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Governor

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FRED BONN
Regional Director, Finger Lakes

February 12, 2024

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

Re: Draft Environmental Impact Statement (DEIS) for the "It's Greener Now INC. Padua Ridge Gravel Mine"

Dear Frances Knickmyer,

On behalf of the New York State Office of Parks, Recreation and Historic Preservation or State Parks, I am providing these initial comments on the Padua Ridge Gravel Mine Draft Environmental Impact Statement.

State Parks acknowledges that this proposal, to expand the Life-of-Mine Affected Area, has been in progress and under review for over 15 years and that some original proposed elements of the proposal have been removed, reduced, or modified during that time resulting in the current proposal.

Watkins Glen State Park is located directly south and southwest of the Padua Ridge Gravel Mine property. This State Park is the most famous and most visited of the Finger Lakes State Parks. Glen Creek, a classification B stream, runs through the park through the Glen Creek gorge. This deep gorge contains a walking trail for the visiting public with multiple waterfalls and a unique microclimate. The gorge, according to the New York Natural Heritage Program, has a 'shale cliff and talus natural community along its entire length and an extensive calcareous shoreline outcrop that lines the creek bed.' Both of these natural communities are designated as significant natural communities by the Natural Heritage Program. Additionally, there are 'very small patches of shrub swamp and shallow emergent marsh that occur along slow, flat areas of the stream where sediments have been deposited over a long period of time.' A Special Concern species of dragonfly is also known to inhabit the gorge. This dragonfly relies on spring seeps within the gorge for larval habitat and completing its life cycle. As noted in the Natural Heritage Program's Conservation Guide for this species, seepage areas along gorges are 'the key larval habitat for this species, any activities that alter the quality or quantity of groundwater seepage in an occupied area would pose a threat to' the dragonfly species. There is also a known occurrence of a federally threatened/state endangered plant species within the gorge.

The current Draft Environmental Impact Statement or DEIS does not clearly indicate where active mining activities may occur over time within the Life-Of-Mine Affected Area. The DEIS Appendix D Noise Projection Analysis Figures 2-5 show existing and proposed operational locations (Scenarios 1 and 2) that indicate various options of where mining equipment (e.g., loader, screen, crusher) will be placed.

Parks requests clarification on how and why these locations were selected to be part of the Noise Projection Analysis and if these operation equipment locations would move throughout the Life-of-Mine Affected Area. State Parks is also requesting explanation and a conceptual figure or figures showing the expected active mining locations and reclamation areas over time to fully understand the Proposed Action.

In response to the 2008 expansion proposal of the Life-Of-Mine Affected Area, State Parks reached out to the United States Geological Survey, or USGS, to consult about the potential for impacts from the proposed expansion of mining operations on the park and, more specifically, on the gorge and its hydrology, natural resources, and biodiversity. There were several requests for information submitted by State Parks, provided by the USGS, to DEC that were included in the Final Scoping Document. The information from these requests are needed to properly analyze the potential for significant adverse impacts to the park and within the gorge.

State Parks acknowledges the Applicant's additional work and data summarization to date based on some of those requests. State Parks is again consulting with the USGS on this updated proposal as stated in the Final Scoping Document. Additional analysis of the new information provided in the DEIS is needed to identify any information still lacking in order to properly analyze potential adverse impacts from the proposed expanded areas of mining to the hydrology, natural resources, and biodiversity of the gorge.

Given this, State Parks is requesting a 30-day extension of the public comment period to assure enough time to consult with USGS and fully analyze the DEIS and the proposal's potential for significant adverse impacts on Watkins Glen State Park.

State Parks continues to review the DEIS related to potential visual, noise, and stormwater management impacts.

Thank you for the opportunity to comment on the Padua Ridge Gravel Mine DEIS.

Sincerely,



Fred Bonn
Regional Director