

Frances Knickmyer
NYSDEC Region 8 Headquarters 6274 E Avon-Lima Rd
Avon, NY 14414

Dear Ms. Knickmyer:

Attached for your consideration are my updated and amended concerns regarding the permit application of "It's Greener Now" for an expanded mine permit in the Town of Dix, Schuyler County, along with a copy of James Arthur Upright's 1992 Master's project on the buried gorge from which the applicant seeks to extract gravel. While lengthy, I would like to admit up front that my submission may inevitably contain errors and omissions. I am admittedly not a subject matter expert in this field. I am merely an average citizen whose home of the last 35 years sits directly below the mine. I

also recognize the challenges of a government official in balancing the public interest. I served the New York State Office of Mental Health for 34 years, ending my career as the Director of two New York State Psychiatric Centers. Your role in this matter is a heavy one. I do not say that lightly.

I must also note up front however that I, along with every citizen, town, village, county and public agency, have had a mere two weeks' notice to review a highly technical 784-page DEIS that the applicant has been afforded 16 years to perfect. Therefore, I ask that you please understand any technical failings and maintain a balanced perspective on the big picture. Without reiterating the details in the attached, I ask that you take particular note of the following:

1. The expanded mine permit puts in immediate peril the Watkins Glen State Park and tourism that it generates.
2. The expanded mine permit puts in immediate peril the Finger Lakes Wine Tourism and the economy of Watkins Glen.
3. The mine and surrounding "elk farm" have already disrupted ecosystems and ground water flow, driving wildlife into surrounding neighborhoods and severely taxing the storm water capabilities of residents and an antiquated village storm water system
4. The mine presents dust, noise, traffic, runoff and other serious impacts to the visitors, hikers, bikers residents and motorists that have been under-stated in the DEIS.
5. The mine-out period of 20 years has also been grossly underestimated.

6. The mine operator has already demonstrated some level of impunity and disregard for your agency and their neighbors.

7. The two-week preparation period for this hearing is grossly inadequate, in light of the 16-year period afforded the applicant to perfect the application and the absence of public notice along with the lack of even a respectful contact to the, towns, county or other community entities working hard every day to make our lives better. A 90-day extension of the public comment period is warranted.

8. The application is far too excessive in size. A much much more modest application affords the DEC a periodic opportunity to re-evaluate impact, without subjecting the State Park and community to a century or more of damage.

9. The DEIS cross sections fail to delineate the locations of the buried gorge walls, do not show any changes in the depth of bedrock, do not include soil borings showing how deep the buried gorge is and while containing a great deal of data, did not match the data against the narrative descriptions.

10. The DEIS lacks a visual analysis and an adequate description of the visual impacts. It also lacks photo simulations of the mine limits, descriptions of tree removal, photo simulations of tree removal.

In considering the attached, please understand that I say the following without positional contempt. To the DEC Avon office, the sand and gravel is a mere resource. To "It's Greener Now", it is a source of revenue. However, to us it is our State Park; it is the land below where we bury our dead, it is our hillside, our home where we raised our children, it is our history and our economy. I beg you to balance the public interest in support of the lives you have in your hands.

Respectfully Submitted,

Mark E. Stephany
212 Lakeview Avenue, Watkins Glen

Retired - Executive Director, NYS Office of Mental Health Retired - Village
Trustee - Watkins Glen
Retired - Chairman Zoning Board of Appeals