



NEW YORK STATE LEGISLATURE

February 19, 2024

Honorable Basil Seggos
Office of the Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-0001

RE: It's Greener Now LLC (aka, Padua Gravel Pit)
DEC ID# 8-4424-00006/00001

Dear Commissioner Seggos:

Thank you for your urgent attention to the immediate need to extend your current public comment period for the amended application before your department for a proposed 61-acre expansion of the current 14-acre Padua Gravel quarry operation located in the town of Dix, Schuyler County, which we represent.

It is our understanding that you are in receipt of a resolution (Resolution No. 55) approved by the Schuyler County Legislature on February 12, 2024 opposing the current application, requesting its revision and further review by your department, and, in particular, calling on your department to "reopen and allow an additional period of public comment on the application" to address "legitimate areas of concern prior to any decision on the project."

We unequivocally support the need to, at a minimum, immediately extend, by at least 90 days, the current time for public comment which your department quietly opened in early January and set a February 28, 2024, deadline.

This time period, especially the way it has been set in motion, is, to say the least, woefully insufficient and inadequate for proper public comment and participation to carefully and thoroughly review a project of this magnitude and its potential, severely negative impact on the local community. As noted in Resolution No. 55, the current time period "is insufficient to review the 784 pages of documents that are on file with the DEC, and to hire required experts to review the record."

We wholeheartedly agree and we cannot state it strongly enough: The public comment period must be extended by at least 90 days.

As outlined in detail in Resolution No. 55, this project proposes nothing short of a massive, five-fold expansion of the existing mine which, given its location up a steep grade directly above a neighborhood and the center of the iconic Finger Lakes village of Watkins Glen, has already contributed to flooding, raised longstanding concerns over truck traffic and motorist and pedestrian safety, and, as previously highlighted, poses a negative impact to the regional viewshed so critical and vital to the local tourism economy.

Furthermore, as you are aware -- and as it has also been outlined in Resolution No. 55 -- the process by which this expansion application has been brought forth, dating back as far as 2007, raises troubling and unanswered questions.

There has been minimal, at best, public notice provided throughout your department's advancement of this application to its current status -- which is troubling.

In short, the proposed expansion is strongly opposed by local residents, the village of Watkins Glen and, as noted, Schuyler County. Community officials are also on record as stating that the mine is currently in violation of its existing permit.

In light of these legitimate and well-founded local concerns, and the range of unanswered questions surrounding the handling of the application by your department, we once again urge you to immediately extend the public comment period for at least 90 days.

We also request that you provide us, as soon as possible, copies of all pertinent records and correspondence between your department and the project applicant during the 16-year period that this application has been under review by the New York State Department of Environmental Conservation. Additionally, we request copies of any and all contracts that your department, the state Department of Transportation, or any other state entity has with the applicant for the purchase of aggregate or other materials from the Padua Gravel operation.

Thank you again for your immediate attention and action. If you would like to discuss this request in more detail, please do not hesitate to contact us.

Sincerely,

Thomas F. O'Mara
Senate District 58

Philip A. Palmesano
132nd Assembly District