

The Seneca Nation Environmental Protection Department (EPD) has initiated a public review process for the proposed "National Fuel RM32 Interconnect Project", a construction initiative submitted by National Fuel Gas Supply Corp. The project entails the construction of a natural gas interconnection station and improvements to the access road which will include the upgrade of an existing deteriorated culvert and including the construction of a new culvert which crosses Unnamed Tributary to Cattaraugus Creek in the hamlet of Irving, NY and within the territory of the Nation.

As the project falls under the jurisdiction of the federal Clean Water Act (CWA), specifically Section 404, it requires certification from the Seneca Nation to ensure compliance with the Nation's water quality standards. In accordance with CWA § 401, the EPD is soliciting comments from the public and relevant agencies regarding its proposed certification of the CWA § 404 permit for this project, which is anticipated to proceed under the Nationwide Permit. EPD's review process aims to assess the project's potential environmental impacts and ensure that it aligns with the Nation's water quality requirements, and stakeholders are encouraged to provide input during this critical evaluation phase.

PUBLIC NOTICE OF PROPOSED CWA § 401 CERTIFICATION

by the

SENECA NATION ENVIRONMENTAL PROTECTION DEPARTMENT

Project: On September 11, 2025, the Seneca Nation (Nation) Environmental Protection Department (EPD) received a completed “Permit Application for Construction Projects Within Waterways” from National Fuel and Supply Corporation. The Project herein known as “RM32 Seneca Nation Interconnect Project” or “Project” carries a detailed scope of work which includes as follows: The Seneca Nation Interconnect Project entails construction of a natural gas interconnection station of approximately 0.3 acres adjacent to National Fuel’s existing Line RM32 within the Seneca Nation’s Cattaraugus Territory, together with improvements to an existing two-track access road—approximately 1,000 feet of minor grading and gravel surfacing to establish a permanent 12-foot-wide roadway and an 850-foot eastern extension following existing ATV trails—to provide safe, reliable access and facilitate electrical interconnection with National Grid overhead lines; associated work within a granted permanent easement includes replacement of a deteriorated 24-inch steel culvert with a 24-inch corrugated plastic pipe, installation of a new permanent culvert at a delineated stream (Unnamed Tributary to Cattaraugus Creek), repair of ATV trail rutting, placement of a 3-inch underground electrical conduit, construction of a new 4-inch gas main from a tap on the 16-inch RM32 pipeline, and connection of the existing 8-inch distribution main, with total temporary and permanent disturbance not to exceed 2.2 acres within Seneca Nation territory, as detailed in the project drawings. The location for this project is in the hamlet of Irving, NY and within the territory of the Nation.

The Project is anticipated to proceed under the CWA § 404 Nationwide Permit (NWP). Federal Clean Water Act (CWA) requires certification under CWA § 401 from the Nation that the Project will meet the Nation’s water quality requirements. Accordingly, EPD seeks public and agency comments regarding its proposed certification of the CWA § 404 permit at issue.

CWA § 401 Water Quality Certification: Under CWA § 401, a federal agency may not issue a permit or license to conduct any activity which may result in any discharge into waters of the United States unless a Section 401 water quality certification is issued or waived by the state or authorized tribe where the discharge will originate. The Nation was approved to administer a CWA § 401 program on March 12, 2021, and has authorized EPD to review and administer permits pursuant to CWA § 401.

Public Comment Period: Pursuant to CWA § 401(a)(1), the public comment period for the proposed CWA § 401 certification of the RM32 Seneca Nation Interconnect Project by EPD is thirty (30) days from the date of publication of this notice in the Community News Section of the October 31 edition SNI Newsletter and other publicly available locations. Agency representatives and members of the public are encouraged to submit written comments to EPD, by 4:30pm on December 1, 2025, as follows:

- by email at epd@sni.org or
- by USPS mail to the Seneca Nation Environmental Protection Department, 84 Iroquois Drive, Irving NY 14081, Attention: Jordan Parker Buffalo, Water Program Manager

Copies: A copy of this CPWW Application is available under the “documents” tab at the EPD website, here: <https://sni.org/community-services/environmental-protection/> or may be requested by contacting the email shown above, with the title, “Request for Copy of RM 32 Seneca Nation Interconnect Project CPWW Application” in the subject line.