

HAUDENOSAUNEE

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TONAWANDA SENECA NATION

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Commissioner Basil Seggos
NYSDEC
625 Broadway
Albany, New York 12233-1010
Via Email: basil.seggos@dec.ny.gov

Nya:wëh Sgë:nö', Commissioner Seggos,

On behalf of the Tonawanda Seneca Nation, Council of Chiefs, I'd like to extend greetings to you and your associates and give thanks that all are enjoying good health.

We write to request your urgent assistance to avoid an action that would subvert SEQR and threaten the well-being of the Nation and its environment and citizens.

On Friday, July 1, just prior to the holiday weekend, the Nation was provided with a sweeping, inaccurate and culturally insensitive "SEQR Resolution" that Genesee Economic Development Center ("GCEDC") plans to adopt at its meeting on July 7, 2022. The proposed resolution would deny the Nation the right to robust environmental impact assessments at and related to the STAMP site -- the massive industrial facility proposed to be sited directly adjacent to the Nation's federally recognized reservation Territory. The resolution purports to recite the history of environmental review for the STAMP site and then concludes that—despite the significant changes in the project, the identification of threatened and endangered species, the strong objection of the Nation and others to a number of proposed project components—no further environmental review is necessary, and a Negative Declaration is appropriate. Moreover, the Nation was given two business days to review the 30 page document that incorporates by reference hundreds of additional pages. This resolution mocks the importance of SEQR in New York and we call upon you to rescind GCEDC's lead agency status and authorize DEC to conduct these much-needed reviews that GCEDC has declined to undertake.

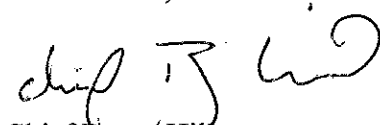
The Nation strongly objects to GCEDC acting as lead SEQR agency for the STAMP development for several reasons. First, as a local development agency, GCEDC cannot work with the Nation on a government to government basis and is not bound by all state and federal policies requiring meaningful consultation with the Nation or respect for the Nation's sovereignty. Second, the STAMP project would have vast regional impacts, from the Niagara

River to Lake Ontario, and a local agency like GCEDC is poorly suited to consider these impacts. Finally, GCEDC as developer of the project, has demonstrated time and again a pattern of piecemealing the project and obscuring facts from the Nation, showing a “develop at whatever cost” attitude that undermines the purpose of SEQR reviews. Indeed, the fact that the resolution boasts of constant “consultation” with the Nation—when true consultation has been a rarity in the long history of the STAMP project—illustrates how GCEDC interprets “facts” to its benefit and cannot be trusted as a fair and impartial entity enumerating the STAMP project’s impacts.

For many years, including in recent meetings with you and your staff, the Nation has called for updated environmental reviews of the proposed STAMP project that would fully consider impacts of this facility on the Nation, our environment, our people, and future generations. These reviews are badly needed because the project’s FEIS was completed over a decade ago; because the Nation’s reservation Territory was not yet recognized as a Traditional Cultural Property (TCP) eligible for listing on the National Register at that time; and because the initial EIS failed to examine impacts beyond the STAMP’s site’s boundaries. Throughout the permitting process, we have seen again and again how GCEDC fails to consider the impacts on the Nation and makes conclusory and inaccurate assessments of those impacts. GCEDC’s bid to again take lead agency status and paper over this much-needed review poses a direct and immediate threat to the Nation.

The Nation was heartened to learn recently of the return of one thousand acres of land in the Tulley Valley to the Onondaga Nation, and we understand your office had a leading role in that land return. We also see the suffering the Onondaga people have endured for years from the environmental devastation Honeywell caused with its industrial activities in Onondaga territory, devastation that led to the natural resource damages proceeding that facilitated the land return. We fear similar devastation from STAMP and implore you to act now to prevent it.

Da:h ne’hoh,



Chief Roger Hill
Council of Chiefs
Tonawanda Seneca Nation

cc: Thomas Haley, Regional Permit Administrator, NY DEC Division of Environmental Permits
Kimberly Merchant, Deputy Regional Permit Administrator, NY DEC Division of Environmental Permits
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