

VILLAGE CLERK

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September 2, 2021

New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12207

To Whom it May Concern:


The Town of Shelby and Village of Medina have met to review the SPDES permit for the STAMP on-site WWTF. At our meeting we invited a representative of the Orleans County Soil and water Conservation District to assist us in understanding potential concerns for both the Town of Shelby, NY and Village of Medina, NY, along with other residential and municipal properties down stream. Below are the concerns we have from that meeting.

- Orleans County as a whole has an extremely flat topography. Drainage and flooding concerns are always one of our main issues we are concerned with on a daily basis because of this. There are areas of Oak Orchard Creek that are within the 100 year flood plan where water is almost to the top of the stream bank such as Butts Park in Medina. It does not take an extreme amount of water to flood this area. The park is used on a daily basis for fishing, kayaking, wading, picnicking, and several other sporting events.
- Stream and stream bank erosion is another concern with this discharge. Orleans County already has a lot of areas along the river that are already eroding, or have the potential to erode if the water level of the creek is to increase. Most of these areas are private residential properties downstream and municipal roads such as Oak Orchard River Road, which has already seen mass erosion and is now restricted to one lane. There is also major flooding and erosion concerns down at Point Breeze where Lake Ontario water levels are controlled by the International Joint Commission, determines the creek water level and restricts how fast the creek can drain into the lake. By increasing the water level in the creek unstable soils on the stream bank will become saturated and have a higher potential of eroding
- Increasing the amount of water into the creek will also increase water velocity. This increase in

velocity will stir up any loose sediments in the creek bottom and increase the turbidity of the water. Sediment is the number one pollutant in our creeks and is very difficult to recapture after it has already entered the water. Areas around the proposed discharge pipe will be subject to erosion depending on the velocity of the coming out of the pipe. Note only will the the creek bank be subject to erosion but the creek bottom as well. This addition of water, depending on the evaluation of the outlet of the discharge pipe, will mix any sediments on the creek bottom into the water and increase the waters turbidity and erode the creek bank below the discharge pipe.

- Six million gallons of water a day may not seem to be much to some when looking at how much water flows Oak Orchard Creek. You must remember that the creek decreases in slope downstream from the proposed discharge. These are areas where the velocity of the water slow down and allows the silt and sediment to settle out of the water causing sedimentation in the creek. In these areas the amount of water coming in can be greater than the amount that is being discharged, resulting in higher than normal water level. The key thing to remember is that the amount of water will be discharged daily and can compound in areas downstream where water buildup can occur.
- Given that communication by GCEDC and the Town of Shelby in particular took place during COVID 2/2/20, 6/20, 7/20, 9/20, the general public and in particular the Village of Medina, which has a sizable investment in its own wastewater treatment facility that relies on discharge to Oak Orchard Creek, there is a heightened level of concern and anxiety within the communities and in Orleans County that this project lacked appropriate oversight given in particular the circumstances of the past year.
- The analysis provided by GCEDC regarding impact to Oak Orchard Creek was provided by Clark Patterson Lee, an engineering firm retained by GCEDC and we do not feel it is prudent or suitable for Medina and Shelby to rely on an analysis provided by a firm that does not represent our respective best interests.

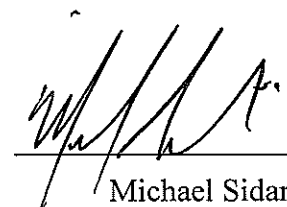
We would like to thank the NYSDEC in taking the time to review our concerns with the SPDES permit application for the WWTF for The Genesee Gateway Local Development Corp.



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Jeff Smith

Supervisor Town of Shelby, NY



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Michael Sidari

Mayor Village of Medina, NY