



Schuyler County Partnership for Economic Development
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April 12, 2024

New York State Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233-1750

Dear Madam/Sir,

Re: Request to Deny or Require Resubmission of Full Environmental Impact Statement for Mining Expansion (It's Greener Now, Inc./ Application ID: DEC ID # 8-4424-00006/00001)

As a representative of the Schuyler County Partnership for Economic Development (SCOPED), the designated economic development agency for Schuyler County, I am writing on behalf of our Board of Directors to express profound concerns regarding the proposed mining expansion by It's Greener Now, Inc. SCOPED, a public-private partnership, is committed to fostering sustainable and responsible economic development that benefits our community and respects our environment. Despite these principles, we are compelled to highlight serious concerns regarding the negative impacts of the proposed project on our local ecosystem, the well-being of our residents, the integrity of our cherished natural landscapes, and the significant changes that have occurred with the project since its initial submission in 2008. I am writing to you as an internationally board-certified economic development professional with grave concerns regarding the proposed expansion of the mining operation in Schuyler County, referenced in an Environmental Impact Statement (EIS) completed in 2008 and modified in 2022. After a thorough review of the documentation and an extensive analysis of the local and regional economic and ecological implications, I believe there is a compelling case for the State to either deny the request for expansion or require a comprehensive resubmission of the EIS.

1. Economic Impact Discrepancies

The EIS suggests significant positive impacts on the local and regional economies; however, my professional analysis and data indicate otherwise. Schuyler County has seen no new for-sale single-family housing developments in the past 49 years and has experienced minimal industrial and commercial growth. Contrary to the projections in the EIS, the economic benefits are not apparent within a ten-mile radius of the site, and, likely, the materials extracted are largely transported out of the region and state, further diminishing local economic benefits.

2. Omission of Sensitive Local Receptors

The EIS fails to recognize critical local receptors such as the Watkins Glen Commercial Historic District with 33 buildings, which is vital to the community's heritage and currently faces increasing threats from climate-related stormwater issues. It also omitted the presence of one of New York State's most recognized historical and Federally-designated sites, the Erie Canal Heritage Corridor as well as the Catharine Valley Trail connecting the head of Seneca Lake with Horseheads. The oversight of such essential elements in the assessment process questions the thoroughness and accuracy of the document.

3. Environmental Compliance and Ecological Concerns

Historically, the applicant has demonstrated a lack of compliance with best management practices, evidenced by multiple violations recorded by the DEC, including unpermitted operations and deviations from approved mining

areas. These actions have already shown detrimental impacts on local ecological resources and a disregard for the community's well-being, which are likely to be exacerbated by an expansion.

4. Inaccuracies and Outdated Information

The EIS contains outdated information, such as the geological reports (2004), stormwater management plan (2006), stormwater analysis (2011), mine drawings (2011), and improvements to the Watkins Glen State Park entrance that were completed years ago. The EIS fails to include newer information including the identification of all the DEC site remediation projects within 2000 feet of the site (15 North Franklin was omitted). Further, the application contains conflicting data between the data submitted and the Environmental Assessment Form (EAF). For example, the requested depth of the mining operation (80-100 ft in the EAF) conflicts with the supporting data indicating a depth of the water table to be ground-level to 80 feet. Moreover, three soil types within the proposed expansion area are not identified in the EAF and there is inconsistent data related to the number and size of wetlands within the application. This further casts doubt on the reliability of the document and its suitability as a basis for approving such a significant expansion.

5. Zoning and Land Use Concerns

The area proposed for expansion is zoned as R1 - Residential Low Density, which is critically needed for housing development to support local population growth and economic sustainability. The conversion of this land for mining purposes would undermine these long-term community needs and goals.

Given these points, I urge the Department to deny this application or require a full, updated, Environmental Impact Statement that accurately reflects current conditions and comprehensively assesses potential impacts. Such a measure is crucial to ensure that decision-making is based on the most relevant and accurate information, safeguarding our community's environmental, economic, and social well-being.

Thank you for considering this urgent and significant matter. I am available for further discussion and can provide additional documentation upon request.

Sincerely,



Judy McKinney Cherry
Executive Director
Judy@FLXgateway.com

cc: Honorable Governor Kathy Hochul
Honorable Carl Blowers, Chairman, Schuyler County Legislature
Honorable Laurie DeNardo, Mayor, Village of Watkins Glen
Honorable Brian Stratton, NYS Canal Corporation
Kal Wysokowski, Chair, Erie Canal Heritage Commission