMP site. Notification for the hearing was published in the [Lake County Pennysaver](https://939c9b01811224bb3dcf-d6f090436a6f3838a347f2f22505b78d.ssl.cf5.rackcdn.com/uploads/editions/22190/original_53f0c905fd518903f0cf1eb915d52ceb14e65ae9.pdf).

The developer of WNY STAMP, the Genesee Economic Development Corporation (GCEDC), began construction on July 15 on its 9-mile long pipeline designed to carry up to 6 million gallons per day of wastewater. The primary purpose of the pipeline is to provide a high-volume wastewater discharge option for corporate industrial dischargers who might decide to build at STAMP and might need to discharge wastewater. The pipeline will discharge into Oak Orchard Creek, which at low flow carries only half a million gallons of water. GCEDC-created entity STAMP Sewer Works holds the water discharge permit, which reflects that at full build out, the sewage facility serving STAMP tenants will only create 1 million gallons of treated sewage per day. The initial design for the sewage plant, based on 500 employees working at STAMP, estimates it will only generate 20,000 gallons of sewage a day.

Construction on the pipeline began despite the Tonawanda Seneca Nation’s efforts over the course of a year to work with United States Fish and Wildlife Service (USFWS) to ensure proper environmental review of the portion of the pipeline through the Iroquois National Wildlife Refuge.

In a May 15, 2023 letter to the Tonawanda Seneca Nation Council of Chiefs, Holly Gaboriault, Acting Regional Chief for the National Wildlife Refuge System, announced that the agency would suspend STAMP Sewer’s right of way permit to route the pipeline 2.7 miles through the refuge. Gaboriault committed USFWS to preparing a Supplemental Environmental Assessment (EA), including a new public comment process, and pledged that “[w]hile the Service is re-evaluating [the] permit in the EA, the current right of way permit will be suspended for pipeline construction through the Iroquois National Wildlife Refuge until a new decision is made.”

In a May 26, 2023 letter to the Tonawanda Seneca Nation Council of Chiefs, Scott Kahan, Regional Chief for the National Wildlife Refuge System, reversed course, stating that the agency had determined they lacked the authority to suspend the right of way permit. The agency reiterated its commitment to conducting a Supplemental EA and consultation but these processes have not yet taken place. The agency’s about-face flies in the face of the National Environmental Policy Act, which requires agencies to consider the environmental impacts of a project ***before*** greenlighting the project.

In addition to the environmental review shortcomings, USFWS bypassed federal law requirements by failing to notify the Nation of the permit application and failing to publicize a public comment period in early 2020. The Nation opposes the pipeline because it is being built to entice heavy industry to the STAMP site. The Nation opposes heavy industry at STAMP, which lies adjacent to and upstream from the Nation’s pristine Big Woods and federally-recognized Reservation territory. On May 11, nearly 200 people attended a public hearing to voice opposition to a separate application by the developers for a permit to destroy 665 acres of threatened and endangered species habitat.

The Tonawanda Seneca Nation stands in solidarity with its neighbors in opposition to GCEDC’s unjustified use of eminent domain.