



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRIAN WRENN
Acting Director

Wake Stone Corporation Mining Permit Modification (Expansion) Application Public Hearing (Part 1 -- June 23, 2020 and Part 2 -- July 7, 2020)

Hearing Report

Hearing Officer: Mr. Dan Sams, PE

July 27, 2020



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
512 North Salisbury Street | 1612 Mail Service Center | Raleigh, North Carolina 27699-1612
919.707.9200

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WAKE STONE CORPORATION MINING PERMIT MODIFICATION (EXPANSION) APPLICATION PUBLIC HEARING SUMMARY

PURPOSE OF HEARING

To receive public comment related to Wake Stone Corporation's request for a mining permit modification (expansion) application for the operations of a crushed stone quarry located off Reedy Creek Road near the town of Cary in Wake County.

DATE, TIME, PLACE

Due to COVID-19 impacts on the State of North Carolina, the Public Hearing was scheduled on-line where persons wishing to speak had to register on the Department of Environmental Quality website before noon on June 23, 2020.

The list of persons wishing to speak had 335 names and staff quickly saw there were duplicates. The list of potential speakers was cleared of the 93 duplicates and a final list of 242 persons was used.

The first part of the hearing was held on June 23, 2020 from 7:00 PM to 11:20 PM and the second part of the hearing was held on July 7, 2020 from 9:00 AM to 1:30 PM.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Brian Wrenn, Division Director, Division of Energy, Mineral and Land Resources (DEMLR),
Toby Vinson, Chief Operations Officer and Land Quality Section Chief, DEMLR,
David Miller, State Mining Engineer, DEMLR,
Judy Wehner, Assistant State Mining Specialist, DEMLR,
Robert Johnson, Public Information Officer, Department of Environmental Quality – hosted the Webex on June 23rd.
James Chapman, Senior Geologist, Geological Survey Section, DEMLR – hosted the Webex on July 7th.

OPENING

I called the hearing to order at 7:00 PM, welcomed everyone in attendance, introduced the staff, explained the purpose of the hearing, outlined the hearing agenda and stated the guidelines to follow for submitting comments at the hearing. I stated that the proceedings would remain open for a period of ten days following the hearing for additional comments.

I then explained the action for which the mining permit application is required:

“The applicant proposes to expand their mining operation to include a crushed stone mine located on Reedy Creek Road near the town of Cary in Wake County. The applicant has submitted an erosion and sediment control plan for the mine site intended to protect surrounding areas and watercourses. A reclamation plan also has been submitted to the Department for review concerning restoration of this area in a useful land use once mining has terminated.”

David Miller presented an overview on the mining permit procedures pursuant to the Mining Act of 1971 and explained how it relates to the subject permit application.

David Miller’s and my actual comments are attached as Public Hearing Format and Land Quality Section Public Hearing Presentation.

These two presentations were given again at the start of the second part of the Hearing on July 7, 2020.

In total 242 people signed up to speak.

During the first part of the hearing on the June 23, 2020, seventy-eight (78) plus the applicant spoke, for a total of (79).

During the second part of hearing on July 7, 2020, sixty-four (64) spoke. There were a total of 143 speakers – one person spoke in both hearings and both times on the same subject, so there were 142 individual speakers.

One hundred speakers that signed-up did not respond to speak when their name(s) was called.

ORAL COMMENTS

For each part of the hearing the Oral Comments are attached.

WRITTEN COMMENTS

The total Written Comments are also attached.

CLOSING COMMENTS

I thanked everyone for attending and for their comments and presentations. I stated that the Department would review the items presented at the hearing as they relate to G.S. 74-51 of the Mining Act of 1971. I reiterated that the proceedings will remain open for a period of ten days following the last hearing which is July 17, 2020 for filing of any addition comments or statements.

Respectfully submitted by:



Daniel E. Sams
Hearing Officer

Date: July 27, 2020

**List of Issues from Oral and Written Comments Provided
in Response to Parts 1 & 2
of the Wake Stone Corporation Mining Permit
Modification (Expansion) Application Public Hearing
(Part 1 -- June 23, 2020 and Part 2 --July 7, 2020)**

Comment Summary

Oral comments were given during the public hearings held on June 23rd, 2020 and July 7th, 2020. Written comments were received during the public comment period which closed on July 17th, 2020. The comments have been grouped into general topic areas and outlined below.

Water Quality (Denial Criteria d(3))

Comments addressing water quality focused mainly on the impact the new pit would have on groundwater, surface water runoff and impact to Crabtree Creek. Comments addressed the current operation and noted the current impact which included grey water runoff leaving the property and appearance of cloudy water in Crabtree Creek caused by quarry sediment. There were numerous comments that had concerns about potable wells in the area and the possibility of dewatering the wells or causing issues with drinking water. The Town of Cary raised concern with the impact to Crabtree Creek as it is the receiving stream for their treatment facility. There were requests for additional hydrogeological studies and for future NPDES permits above and beyond the scope of NCG02000. Comments were raised about stormwater runoff causing erosion, increased sedimentation, and turbidity in Crabtree Creek. There were concerns that increased mining operation will add to additional PCBs downstream in Crabtree Creek. Groundwater comments also included concerns regarding seepage from Crabtree Creek into the pit area or even the possibility of the creek breaching into the pit.

Parks, Recreation, and Greenways (Denial Criteria d(5))

Comments addressing Umstead Park, general recreation and green space/ natural outdoor space focused mainly on the significant adverse impact the expansion would have on the current outdoor experience as well as future irreversible impacts. Noise, dust, vibrations cause by blasting and truck traffic were cited as items that would diminish the park experience. The local greenway system as well as national trails such as the East Coast greenway (ECG) would experience both visual and safety impacts as there was an increase in truck traffic cited. Commenters noted that truck traffic is moving from inside the pit to the surface out of the pit and would be more visible to park users. Commenters were concerned with the permanent decrease in overall green space and tree cover which would reduce the natural areas in the Triangle region.

Comments were made about the need for archaeological studies to determine the potential of historical significance of the Odd Fellows tract. Items of note included loss of the historic southern entrance to Umstead park, which was set up in the time of segregation to serve the African American Community. Commenters mentioned that a fence around the property would ruin the aesthetics of the natural landscape within Umstead park. There was also mention of the need or want for greenways and parks to have a 250ft undisturbed buffer, and currently the mine maps show that the area of Old Reedy Creek Road does not meet that request. Commenters noted how natural areas and green spaces can help alleviate psychological issues caused by living in an urban environment. Commenters noted how the open pit will appear as a scar on the environment forever and will be clearly visible from incoming visitors to RDU in airplanes. There were also concerns raised about the impact the expansion would have on the Warren-Haley cemetery.

Application Procedures

Comments addressing the general application process focused on the appearance of not following the standard application process. Many commenters called for the need of additional studies including hydrogeological, archeological, environmental (SEPA), air quality, and noise. There were comments on the improper notice of some neighbors within 1000' and NCDOT (owners of the ECG). There were also concerns on the reclamation aspect of the existing and new expansion, namely the responsibility of reclamation and the financial cost if Wake Stone were to go out of businesses. Commenters also wanted to see the impact to waters and wetlands from the bridge over Crabtree creek during the entire life of mine, not just during the initial construction phases. There were requests to see blasting records and OSHA/MSHA inspection reports.

Another issue raised although not entirely related to the application was the issue of the Sunset clause. Many commenters were concerned that the original Sunset clause was removed, and others had requested that it be reinstated. This concern is in reference to a prior modification in 2018 where one of the permit conditions was required to be modified due to the original decision by the Mining Commission when the facility was initially permitted.

Safety (Denial Criteria d(4))

Comments addressing safety aspects were focused mainly on blasting, but also included items of air quality, water quality and traffic. Blasting concerns included fly rock risks to neighboring homes and park users. There were also comments on blasting's impact to a home's foundations, cracks in drywall and septic systems. There were also questions as to the type of explosives or chemicals used in blasting and the dangers they may present.

Traffic was an issue of concern as many people use Old Reedy Creek Road as an entrance to Umstead park as well as a section of the ECG. It was noted that truck traffic on this road would cause safety issues with pedestrians and cyclists who use this road. Not only was quantity of trucks a concern, but size of trucks was also a concern and their impact to the road itself.

The open pit was raised as a safety concern in that it presents a danger for people falling in. Once reclaimed there were concerns of drowning in the water that would fill the pit. There were also concerns of stagnant water creating an environment that would be beneficial for mosquito populations.

Air Quality (Denial Criteria d(3))

Comments addressing air quality issues addressed the increase in dust caused from mining activities. There were questions as to how the dust would be monitored and concerns that there would be frequent violations to air quality standards. PM 2.5 was raised by many commenters who expressed the dangers of this particle size. It was noted that silica dust might come from the mine and would also present dangers. Concerns that truck traffic would not only increase dust but would also increase emissions (CO₂, NO_x) were also shared. There were comments that the increase in dust and emissions would cause asthma and other health related issues. Finally, questions were raised as to how the enforcement of moving or relocating the plant or primary crusher would be handled with Air Quality permits.

Wildlife Impacts

Comments addressing wildlife issues expressed concern over the reduction in overall habitat and the impact to the wildlife corridor. Many commenters noted that Crabtree Creek serves as a “wildlife highway” and suspending the creek between two pits would essentially cut off this route as a corridor. There were concerns that any impact to Crabtree Creek would harm fresh and even marine fisheries. There were concerns that the open pit and subsequent reclamation would decrease native flora and fauna and increase invasive species. There were also comments that addressed endangered species that are known to reside in the park, such as Bald Eagles. Comments noted that reclaiming the pit to a lake is not the same habitat as the original forested area. Comments noted that the modification and expansion would lead to a larger carbon footprint leading to increase climate change that impacts wildlife habitat.

Legal Use / Zoning Issues

Comments addressing legal issues raised concerns on the legal aspect of a private company benefiting from the use of public lands. Commenters called into question the true ownership of the Odd Fellows tract and the terms of the lease between RDUAA and Wake Stone. There were questions as to the zoning of the property and the future industrial use. Additionally, comments were provided that

claimed the Odd Fellows tract has been identified as a “Critical Land Acquisition” for Umstead part that would expand the current park system. Commenters question the possibility of a conservation agency purchasing the Odd Fellow tract back from RDUAA and keeping it in an environmental conservation easement. Comments questioned whether the application was following all legal processes and questioned the lack of stakeholder engagement. There were concerns that “back door deals” of wealthy individuals were negating the rights and promoting injustice to low wealth individuals. Comments were raised as to how this modification fits the Cary ETJ.

Business

Comments were provided regarding the business aspects for the need for another quarry and the impact this operation would have to other industries. Commenters said minimizing greenspace and natural areas would hurt the recreational industries. Commenters also mentioned that decreasing the general aesthetics of the Triangle region would influence other businesses, possibly in the tech and medical industry to relocate elsewhere. Commenters noted that construction may be slowing, and DOT has scaled back projects for the next few years, which would limit the need for stone. Commenters noted the numerous other aggregate operations in the area and questioned the need for increased additional reserves. Commenters questioned the need by RDUAA for increased revenue through the lease agreement. Commenters also noted that an expansion of the quarry may decrease property values of neighboring tracts. It was reported that this was an overall poor financial decision for the community and park. Commenters were concerned how the use of public lands would benefit a private entity at taxpayers' expense.

Current Operation Compliance Issues

Comments addressing the current Wake Stone operation addressed current compliance issues, questioned how they are currently handled, and how they would be handled in the future. Commenters raised the concern of a past 1992 landslide and noted how future landslides could impact Crabtree Creek as it is hanging between two pits. Neighbors of the Knightdale operation had comments on the nighttime operation of the new expansion of the Triangle quarry. There were concerns of unreported compliance issues on the current operation. There were also comments on how the buffers were measured at the creek, whether center of stream or top of bank was used.

Pro Quarry / Wake Stone as a Neighbor

Comments addressing the positive aspects of Wake Stone and the expansion on the Triangle region addressed how Wake Stone operates as a good neighbor. Comments mentioned how there have been no adverse environmental impacts to the park from the current operation. Comments mentioned how Wake Stone has donated land back to the community for public use. The Knightdale quarry was used as a reference to mention that churches, homes, and businesses function well with the quarry nearby. Comments addressed how Wake Stone has no violations with state or

federal agencies. Commenters provided studies on how blasting would not impact houses outside of a 500' buffer. Comments also mentioned how the revenue generated from the lease agreement would provide funding for future operation expenses and expansion projects for RDUAA. Finally, commenters addressed the availability of finite aggregate resources and how the proximity to the current operation made this a good use of space.

Department of Environmental Quality

Comments addressing the involvement of DEQ handling of the public hearings. Commenters were concerned with the technological and logistical issues of the virtual public hearings. Commenters also addressed DEQ's mission statement and questioned how the application and approval process for this modification and expansion meets the mission statement of DEQ.

Appendix A: Public Hearing Format

MEMORANDUM

TO: Dan Sams
Regional Engineer
Land Quality Section, Wilmington Regional Office

FROM: Brian Wrenn
Director, Division of Energy, Mineral and Land Resources

DATE: June 8, 2020

SUBJECT: Public Hearing
Wake Stone Corporation
Expansion of Triangle Quarry
Permit No. 92-10
Wake County

The Division of Energy, Mineral and Land Resources has received significant public interest relative to a mining permit modification application filed by Wake Stone Corporation. I have determined that a public hearing is warranted. Thus, I am requesting your assistance in performing the duties as hearing officer. Judy Wehner, Assistant State Mining Specialist, will be in touch with you to answer any questions you may have.

Please find enclosed copies of the Public Notice concerning the hearing and the Public Hearing Format. Your assistance in this matter is greatly appreciated.

Enclosures

cc: Judy Wehner,
Bill Denton, PE

PUBLIC HEARING FORMAT

I. Call to Order:

- Good evening and welcome. My name is Daniel Sams and I am the hearing officer for this public hearing. My responsibility is to provide a record of this hearing and written comments for the Director of the Division of Energy, Mineral, and Land Resources. I would like to emphasize that absolutely no decisions will be made this evening on this permit application.
- Please refer to a copy of the Mining Act of 1971 for reference during the hearing.
- Introduce Division of Energy, Mineral, and Land Resources staff:
David Miller, State Mining Specialist
Judy Wehner, Assistant State Mining Specialist
Bill Denton, Regional Engineer, Raleigh Regional Office
Robert Johnson, Public Information Officer, Department of Environmental Quality
Brian Wrenn, Director, Division of Energy, Mineral, and Land Resources
Toby Vinson, Chief Operations Officer, Division of Energy, Mineral, and Land Resources
Matt Gantt, Regional Operations Section Chief, Division of Energy, Mineral, and Land Resources

II. State the Purpose for Hearing:

- The purpose of this hearing is to receive public comment related to the mining permit expansion application for the operation of a crushed stone quarry located off Old Reedy Creek Road near the town of Cary in Wake County.
- The hearing will be conducted in the following manner:
 1. Explanation of the action for which the permit is required by the hearing officer.
 2. Explanation of the permit procedures as set forth in The Mining Act of 1971 by the Division of Energy, Mineral, and Land Resources, Mining Program.
 3. Public Comment - Comments, statements, data, and other information may be submitted in writing prior to or during the

hearing or may be presented orally during the hearing. Persons desiring to speak have indicated their intent prior to this evening by registering on the website. So that all persons desiring to speak may do so, lengthy statements may be limited at the discretion of the hearing officer. Oral presentations which exceed two (2) minutes must be accompanied by a written copy.

4. Cross examination of persons presenting testimony will not be allowed; however, the hearing officer may ask questions for clarification.
5. The proceedings will remain open for a period of ten (10) days following the hearing for additional written arguments or statements.

III. Explanation of the Action for which a Mining Permit is Required:

- The applicant proposes to expand an existing crushed stone quarry located off Old Reedy Creek Road in Wake County. The applicant has submitted an erosion and sedimentation control plan for the mine site intended to protect surrounding areas and watercourses. A reclamation plan has also been submitted to the Department for review concerning restoration of this area to a useful land use once mining has terminated. A copy of this information may be viewed on line at the Mining Program web site. Copies of the application materials may also be viewed upon request after tonight at the Land Quality Section's Raleigh Regional Office and the Raleigh Central Office.

III. LQS Presentation:

- Now I would like to defer to David Miller, State Mining Specialist with the Division of Energy, Mineral and Land Resources, for a brief explanation of the mining permit procedures as set forth in the Mining Act of 1971, and a brief description of the proposed quarry expansion.

IV. Comment Procedure:

- Comments shall be limited to those that relate directly to the seven (7) denial criteria listed under G.S. 74-51 of The Mining Act of 1971 that the Department considers in making its decision to grant or deny a mining permit application. These criteria are the ones that were explained in detail to you a few minutes ago by the Mining Program staff.
- In light of the number of people who have indicated their desire to present comments on this application, I will limit oral comments to ***2 minutes** per person in order to give everyone desiring to speak adequate time. If there

is additional time available at the end of the hearing, I may allow additional comments at that time. If all registered speakers are unable to speak in the time allotted for the hearing tonight, the Division will hold a second hearing on July 7th. Only those speakers who registered by noon today, June 23rd, and who do not get the chance to speak tonight will be allowed to speak on July 7th.

If in the course of the hearing you decide that you do not need to speak or feel that a speaker has already raised your concerns, you can opt to not speak but submit your written comments to the Division for consideration. The Division does consider the written comments with the same gravity as any of the comments raised orally tonight.

- You will be called to speak in the order in which you registered. This hearing is being recorded through the WebEx application and through a digital audio recorder. It is important that you speak into your computer microphone or phone in a clear manner and in a location with minimal background noise so that we can get an accurate recording of your comments.

If you are using the WebEx application, our WebEx administrator will unmute your microphone when it is your time to speak. A timer will be displayed on the screen to indicate the amount of time remaining in your speaking slot. The administrator will also provide a verbal alert when you have 30 seconds remaining and when your time is up. At the end of your 2 minutes, the administrator will mute your microphone and the next speaker will be called. Please be respectful to the other speakers by adhering to the allotted time limit.

For speakers using the call-in number, please place your phones on mute when you are not speaking to reduce background noise and electronic interference. When your name is called, please dial *3, and the administrator will unmute your line to speak. When you are speaking, the administrator will provide a verbal alert when you have 30 seconds remaining and when your time is up.

Non-speaking participants' microphones and phones should be muted at all times. Please refrain from using the chat option on the WebEx application unless you are having technical difficulties. Our administrator will attempt to help you with technical issues. Should you have technical difficulties with the WebEx application that cannot be resolved, please call into the conference number provided with the hearing invitation.

The mining applicant will provide the final comments of the night if they so choose. Now, I will proceed calling on those who have indicated that they wish to speak.

- Please speak when I call your name. Make sure you are being heard.

(Call on each person who wishes to speak and take notes on their comments, concerns, etc.)

Staff will address questions concerning the Act.

- After all of the individuals that have indicated that they wish to speak have finished their presentations, ask if anyone else wishes to speak.
- Is there anyone else?
- At this time, would the applicant wish to make some brief comments?
- We would like to thank everyone for attending this public hearing tonight and for the important comments and questions raised. The Department will review the items presented tonight as they relate to G.S. 74-51 of the Mining Act of 1971.
- The proceedings of this public hearing will remain open for a period of 10 days from tonight or until **July 3, 2020** for the filing of additional written comments to be included in the official hearing summary. [IF NEEDED: A second hearing will be held July 7th for any registered speakers who did not get a chance to speak tonight. An additional 10 days will be allowed to receive public comment following the July 7th hearing.]

The proceedings from both hearings will be summarized in a hearing officer's report I will prepare for the Director of the Division of Energy, Mineral and Land Resources.

- Please send any written comments to me at the following address:

Daniel Sams
Regional Engineer
Wilmington Regional Office, DEQ
127 Cardinal Drive Extension
Wilmington, North Carolina 28405
Dan.Sams@ncdenr.gov
ncminingprogram@ncdenr.gov

- Please note that even though the public hearing summary will close on **July 3, 2020**, the Department will continue to accept written public comments on this application throughout the application review process until a decision is made.

Are there any questions? If not, this public hearing is now adjourned.

MEMORANDUM

TO: Dan Sams
Regional Engineer
Land Quality Section, Wilmington Regional Office

FROM: Brian Wrenn
Director, Division of Energy, Mineral and Land Resources

DATE: July 7, 2020

SUBJECT: Public Hearing
Wake Stone Corporation
Expansion of Triangle Quarry
Permit No. 92-10
Wake County

The Division of Energy, Mineral and Land Resources has received significant public interest relative to a mining permit modification application filed by Wake Stone Corporation. I have determined that a public hearing is warranted. Thus, I am requesting your assistance in performing the duties as hearing officer. Judy Wehner, Assistant State Mining Specialist, will be in touch with you to answer any questions you may have.

Please find enclosed copies of the Public Notice concerning the hearing and the Public Hearing Format. Your assistance in this matter is greatly appreciated.

Enclosures

cc: Judy Wehner,
Bill Denton, PE

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Brian Wrenn, Director, Division of Energy, Mineral, and Land Resources
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Matt Gantt, Regional Operations Section Chief, Division of Energy, Mineral, and Land Resources

II. State the Purpose for Hearing:

- The purpose of this hearing is to receive public comment related to the mining permit expansion application for the operation of a crushed stone quarry located off Old Reedy Creek Road near the town of Cary in Wake County.
- The hearing will be conducted in the following manner:
 1. Explanation of the action for which the permit is required by the hearing officer.
 2. Explanation of the permit procedures as set forth in The Mining Act of 1971 by the Division of Energy, Mineral, and Land Resources, Mining Program.
 3. Public Comment - Comments, statements, data, and other information may be submitted in writing prior to or during the

hearing or may be presented orally during the hearing. Persons desiring to speak have indicated their intent prior to this evening by registering on the website. So that all persons desiring to speak may do so, lengthy statements may be limited at the discretion of the hearing officer. Oral presentations which exceed two (2) minutes must be accompanied by a written copy.

4. Cross examination of persons presenting testimony will not be allowed; however, the hearing officer may ask questions for clarification.
5. The proceedings will remain open for a period of ten (10) days following the hearing for additional written arguments or statements.

III. Explanation of the Action for which a Mining Permit is Required:

- The applicant proposes to expand an existing crushed stone quarry located off Old Reedy Creek Road in Wake County. The applicant has submitted an erosion and sedimentation control plan for the mine site intended to protect surrounding areas and watercourses. A reclamation plan has also been submitted to the Department for review concerning restoration of this area to a useful land use once mining has terminated. A copy of this information may be viewed on line at the Mining Program web site. Copies of the application materials may also be viewed upon request after tonight at the Land Quality Section's Raleigh Regional Office and the Raleigh Central Office.

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IV. Comment Procedure:

- Comments shall be limited to those that relate directly to the seven (7) denial criteria listed under G.S. 74-51 of The Mining Act of 1971 that the Department considers in making its decision to grant or deny a mining permit application. These criteria are the ones that were explained in detail to you a few minutes ago by the Mining Program staff.
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is additional time available at the end of the hearing, I may allow additional comments at that time. Only those speakers who registered by noon, June 23rd, and who did not get the chance to speak on Jun 23rd will be allowed to speak today.

If in the course of the hearing you decide that you do not need to speak or feel that a speaker has already raised your concerns, you can opt to not speak but submit your written comments to the Division for consideration. The Division does consider the written comments with the same gravity as any of the comments raised orally tonight.

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- We would like to thank everyone for attending this public hearing tonight and for the important comments and questions raised. The Department will review the items presented tonight as they relate to G.S. 74-51 of the Mining Act of 1971.
- The proceedings of this public hearing will remain open for a period of 10 days from today or until **July 17, 2020** for the filing of additional written comments to be included in the official hearing summary.

The proceedings from both hearings will be summarized in a hearing officer's report I will prepare for the Director of the Division of Energy, Mineral and Land Resources.

- Please send any written comments to me at the following address:

Daniel Sams
Regional Engineer
Wilmington Regional Office, DEQ
127 Cardinal Drive Extension
Wilmington, North Carolina 28405
Dan.Sams@ncdenr.gov
ncminingprogram@ncdenr.gov

- Please note that even though the public hearing summary will close on **July 17, 2020**, the Department will continue to accept written public comments on this application throughout the application review process until a decision is made.

Are there any questions? If not, this public hearing is now adjourned.



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Raleigh, NC 27601

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
778820	0004661794	Application for Mining Permit No. 92-10		2	125

Attention:

NCDENQ
DIVISION OF ENERGY, MINERAL & LAND RESOURCES
1612 MAIL SERVICE CENTER
RALEIGH, NC 276991612

STATE OF NORTH CAROLINA

COUNTY OF WAKE

Before the undersigned, a Notary Public of Johnston County, North Carolina, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared **BETSY WOMBLE**, who being duly sworn or affirmed, according to law, doth depose and say that he or she is Accounts Receivable Specialist of the News & Observer Publishing Company, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as The News & Observer. Wake County and State aforesaid, the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina, and that as such he or she makes this affidavit; and is familiar with the books, files and business of said corporation and by reference to the files of said publication the attached advertisement

1 Insertion(s)

Published On:
June 05, 2020

Betsy Womble

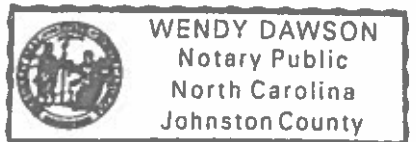
BETSY WOMBLE, Accounts Receivable
Specialist

Wendy Dawson

Electronic Notary Public
State of North Carolina

Sworn to and subscribed before me this
5th day of June, 2020

My Commission Expires: 7/10/2023



**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES
PUBLIC NOTICE**

Notice is hereby given of a public hearing to be held by the North Carolina Department of Environmental Quality concerning Wake Stone Corporation's modification application for mining permit no. 92-10, a crushed stone mining operation located off Old Reedy Creek Road in Wake County.

AUTHORITY: NC General Statute (G.S.) 74-51 and NCAC Title 15, Chapter 5 Subchapter 5B, Section .0011

PLACE, TIME, DATE: Session Law 2020-3, section 4.31 PUBLIC BODIES/ REMOTE MEETINGS DURING DECLARED EMERGENCIES allows a public body to conduct public hearings by remote meetings.

Remote Meeting due to COVID-19 Declared Emergency
6:00 P.M., June 23, 2020

Participants can join the meeting at 5:45

ONLINE: Cisco WebEx Link
<https://ncdenr.webex.com/ncdenr/joinstopea.php?MTID=ea3add76507b4500414596c35977118107081144.ct.semgrid.net>

Meeting Number (Access Code): 617 499 551

Meeting Password: DEQ123

PHONE:

Cisco WebEx by Phone: +1 415 655 0003 US TOLL

Meeting number (access code): 617 449 551

PURPOSE:

To receive comments related to the modification application for a mining permit for a crushed stone mining operation located off Old Reedy Creek Road in Wake County.

Comments shall be limited to those that relate directly to the seven (7) denial criteria listed under G.S. 74-51 of The Mining Act of 1971 that the Department considers in making its decision to grant or deny a new mining permit application or a modification to an existing mining permit. These criteria are as follows:

The Department may deny such permit upon finding:

1. That any requirement of this Article or any rule promulgated hereunder will be violated by the proposed operation;
2. That the operation will have unduly adverse effects on potable ground water supplies, wildlife, or fresh water, estuarine, or marine fisheries;
3. That the operation will violate standards of air quality, surface water quality, or ground water quality which have been promulgated by the Department;
4. That the operation will constitute a direct and substantial physical hazard to public health and safety or to a neighboring dwelling house, school, church, hospital, commercial or industrial building, public road or other public property, excluding matters relating to use of a public road;
5. That the operation will have a significantly adverse effect on the purposes of a publicly-owned park, forest or recreation area;
6. That previous experience with similar operations indicates a substantial possibility that the operation will result in substantial deposits of sediment in stream beds or lakes, landslides, or acid water pollution; or
7. That the applicant or any parent, subsidiary, or other affiliate of the applicant or parent has not been in substantial compliance with this Article, rules adopted under this Article, or other laws or rules of this State for the protection of the environment or has not corrected all violations that the applicant or any parent, subsidiary, or other affiliate of the applicant or parent may have committed under this Article or rules adopted under this Article and that result in:
 - a. Revocation of his permit,
 - b. Forfeiture of part or all of his bond or other security,
 - c. Conviction of a misdemeanor under G.S. 74-64, or
 - d. Any other court order issued under G.S. 74-64, or
 - e. Final assessment of a civil penalty under G.S. 74-64.

In the absence of any findings set out above, or if adverse effects are mitigated by the applicant as determined necessary by the Department, a permit shall be granted.

COMMENT PROCEDURE:

All persons interested in this matter are invited to attend. The hearing will be conducted in the following manner:

1. Explanation of the action for which the permit is required by the hearing officer.
2. Explanation of the permit procedures as set forth in The Mining Act of 1971 by the Division of Energy, Mineral, and Land Resources.
3. Public Comment - Comments, statements, data, and other information may be submitted in writing prior to the hearing or may be presented orally at the hearing. Persons desiring to speak must follow the procedure outlined below. So that all persons desiring to speak may do so, lengthy statements may be limited at the discretion of the hearing officer. Oral presentations must not exceed the time limit established by the hearing officer. Any oral presentation that exceeds three (3) minutes must be submitted as directed by the hearing officer.

If you wish to speak at the digital public hearing, you must register, provide the required information, and follow instructions on ways to join the public hearing. Registration must be completed by 12:00 PM on June 23, 2020. To register, please click the following link:

<https://forms.office.com/Pages/ResponsePage.aspx?id=31F2efC5mkSPw-zCbNtGETCwISeDTRiHOMCQ1aa6VUQ1VROFJNN98MV1Jm010RjEYVU1WUzRSQ1401U7081144.ct.semgrid.net>

If you have technical difficulties, an automated voicemail will be set up from June 23 to July 3 to receive your verbal comments: 919-707-9209 (Please state your name before commenting.)

4. Cross examination of persons presenting testimony will not be allowed; however, the hearing officer may ask questions for clarification.
5. (Optional) The applicant may make a short presentation at the end of the hearing and may be available for individual/group discussion after the hearing is adjourned.
6. The proceedings will remain open for a period of ten (10) days following the hearing for additional written arguments or statements.

INFORMATION:

A copy of the mining permit application and corresponding maps are on file with the Raleigh Regional, Raleigh Office, Central Office and online at our webpage, for the public's information and review prior to the date of the public hearing. To submit comments or for additional information concerning this hearing contact by writing or calling:

Judy Wehner
Assistant State Mining Specialist
Division of Energy, Mineral and Land Resources
Department of Environmental Quality
1612 Mail Service Center, Raleigh, North Carolina 27699-1612
Telephone: (919) 707-9220

Comments may also be submitted by email to ncminingprogram@ncdenr.gov

N&O: June 5, 2020



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AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
778820	0004680379	Application for Mining Permit No. 92-10		2	119

Attention:

NCDENQ
DIVISION OF ENERGY, MINERAL & LAND RESOURCES
1612 MAIL SERVICE CENTER
RALEIGH, NC 276991612

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Before the undersigned, a Notary Public of Johnston County, North Carolina, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared **BETSY WOMBLE**, who being duly sworn or affirmed, according to law, doth depose and say that he or she is Accounts Receivable Specialist of the News & Observer Publishing Company, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as The News & Observer, Wake County and State aforesaid, the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina, and that as such he or she makes this affidavit, and is familiar with the books, files and business of said corporation and by reference to the files of said publication the attached advertisement

1 Insertion(s)

Published On:
June 24, 2020

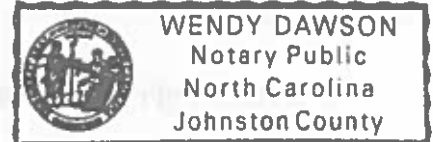
Betsy Womble

BETSY WOMBLE, Accounts Receivable Specialist

Wendy Dawson

Electronic Notary Public
State of North Carolina
Sworn to and subscribed before me this
24th day of June, 2020

My Commission Expires: 7/10/2023



**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES
PUBLIC NOTICE**

Notice is hereby given of a second day of a continued public hearing to be held by the State of North Carolina Department of Environmental Quality concerning Wake Stone Corporation's modification application for Mining Permit No. 92-10, a crushed stone mining operation located off Old Reedy Creek Road in Wake County.

AUTHORITY: NC General Statute (GS) 74-51 and NCAC Title 15, Chapter 5 Subchapter 5B, Section .0011

PLACE, TIME, DATE: Session Law 2020-3, section 4.31 **PUBLIC BODIES/REMOTE MEETINGS DURING DECLARED EMERGENCIES** allows a public body to conduct public hearings by remote meetings.

Remote Meeting due to COVID-19 Declared Emergency
9:00 A.M.
July 7, 2020

ONLINE: Cisco WebEx Link:
<https://ncdenrfls.webex.com/ncdenrfls/onstage/s.php?MTID=s406160ae923801b8719644028816856>

Meeting Number (Access Code): 161 044 6542
Meeting Password: DEQ123

PHONE:
Cisco WebEx by Phone: +1 415 655 0003 US TOLL
Meeting number (access code): 161 044 6542

PURPOSE:

To receive comments related to the modification application for a mining permit for a crushed stone mining operation located off Old Reedy Creek Road in Wake County.

Comments shall be limited to those that relate directly to the seven (7) denial criteria listed under GS 74-51 of The Mining Act of 1971 that the Department considers in making its decision to grant or deny a new mining permit application or a modification to an existing mining permit. These criteria are as follows:

The Department may deny such permit upon finding:

1. That any requirement of this Article or any rule promulgated hereunder will be violated by the proposed operation;
2. That the operation will have unduly adverse effects on potable ground water supplies, wildlife, or fresh water, estuarine, or marine fisheries;
3. That the operation will violate standards of air quality, surface water quality, or ground water quality which have been promulgated by the Department;
4. That the operation will constitute a direct and substantial physical hazard to public health and safety or to a neighboring dwelling house, school, church, hospital, commercial or industrial building, public road or other public property, excluding matters relating to use of a public road;
5. That the operation will have a significantly adverse effect on the purposes of a publicly owned park, forest or recreation area;
6. That previous experience with similar operations indicates a substantial possibility that the operation will result in substantial deposits of sediment in stream beds or lakes, landslides, or acid water pollution; or
7. That the applicant or any parent, subsidiary, or other affiliate of the applicant or parent has not been in substantial compliance with this Article, rules adopted under this Article, or other laws or rules of this State for the protection of the environment or has not corrected all violations that the applicant or any parent, subsidiary, or other affiliate of the applicant or parent may have committed under this Article or rules adopted under this Article and that result in:
 - a. Revocation of his permit;
 - b. Forfeiture of part or all of his bond or other security;
 - c. Conviction of a misdemeanor under GS 74-64, or
 - d. Any other court order issued under GS 74-64, or
 - e. Final assessment of a civil penalty under GS 74-64.

In the absence of any findings set out above, or if adverse effects are mitigated by the applicant as determined necessary by the Department, a permit shall be granted.

COMMENT PROCEDURE:

All persons interested in this matter are invited to attend. The hearing will be conducted in the following manner:

1. Explanation of the action for which the permit is required by the hearing officer;
2. Explanation of the permit procedures as set forth in The Mining Act of 1971 by the Division of Energy, Mineral, and Land Resources;
3. Public Comment - Comments, statements, data, and other information may be submitted in writing prior to the hearing or may be presented orally at the hearing. Persons desiring to speak must follow the procedure outlined below. So that all persons desiring to speak may do so, lengthy statements may be limited at the discretion of the hearing officer. Oral presentations must not exceed the time limit established by the hearing officer. Any oral presentation that exceeds two (2) minutes must be submitted as directed by the hearing officer.

If you wish to speak at the digital public hearing, you must have previously registered, by 12:00 PM on June 23, 2020.

4. Cross examination of persons presenting testimony will not be allowed; however, the hearing officer may ask questions for clarification.
5. (Optional) The applicant may make a short presentation at the end of the hearing and may be available for individual/group discussion after the hearing is adjourned.
6. The proceedings will remain open for a period of ten (10) days following the hearing for additional written arguments or statements.

INFORMATION:

A copy of the mining permit application and corresponding maps are on file with the Raleigh Regional Office, Raleigh Central Office and online at our webpage, for the public's information and review prior to the date of the public hearing. To submit comments or for additional information concerning this hearing contact by writing or calling:

Judy Wehner
Assistant State Mining Specialist
Division of Energy, Mineral and Land Resources
Department of Environmental Quality
1612 Mail Service Center, Raleigh, North Carolina 27699-1612
Telephone: (919) 707-9220

Comments may also be submitted by email to: ncminingprogram@ncdenr.gov.

N&O: June 24, 2020

Appendix B: Land Quality Section Presentation

MINING PROGRAM PUBLIC HEARING PRESENTATION

As Dan Sams stated, my name is David Miller. My title is State Mining Engineer with the Department of Environmental Quality, Division of Energy, Mineral and Land Resources, Mining Program.

My job, and that of the other members of the staff, is to review all applications for a mining permit or modification of an existing mining permit as they relate to The Mining Act of 1971. The Mining Act can be found on the Mining Program web page. Copies of the Act were also mailed to those who provided written comments.

I would like to take a moment and briefly review a few specific areas of the Act. :

"The General Assembly finds that the extraction of minerals by mining is a basic and essential activity making an important contribution to the economic well-being of North Carolina and the Nation. Furthermore, it is not practical to extract minerals required by our society without disturbing the surface of the earth and producing waste materials, and the very character of certain surface mining operations precludes complete restoration of the land to its original condition. However, it is possible to conduct mining in such a way as to minimize its effects on the surrounding environment. Furthermore, proper reclamation of mined land is necessary to prevent undesirable land and water conditions that would be detrimental to the general welfare, health, safety, beauty, and

property rights of the citizens of the State. The General Assembly finds that the conduct of mining and reclamation of mined lands as provided by this Article will allow the mining of valuable minerals and will provide for the protection of the State's environment and for the subsequent beneficial use of the mined and reclaimed land."

On page 4 of the Mining Act, under G.S. 74-51, Permits - Application, granting, conditions, the Act states, under subsection (b) that:

"The Department shall grant or deny the permit requested as expeditiously as possible, but in no event later than 60 days after the application form and any relevant and material supplemental information reasonably required shall have been filed with the Department, or if a public hearing is held, within 30 days following the hearing and the filing of any relevant and material supplemental information reasonably required by the Department.

On page 5 of the Act, under subsection (c), the Act goes on to state:

"The public hearing shall be held within 60 days of the end of the 30-day period within any requests for the public hearing shall be made."

The modification proposes to increase the permitted acreage from 223 acres to 329 acres and the affected acreage from 164.45 acres to 226.66 acres, including improvements to the existing perimeter roadway and development of a satellite pit on the Leased Raleigh Durham

Airport Authority Land. The current operation is located southeast of Crabtree Creek. The proposed addition is located northwest of Crabtree Creek. Overburden and rock are proposed to be removed and taken to the existing site by way of a bridge across Crabtree Creek for disposal and processing on the existing mine site.

Criteria important to the review of a mining application is found under subsection (d) beginning at the bottom of page 5 of the Act. It states:

"The Department may deny the permit [or modification to the existing permit] upon finding [only one of the seven criteria listed on pages 7 and 8 of the Act]:

1. That any requirement of this Article or any rule promulgated hereunder will be violated by the proposed operation;

This means that the very nature of the activity proposed in the application will immediately violate any of the basic requirements of the Act and corresponding Administrative Rules.

2. That the operation will have unduly adverse effects on potable groundwater supplies, wildlife, or fresh water, estuarine, or marine fisheries;

The North Carolina Wildlife Resources Commission's comments noted the following recommendations: Provide a 100 foot undisturbed buffer along perennial streams and 50 foot undisturbed along intermittent streams,

mine discharge should be proportional to the receiving stream and comply with National Pollution Discharge Elimination System, or NPDES standards, plant seed mixtures beneficial to wildlife should be used, concerns about the effect of deforestation of the project area on Umstead Park should be addressed, and providing adequate erosion and sedimentation control measures, The application was routed to United States Fish and Wildlife Service and their comments noted the Atlantic pigtoe mussel is currently being proposed to be listed as threatened and has been noted to be found in Crabtree Creek. North Carolina Division of Water Resources, DWR, comments included the following: The quarry does not appear to have an undue effect on ground water supplies but requests comparison of samples from certain wells is recommended, reconciliation of two contour maps and submission of a cross section diagram through the existing and proposed expansion should be done. Ground water withdrawals of more than 100,000 gpd must be registered.

3. That the operation will violate standards of air quality, surface water quality, or ground water quality that have been promulgated by the Department:

North Carolina Division of Air Quality, DAQ, comments noted the following: DAQ recommends the facility take extra precautions due to the proximity to Umstead Park, an air quality permit is required and is existing for the site.

DWR requires a buffer variance for the stream crossing is required. An NPDES permit exists for the site.

4. That the operation will constitute a direct and substantial physical hazard to public health and safety or to a neighboring dwelling house, school, church, hospital, commercial or industrial building, public road or other public property, excluding matters relating to the use of a public road;

The expansion application contained detailed information regarding active and final slopes at the site. It also contained information on the blasting practices and procedures that will be utilized in the area covered by the application currently under review. Mining permits contain specific blasting conditions for any sites where blasting is to occur.

5. That the operation will have a significantly adverse effect on the purposes of a publicly owned park, forest or recreation area;

As is well known, the site is located adjacent to Umstead State Park. The Division of Parks and Recreation has many concerns regarding the proximity of the proposed operation to the park. These concerns include noise, sedimentation/water quality, dust/air quality, truck traffic, blasting, loss of wildlife and park expansion

6. That the previous experience with similar operations indicates a substantial possibility that the operation will result in substantial deposits of sediment in stream beds or lakes, landslides, or acid water pollution;

A detailed erosion and sedimentation control plan was submitted with the application and will be thoroughly evaluated by both the Land Quality Section's Raleigh Regional Office staff and the Raleigh Central Office staff.

OR

7. That the applicant or any parent, subsidiary, or other affiliate of the applicant or parent has **not** been in substantial compliance with this Article, rules adopted under this Article, or other laws or rules of this State for the protection of the environment or has not corrected all violations that the applicant or any parent, subsidiary, or other affiliate of the applicant or parent may have committed under this Article or rules adopted under this Article and that resulted in:

- a. Revocation of a permit,
- b. Forfeiture of part or all of a bond or other security,
- c. Conviction of a misdemeanor under G.S. 74-64,
- d. Any other court order issued under G.S. 74-64, or
- e. Final assessment of a civil penalty under G.S. 74-64.

This pertains to the applicant's prior operating record with the Mining Program and the Department of Environmental Quality as a whole.

The Act goes on to clearly state that:

"In the absence of any findings set out in subsection (d) of this section, or if adverse effects are mitigated by the applicant as determined necessary by the Department, **a permit shall be granted.**"

Please be advised that offsite truck traffic on public roads, noise, and potentially negative impacts on property values are not within the jurisdiction of The Mining Act of 1971. These items are more properly addressed through local zoning ordinances. I also would like to draw your attention to G.S. 74-65, Effect of local zoning regulations, on page 12 of the Act. The Act basically states that the issuance of a state mining permit, and any transfer, renewal or modification to it, does not supersede any duly adopted local zoning ordinance. Furthermore, it is the responsibility of the local authority, **not the Department**, to enforce any such ordinance that may be in effect covering the project area.

The decision on the issuance of a mining permit will not be made tonight. The authority to issue or deny a permit lies with the Director of the Division of Energy, Mineral and Land Resources, Brian Wrenn.

Any permit issued shall be expressly conditioned upon compliance with all requirements of the approved reclamation plan for the operation and with such further reasonable and appropriate requirements and safeguards as may be deemed necessary by the Department to assure that the operation will comply fully with the requirements and objectives of the Mining Act.

If the Department denies this application for a permit, it shall notify the operator in writing, stating the reasons for its denial and any modifications in the application, which would make it acceptable. The operator may thereupon modify his application or file an appeal to the Office of Administrative Hearings. In the event that the application for a mining permit is approved, any aggrieved parties will be notified by the Department of the permit issuance and its rights to file an appeal contesting the Department's issuance of the permit.

The hearing record will remain open for a period of up to 10 days from tonight or the 30th day of June, 2020. This gives those individuals that were unable to attend an opportunity to comment. You may also think of something else that you would like to add to your comments made here tonight. This provides you that opportunity.

Now that a public hearing has been held on this application, the Department has a 30-day review clock. The 30-day period starts after this hearing tonight, July 23, 2020. Should the Department request additional information from the applicant, the 30-day clock would start over upon the Department's receipt of all of the requested information. Such a process would

continue until all of the Department's questions have been answered and a decision is made on the application.

If there are no questions, I would like to turn the program back over to Dan.

Appendix C: Oral Comments

Speakers – Hearing Part #1 – June 23, 2020

- (1) **Natalie Lew** – *OPPOSED*; concerned about adverse effects on Park. Truck traffic, milky runoff seen in creek and felt quarry blasts.
- (2) **Dr. Elizabeth Adams** – *OPPOSED*; spoke of Denial Criteria #3 & #4 which prohibits violation of air quality standards. Dust (PM 2.5), suffered breathing problems and skin rashes due to dust from mine.
- (3) **Tamara Dunn** – *OPPOSED*; adjacent landowner concerned that the 50-year sunset agreement to close the quarry was removed from the mining permit. Landowner concerned for blasting 200-feet may have damage. Requested DEQ for all blasting data. That information has not yet been provided.
- (4) **Hwa Huang** – *OPPOSED*; Denial Criteria #5 – adverse effects on a public park, effects on water quality and wetlands, and potential future impacts from quarrying. All phases of the proposed operations should be examined together.
- (5) **Dr. Irene Rusnak** – *OPPOSED*; adverse impacts to Crabtree Creek and to Umstead Park. All impacts must be evaluated together. Suggest that the cumulative amount of liner stream which would be impacted would trigger a US COE individual 401-404 certification analysis.
- (6) **Betsy Beals** – *OPPOSED*; unjust to destroy the environment impact under Denial Criteria #4 and #5. Potential for damage to home and water well from blasting and the logging trucks crossing a single-lane bridge.
- (7) **Mark Dixon** – *OPPOSED*; grew up in a region with protected land. The proposed quarry is in conflict with both Denial Criteria #4 and #5. He came to North Carolina to ride trails for public use.
- (8) **Charles Piercy** – *OPPOSED*; DEQ's science-based environmental stewardship for health, safety and prosperity. To allow this quarry results in a loss of 105 acres which will be carried away by up to 500 truck-loads a day.
- (9) **Randal Dunn** – *OPPOSED*; residence adjacent to existing quarry 2/3 of a mile. He has found cracks in the building foundation. His residence will be 100 feet from the new quarry. Blasting contractors for Wake Stone said that there would be no damage at 500 ft, but his residence will be at 100 feet.
- (10) **Dr. Jean Spooner** – *OPPOSED*; seen, heard and felt impacts – silica plumes, impacts to Crabtree Creek, landslide into Crabtree Creek, buffers measured in application use a different distance than is normally used, and impacts of the 7Q10 flow rate for creek.

(11) **Steve Lund** – *OPPOSED*; park user. There are noises heard in the park from the existing quarry that are at a Decibel (dB) level of heavy use same as interstate highway traffic (70 dBA). Not a compatible land use with the existing park.

(12) **Gil Johnson** – *OPPOSED*; quoted from the prior denial by DLR director Stephen Conrad who said the proposed quarry at that time was incompatible with the existing park. That decision was overruled, and the quarry was permitted, but with a sunset provision that was included in 8 subsequent mining modifications. The speaker also asked that the sunset provision be reinstated.

(13) **Mark Stohlman** – *OPPOSED*; former Mayor of Morrisville – adverse effects on Park. Haul Trucks use park trails that was to cease in 2031. The sunset provision was changed. Deny permit and reinstate the Sunset Clause.

(14) **Deborah Hage** – *OPPOSED*; park user – significant effect to the Park – new quarry with quarry noise, ground shaking and the potential for blasting accidents.

(15) **Caroline Lalla** – *OPPOSED*; board member – must deny under Denial Criteria #4 and #5 impacts on Reedy Creek greenway and Umstead Park.

(16) **Kris Bass** – *OPPOSED*; eco engineering – reviewed Wake Stone's plan. Plan and design are untrue to impacts on the watershed. The detailed work that is required has not been done.

(17) **Dr. Jeff Wald** – *OPPOSED*; user of Park. Deny based on Criteria #5 – noise adverse to a publicly owned park – 500 trucks per day – documented bad level of noise and a 15' berm – application must be denied.

(18) **Erv Portman** – *OPPOSED*; recommend denial of application – reclamation plan inadequate. Plan says the details of the reclamation plan will be decided by the Airport authority and Wake Stone AFTER mining has been completed. Speaker requests denial of the application.

(19) **Dina Deaton** – *OPPOSED*; recommend denial under Criteria #5 – adverse effects on a public Park – excessive noise and dust – impacts from 500 haul trucks per day.

(20) **David Collier** – *OPPOSED*; board member of the Umstead Coalition – application must be denied based on Denial Criteria #2 and #5 – significant impacts to Crabtree Creek and Umstead State Park – concerned with unexcavated buffers at 100 feet measured at the centerline of the creek.

(21) **William Doucette** – *OPPOSED*; 30-year licensed geologist specializing in environmental hydrogeology – disappointed with the site-specific hydrogeology analysis. He sees adverse effects on groundwater standards, changes to the 7Q10 along creeks, dewatering, seepage of contaminated groundwater, and another structural failure such as the landslide in 1992.

(22) **Brent Harsh** – *OPPOSED*; requests denial under Denial Criteria #5 – Adverse impact on park and recreation areas – concerned with trucks associated with clear-cutting forest and removal of soil on the Odd Fellows Track – concerned with truck traffic on Old Reedy Creek Road.

(23) **John Peters** – *OPPOSED*; 50-year park users wanting peace and quiet. Request denial under Criteria #5 – adverse impact on park and recreation areas. Concerned with trucks using the greenway trail as a road.

(24) **Lynn Peters** – *OPPOSED*; another 50-year park user – requests denial under Criteria #5 – adverse impact on park or recreation areas. Greenway entrance is being degraded by logging trucks.

(25) **Holly Amato** – *OPPOSED*; requests denial due to the effect on the wildlife. The Odd Fellows tract provide a wildlife corridor to the south to connect with Jordan Lake. Habitat fragmentation and water pollution will effect wildlife.

(26) **Dr. David Humphrey** – *OPPOSED*; requests rejection of this permit modification as the depth of bedrock under Crabtree Creek is unknown. There is a strong potential for Crabtree Creek to discharge into groundwater causing a groundwater violation. This contaminated water could result in a landslide inside the quarry and effect groundwater quality.

(27) **Lauren Wilkins** – *OPPOSED*; requests denial under Criteria #4 – Health and Safety – risk is difficult and a hidden threat from PM 10 and PM 2.5 – silica dust at the surface and a 1000-foot fly-rock hazard zone.

(28) **Mark Rain** – *OPPOSED*; the proposed activity will be a substantial public health threat at the surface at one of the most visited east coast greenways. Impacts on the park and trails from the removal of the sunset clause in the current permit, and trucks from both the old and new quarries are the greatest impact.

(29) **Kenneth Schuster** – *OPPOSED*; extreme hydrologic gradient, little sampling, stormwater permit and monitoring of discharge, “no flow” reported for some sites. Request denial under D#3, #5, and #6 due to impacts on water quality in creeks.

(30) **Mike Farrell** – *OPPOSED*; resident to park and greenspace to restore. Noise by quarry Denial Criteria #5 impacts to park and recreation areas, permit should be denied. Ten-foot vegetative buffer for quarry is incompatible with current land use.

(31) **John Hunt** – *OPPOSED*; asks to deny permit for prior sedimentation into streams beds. Measurements from wadable streams missing from report, which makes it difficult to assess current impact.

(32) **Heiko Rath** – *OPPOSED*; asks to deny permit on public health concerns. Earlier plans shown the stone would be moved on conveyor belts not trucks. Using trucks now requires a new air quality permit for PM 2.5.

(33) **Bill Padgett** – *OPPOSED*; asks to deny permit due to PM 2.5 quarry dust taking place. Health issues known in blacksmiths and miners.

(34) **Bob Drew** – *OPPOSED*; permit denial for violation of air quality standard. As a Citizen Scientists group, he has installed three of four solar-powered air quality monitoring stations. They are also recording blasts on a “Raspberry Shake” seismic monitor and have correlated seismic readings with felt blasts from quarry.

(35) **Woody Woodward** – *OPPOSED*; member of an Open Space Advisory Board. Requests DEQ deny under Criteria #5 – adverse impact to a Park or Recreational Area. The Open-space Board has sent a letter the Wake County Board of Commissioners on this issue.

(36) **David Anderson** – *OPPOSED*; off-road cyclist believes this is the most valuable park and along with the east coast greenway. Significant impact from blasting, noise and dust. Sunset clause must be reinstated.

(37) **Camye Womble** – *OPPOSED*; avid user of Umstead Park which has become even more popular and overcrowded during the pandemic. Uses the park for exercise. Quarry will impact wildlife, buildings and people living there.

(38) **Charles Bachmann** – *OPPOSED*; Board Member of the Umstead Coalition. Park should not be used as a disposal site. Fine white rock dust is being deposited by trucks at the Reedy Creek Umstead Park Entrance and Wake Stone is irrigating Star Road, but the runoff is going into the Park.

(39) **Maria Frank** – *OPPOSED*; requests denial under Criteria #5 -- adverse impact to a public park and recreation area and Umstead’s Black Creek Greenway. Reclamation plan is inadequate showing “future” area. Foxcroft Lake is physically located on the Odd Fellows Track and will be destroyed should the permit be approved.

(40) **Rais Miftakhutdinov** – *OPPOSED*; request denial under Criteria #5 -- significant adverse to park and recreational area. Current quarry is already impacting park. Uses park at lunchtime for biking and walking. Safety and health must not be jeopardized.

(41) **Dr. Fred Gould** -- *OPPOSED*; cyclist concerned about looking 50 years into the future. Deny permit based on #5 significant adverse impact on park and recreation area. Reclamation plan is not realistic. Unclear if quarry will fill with water and a water-filled quarry may result in deaths from trespassing onto such a site.

(42) **Dr. Ron Southerland** – *OPPOSED*; chief scientist on wildlife conservation and conductivity. Proposed quarry will reduce wildlife conductivity getting to Jordan Lake

since wildlife use the Odd Fellows track and Umstead Park to reach Jordan Lake. Asks also to deny permit.

(43) **Robert Enochs** – *OPPOSED*; spends significant time at Umstead Park. Asks to deny permit under Criteria #5 significant adverse impact on Umstead Park the East Coast Greenway, and Crabtree County Park.

(44) **Mark Strickland** – *OPPOSED*; deny permit on Criteria #5 -- significant adverse impact on park and recreation area. Speaker rides two times per week, get exercise and being in the woods. Construction traffic with fumes, noise and loud sound will be much closer to the park if the permit is approved.

(45) **Robin Stern** – *OPPOSED*; deny permit based on Criteria #5 significant impact on park or recreation area. Joy in riding bike on Black Creek Greenway away from traffic and with fresh air. New quarry will destroy forest.

(46) **Drew Ball** – *OPPOSED*; director Environment NC nonprofit – oppose to inadequate application. Impact to park, loss of conservation lands and noise, and vibrations impact to visitors.

(47) **Pamela Olson** – *OPPOSED*; effects on Umstead Park -- significant amount of green seen in flying into Raleigh with the scar of a quarry. Reduction in greenspace detrimental to city advertising the quality of life in Raleigh.

(48) **Bob Geary** – *OPPOSED*; runner, bike rider, environmentalist. Deny permit, harmful to Park, greenway, and Crabtree Creek. Mining application states company will haul rock to the crusher from the new quarry using a new bridge over Crabtree Creek. The diesel trucks emitting NOX and with PM 2.5 dust from the load.

(49) **Stefanie Mendell** – *OPPOSED*; former Raleigh City Council member. Reclamation plan inadequate – impact to water supply, no engineering, no hydrogeologic study.

(50) **Terry Snyder** – *OPPOSED*; request denial of application due to adverse and direct hazards to Park and Recreation facilities.

(51) **Donna Bailey** – *OPPOSED*; The Division of NC Parks and Recreation should determine adverse conditions to Umstead Park. DEQ previous monitoring of dust and noise levels from the quarry but ended after funding cuts. This permit approval would be a detriment to Umstead Park. Sediment and contaminated stormwater currently discharges into the park via Crabtree Creek.

(52) **Mary Theresa Scott** – *OPPOSED*; deny based on Criteria #4 -- hazard to public health and safety due to danger on air and water quality from the PM 2.5 dust. Air quality was important due to the current COVID crisis.

(53) **Holly Neal** – *OPPOSED*; deny based on Criteria #5 -- adverse effects on the park. While she worked in the Visitors Center saw runoff from the Wake Stone into Crabtree Creek. Plume went one-mile into park property. Proposal will decrease undisturbed buffers. Park is often at capacity. Decreased greenspace will lessen public enjoyment.

(54) **Teresa Moore** – *OPPOSED*; deny based on Criteria #2 and Criteria #5. Wildlife corridor connection to other greenways will be severed. Site plan has deforested 50' buffer with 8' fence topped with barbed wire adjacent to the greenway. Company patrol road next to fence on other side. No mitigation offered by Wake Stone.

(55) **Mark Durant** – *OPPOSED*; NCSU Degree in engineering. Opposed because of 7451-section 6 (previous experience clause). Public records show rock slide in 1991-1992 resulting in notice of mining deficiency impacting Crabtree Creek where the slide crossed 90% of the creek.

(56) **Jessica Heironimus** – *OPPOSED*; hiker and trail rider. Denial criteria #2 – adverse effects on potable groundwater supplies. There are three private potable wells and the 4th on the Odd Fellows Track.

(57) **Kathleen Weaver** – *OPPOSED*; North Carolina Licensed Professional Civil Engineer. Permit should be denied based on previous water quality sampling done by Wake Stone employees. From 2015 - 2019, DEMLR records show sampling performed incorrectly (total rainfall column not entered). Compliance is dependent on monitoring. 29 discharges in 2019, expansion of quarry will result in substantial sediment deposits downstream. Hearing officer request copy of her presentation.

(58) **Jason Tucker** – *OPPOSED*; NC General Statutes 74-51-4 – substantial physical hazard to public health and safety. New equipment to mine the topography of this steeply sloped pit will require a new air permit. The stability of the new pit is unknown. Umstead Park is an asset to the community and cannot be denied to future generations.

(59) **Daniel Bowman** – *OPPOSED*; Listen to prior experts. Who want the permit denied due to impacts on air, water, and wildlife. He asked that this “great jewel of forested land” be preserved.

(60) **Julie Hall** -- *OPPOSED*; For over 30 years, Box Scout troops have hiked and camped on the Odd Fellows track until two years ago when they were uninvited because of this quarry issue. Proposed buffers are too small which will cause a fragmentation of a unique wildlife corridor.

(61) **Joseph Huberman** – *OPPOSED*; President of Backwoods Orienteering Club. Does not trust Wake Stone because the original permit would have allowed sale of pit when mining ceased or fifty years, whichever came first. The permit was modified eight times over 36 years. On the 9th modification in March 9, 2018 the clause was deleted. This was done without, with notice or a public hearing.

(62) **Lisa Liske** -- *OPPOSED*; science educator and users of the Umstead Park. Request denial under Criteria #2 – adverse impacts on wildlife and Criteria #5 adverse impacts to Park and Recreation areas. Area is unique to the world, adjacent to a metropolitan area. 5,500 acres with bobcat, wild turkeys and connected to a wildlife corridor thru the Odd Fellows tract to Jordan Lake.

(63) **Matthew Carpenter** – *OPPOSED*; attorney on behalf of the Umstead Coalition. Look at the 2004 N.C. Appeals Court Ruling concerning the Clark Stone permit which was revoked by the Court for harmful impacts on the Appalachian Trail. Department must deny the permit should there be significant impacts on Umstead Park with little mitigation. Evidence of serious impacts on streams, air quality, and water quality. Duty to deny permit.

(64) **Isabel Mattox** – *OPPOSED*; co-counsel to the Umstead Coalition. Other speaker will present adverse impacts under five of the seven denial criteria. Hearing Officer has heard or will hear of impacts on groundwater, surface water sources, wildlife, greenway, sedimentation, landslide and rockslides. Adjacent residents and parks have been impacted by truck traffic. Permit must be denied. Asked that the recording being made available as soon as possible.

(65) **John Ward** – *OPPOSED*; teacher at the Triangle Math Academy. Unique system of trails which he has used as both a runner and bicyclist. Natural beauty and amenities with the trail system. Under Denial Criteria #5 significant impact on Park or recreation areas, you must deny the permit.

(66) **Scott Huler** -- *OPPOSED*; spent life writing two books. Raleigh infrastructure where well water was so pure, it was called “delicious”. Approving this permit would be a death sentence for Crabtree Creek and impact on groundwater, since Crabtree Creek provides water to the northern part of Raleigh.

(67) **Dr. Cathrine Leonowens** – *OPPOSED*; asks department to deny permit. Trail and gravel cyclist knows the importance of trail system. Teaching others about the forest and streams. Accessible trail system is a priceless gift. There are impacts on trails and forests. Must deny the permit.

(68) **Debra Good** – *OPPOSED*; live less than three miles from park and quarry site. Noise generated by and escaping from the new quarry will have significant adverse effects on the purpose of a publicly owned park. Noise from the quarry was documented in a State Park study in 1982. With the new quarry, noise will increase. A quarry beside the Park was incompatible in 1981. Another quarry should be denied.

(69) **Regina Ali** – *OPPOSED*; weekly user of the Park. Ask for denial of the permit under Criteria #4 – direct adverse effect on Public Health and Criteria #2 adverse impacts on fisheries and aquatic life. There is a contaminated site nearby (Ward Transformer superfund site) where blasting could disturb the buried PCBs and release the sequestered PCBs.

(70) **Maria Clavell** – *OPPOSED*; deny the permit because of Criteria #2 – unduly adverse effect on Wildlife. In addition, there will be a new unforested edge to the park where sun, wind, and parasites could impact the park with a loss of habitat. The park will also lose the wildlife corridor. Deny with no reconsideration.

(71) **Judith Strickland** – *OPPOSED*; uses park and can hear mining operations. New quarry will diminish air quality. Both surface waters and groundwater will be effected and there will limits on expanding bicycle trails. Deny the permit under Criteria #3 – adverse effect on park and recreation areas.

(72) **Barbara Braatz** – *OPPOSED*; regular user of Umstead Park. Deny the permit under Criteria #2 undue adverse impact on wildlife and Criteria #5 significant adverse effects on park or recreation areas. Destruction of the wildlife corridor between Umstead Park and Jordan Lake Gamelands.

(73) **Charles McClelland** – *OPPOSED*; avid user of outdoor space. Since this land is inside the beltway it will likely not recover from development. He formed a company to build sensors to count visitation data on Umstead Park. Data from two entrances show significant increases since 2018.

(74) **Sarah Nicholson** – *OPPOSED*; lots of evidence has been given in the hearing. Devastated by what has happened to the environment. Our health is a need. Nature is a need. Clean water and clean air is a need. More greenspace is a need.

(75) **Melissa Hall** – *OPPOSED*; greenspace user. Deny permit under Criteria #2 adverse impact on wildlife and Criteria #5 adverse impact on Park or recreation area. Only connection between the park and the Jordan Lake Gamelands is the tract in question. Quarry will block wildlife movement, years of blasting, shock waves and ground vibrations from numerous sources. Quarry noise would interfere with wildlife communications.

(76) **Ruth Bromer** – *OPPOSED*; treasurer of the Backwoods Orienteering Club. Value of connected park and recreation areas. Deny permit under Criteria #4 -- direct and substantial impact to public health & safety. Public property will be destroyed. Must deny permit.

(77) **Mike Porvaznik** – *OPPOSED*; call for agency to deny permit under Criteria #4 -- hazard to public health and Criteria #5 -- adverse impact on park or recreation areas. New air pollution from truck traffic would impact users of the East Coast greenway system. Trails are not identified on the mining plan maps which is part of the mining application.

(78) **Joy Toro** – *OPPOSED*; calls for denial of the permit on Criteria #4 and Criteria #5. Grew up a few miles from Umstead Park. Crystalline silica dust particles gets into the

lungs. California Office of Environmental Health has shown that these particles have a greater impact on children than adults.

(79) **Samuel Bratton** – *APPROVE*; applicant speaker. CEO of Wake Stone Corporation. Due the time limit of two minutes, he will only address 2 of the 7 denial criteria. #4 quarry will not constitute a physical hazard to public health and safety to neighboring dwellings. At proposed quarry site two residences within 1,500 feet. The company also operates Knightdale quarry where residences are closer but are protected by a 40-foot berm. #5 quarry will not have an adverse impact on the purpose of park, forest, or recreation area. Has a 1999 letter from Dr. Spooner which says that there never been a complaint against Wake Stone quarry.

Speakers – Hearing Part #2 – July 7, 2020

- (1) **Dianne Mayer:** *OPPOSED*; concern is regarding the environment and best use for green-space.
- (2) **Patrick Camblin:** *OPPOSED*; concern is regarding best use for green-space.
- (3) **Kay Reibold:** *OPPOSED*; concern is adverse effect on Umstead State Park (cites G.S. 74515).
- (4) **Harvey Schmitt:** *FOR*; cites our region's expected population growth and the responsible management of Wake Stone.
- (5) **Paul Scrutton:** *OPPOSED*; (cites G.S. 5471 – concerning groundwater quality).
- (6) **Fred Hain:** *OPPOSED*; concerned that the environmental and recreational benefits of the green-space out-weighs the economic benefits. Further, cites benefits of green-space to combating human-induced climate change.
- (7) **Kristin Stone:** *OPPOSED*; cites negative effect on wildlife and the discontinuity for wildlife corridor.
- (8) **Karen Clark:** *OPPOSED*; cites concern for the environment.
- (9) **Darren Jackson:** *FOR*; cites Wake Stone as a good steward and community benefactor.
- (10) **Lindsay Parlberg:** *OPPOSED*; cites subsection 3 and 4. Cites concern that proposed site is too close to the Jonesboro fault and the potential effects to the Sharon Harris energy plant.
- (11) **Bob Schmitz:** *OPPOSED*; concerned that the deal isn't a lease but effectively a sell. Further, cites quality of life damage to the area and environmental impact. The proposed berm is not enough of a buffer is also a concern.
- (12) **Bryan Mohorn:** *OPPOSED*; concerned that proposed tract is not an extension of the old tract but a new tract altogether. He cites potential negative impact to the Cary wastewater treatment plant. Further, he points out the area already multiple quarries nearby.
- (13) **Fabio Beltramini:** *OPPOSED*; cites subsection 4 – negative effect on public health. Reads from several peer-reviewed studies.
- (14) **Edward Barnes:** *OPPOSED*; cites section 5 – impact on recreational areas. Reads from a Cary town study concerning the town's greenway.

(15) **Ian Rogers**: *OPPOSED*; concerned about the area's quality of life effect. Further, the wildlife impact is a concern.

(16) **James Robertson (Mayor, Knightdale)**: *FOR*; cites Wake Stone's quality management, important employer, and community benefactor.

(17) **Bill Summers (Town Manager, Knightdale)**: *FOR*; cites quality management of Wake Stone and important community benefactor – including a youth soccer complex.

(18) **Hillary Buuck**: *OPPOSED*; cites G.S. 7451D, subsection 2 – unduly adverse effects on wildlife. Further, concerned for the continuity of the wildlife corridor. Goes on to state that the wildlife corridor (the east coast greenway), otherwise uninterrupted.

(19) **Noral Stewart**: *OPPOSED*; is a consultant stating that, as currently proposed, the proposed expansion will negatively affect noise pollution and air quality.

(20) **Thomas Ragsdale**: *FOR*; states that although he's used adjacent green-space for years, he's only recently learned that the quarry is there. He credits Wake Stone's quality management.

(21) **David Cox (City Council Member, Raleigh)**: *OPPOSED*; states that the Raleigh city council unanimously agreed that the airport authority should have sought Raleigh's permission before entering the quarry lease. Cites that the legal question is still undecided in the courts. He is concerned that buffer zones are not enough to secure the wildlife concerns.

(22) **Bett Padgett**: *OPPOSED*; cites the negative impact on Umstead State Park.

(23) **Laura Wood**: *OPPOSED*; cites subsections 2 and 4, specifically the negative impact on Crabtree Creek. Says the extension will not respect the needed buffers.

(24) **Michael Nordin**: *OPPOSED*; states that the blast has a negative impact from the blasting operation, although he lives nearly a mile from the current operation. Further, states that the east coast greenway corridor would be interrupted.

(25) **Allen Glazner**: *FOR*; states that he only recently learned that Wake Stone was there although he's lived in the area for many years. Further, he cites Wake Stone's good stewardship. Also points out that if the material doesn't come from the current quarry, it will need to come from somewhere else.

(26) **Chad Chandler**: *OPPOSED*; does not understand why land under consideration is part of the airport property to begin with – location of proposed quarry could never have been used for airport operations. Says that RDU Airport Authority should sell the property to Umstead State Park. Further, states his concern for the Crabtree corridor continuity.

(27) **Mark Springfield:** *OPPOSED*; cites subsection 5 and, specifically, the quality of life aspect from Umstead State Park. Further, states that the buffer between the current quarry and the park is necessary.

(28) **Leah Ranny:** *OPPOSED*; cites the negative air quality impact from the crushed stone operation. Further citing multiple peer-reviewed public health studies.

(29) **Matt Pilz:** *FOR*; cites no adverse impact on the neighbors and Umstead State Park, specifically advances in sound vibration technology.

(30) **Helen Tart:** *OPPOSED*; cites the “sunset” clause, that there no feasible changes to the proposal that makes a reasonable difference.

(31) **Joe Nawrocki:** *FOR*; addresses the negative impact claim of blasting on the nearby Umstead State Park. Cites a study conducted by blasting consulting company that the impact will be well within the parameters. Also, states the good stewardship of Wake Stone.

(32) **Walter Zee:** *OPPOSED*; states that there are other, more suitable, locations to mine. Underscores the proposed location’s proximity to a state park. Questions Wake Stone’s “good neighbor” status when they tried to enter into an agreement in secret.

(33) **Louisa Carpenter-Winch:** *OPPOSED*; states the value of public green spaces in the community. Is concerned for the environmental impact from the quarry.

(34) **David Bertram:** *OPPOSED*; believes that the buffer between the proposed quarry and Crabtree Creek is not enough. Further, he cites the quality of life value that nearby green-space provides which will be negatively impacted.

(35) **Michael Kirlauski:** *OPPOSED*; cites the quality of life provided by the Crabtree Creek and Umstead State Park green-spaces and the negative impact the expansion will create.

(36) **Henry Copeland:** *OPPOSED*; cites likely adverse impact on Umstead State Park from a new nearby mine.

(37) **Michael Jarzomski:** *OPPOSED*; cites the quality of life provided by the Crabtree Creek greenway and Umstead State Park. Further, states that there will be an adverse impact on wildlife.

(38) **Michael Taylor:** *OPPOSED*; cites the negative air quality impact from an increased mining operation.

(39) **Aric Beals:** *OPPOSED*; cites the negative impact on the quality of life for neighbors in close proximity to the operation. Claims that Wake Stone broke a promise regarding the “sunset” clause.

(40) **Bryan Brice**: *FOR*; states the good management from Wake Stone and the needed product that is provided. Wake Stone, he claims, is a consistent valuable benefactor to the community.

(41) **Lorraine King**: *OPPOSED*; cites adverse impact on Umstead State Park and quality of life benefits from the nearby green-space.

(42) **Jonathon Kramer**: *OPPOSED*; cites the negative air quality impact from the proposed quarry, especially on the elderly.

(43) **Maria Cervania**: *OPPOSED*; cites that the buffer isn't large enough, the potential of landslides from a mining blast, and the negative impact on wastewater storage.

(44) **Blake Burgher**: *OPPOSED*; cites quality of life balance between industry and green-space. Further, he claims that there is a threat to the Mission Statement of the state parks that can't be fulfilled if the quarry is expanded.

(45) **Sarah Beals**: *OPPOSED*; cites quality of life offered by the green-space from Umstead State Park. Says that the Statements reclamation plan is inadequate to address the acid mine drainage impact.

(46) **Thomas Oxholm (Vice-President, Wake Stone)**: *FOR*; cites the valuable commodity that the quarry provides. States that there's never been a complaint from Umstead State Park, says that the environmental impact will be negligible (citing impact studies), and there's never been a negative environmental impact complaint.

(47) **Janice Sears**: *OPPOSED*; cites subsection 5 - stating the quality of life impact. Further, there are documented negative environmental impacts.

(48) **Matt Cohen**: *OPPOSED*; cites section 4 – says an impact statement was not performed for this project. Claims that it's unlawful for project to continue without an impact statement.

(49) **Andrew Beals**: *OPPOSED*; cites the quality of life that Umstead State Park and Crabtree Creek access currently provides.

(50) **Tommy Frank**: *OPPOSED*; is concerned that there are 3 schools within a couple miles of the proposed tract. He's concerned with both the quality of life impact and the air and water quality impact.

(51) **Sue Johnson**: *OPPOSED*; concern is water and wildlife quality, as well as quality of life. Believes it's a questionable use of such a small tract of land considering the location.

(52) **Laura McGuinn**: *OPPOSED*; claims that the current water quality has already been negatively impacted. Also, states that the air quality has been adversely impacted. Claims there needs to be a new storm-water permit.

(53) **William Brown**: *OPPOSED*; states the value of the quality of life that Umstead State Park offers which will be negatively impacted by the quarry expansion.

(54) **Bob May**: *OPPOSED*; cites the quality of life that the Umstead State Park public land negative impact that a new mining operation will cause.

(55) **Kristin Bulpitt**: *OPPOSED*; cites G.S. 7451 D. Is concerned for the damage to the quality of life for the area. Further, states the impact to the air, water, and noise (environmental) to the tract land.

(56) **Charles McClelland**: *OPPOSED*; concerned for the quality of life for the area residents. Shared data that he collected concerning the large number of visitors that Umstead State Park receives.

(57) **Jane Ferdon**: *OPPOSED*; states access to quality natural spaces that the area needs to preserve. Further, the water, air, and other wildlife habitats will be negatively impacted.

(58) **Ben Ferdon**: *OPPOSED*; cites article 4. Says the air quality permit issued a few years ago may not have considered the population growth since the permit was issued. Cites the silica impact on air quality as a severe negative.

(59) **Wiley Nickel (State Senator)**: *OPPOSED*; cites the potential environmental damage (wetlands) and public health concerns, and negative impact on local small business economics which depend on good quality of life to draw employees to area.

(60) **Patrick Trombetta**: *OPPOSED*; cites G.S. 7451 D. Further states that a new air permit should be written for the current mining operations.

(61) **Mary Brice**: *OPPOSED*; claims that the permitting is confusing, that there should be 2 separate permits rather than only 1. Says current buffers should be respected if not expanded.

(62) **Valerie MacNabb**: *OPPOSED*; concerned about the buffer, believes it's not large enough. Further concerned about the air and water quality.

(63) **Philip Currie**: *FOR*; cites the positive economic value provided by Wake Stone.

(64) **Peter Hallen**: *OPPOSED*; cite G.S 7451. Claims that the quality of life will be negatively impacted. Believes that opening the new tract will open up the potential of massive deforestation.

A recording of the above comments can be found at the following links:

June 23rd, 2020

<https://files.nc.gov/ncdeq/Energy%20Mineral%20and%20Land%20Resources/DEMLR/wake-stone/WAKE-STONE-PUBLIC-HEARING-20200623-2150-1.mp4>

July 7th, 2020

<https://files.nc.gov/ncdeq/Energy%20Mineral%20and%20Land%20Resources/DEMLR/wake-stone/Wake-Stone-Public-Hearing-pt.2-20200707-1257-1.mp4>

Appendix D: Written Comments

Written comments can be found at the following link:

<https://edocs.deq.nc.gov/EnergyMineralLandResources/Browse.aspx?id=349&dbid=0&repo=EnergyMineralLandResources>