



Division of Parks and Recreation
NC Department of Natural and Cultural Resources

Governor Roy Cooper

Secretary D. Reid Wilson

November 18, 2021

Mr. Brian Wrenn, Director
NC Division of Energy, Minerals, and Land Resources
Department of Environmental Quality
Via email: brian.wrenn@ncdenr.gov

Dear Mr. Wrenn:

Thank you for this opportunity to provide comments from the North Carolina Division of Parks and Recreation (DPR) related to Wake Stone Corporation's suggested modifications to their requested expansion of Triangle Quarry, submitted on August 12, 2021. DPR remains opposed to the expansion of the existing quarry for the reasons detailed in our letters of February 12, 2021 and May 8, 2020, attached [enclosed] for your reference. We continue to believe our mission of conservation, recreation, and education for the people of North Carolina would be best served by permanently protecting this property, and that expanded quarry operations will have a significantly adverse effect on the purposes of William B. Umstead State Park. The specific purpose of this letter is to express our concerns with the updated proposals by Wake Stone, which appears to reduce the buffer proximate to the park and would employ concrete sound barriers instead of earthen berms between the quarry and the park.

We are opposed to the buffer reduction and replacing the earthen berms with concrete barriers for the following reasons:

- Updated site plans show only a 25-foot buffer from the park property line to the proposed concrete wall and perimeter access road. Prior site plans from April 2020 indicate a 100-foot buffer from the property line to the start of excavation. The reduced buffer to 25 feet appears to increase the size of the excavation area in the proposed quarry and bring the pit significantly closer to park visitors and wildlife.
- The main purpose of the barriers, earthen or otherwise, is sound abatement. We are concerned that a concrete barrier will be less effective at reducing sound levels than an earthen berm.
- A park visitor's expectation is to see natural substances comparable to what would typically occur in that location (i.e., soil and plants). Concrete is an inadequate replacement for the vegetative and earthen barrier that would be provided by berm construction.

- Regardless of its initial appearance as designed and constructed, with time a concrete wall will deteriorate, resulting in an even more jarring view from the park. A concrete barrier will likely last the life of this permit, but its deterioration will be there for all to see for a very long time.
- A concrete wall does not allow for water infiltration. The wall and its supporting foundation will increase water runoff on both sides of the wall including onto park property. We are particularly concerned about any additional runoff that will eventually reach Crabtree Creek, which serves as part of the park's boundary with the existing quarry and then flows into the park. This concern is heightened by the recent listing of the Neuse River Waterdog (*Necturus lewisi*) as "threatened" by the U.S. Fish and Wildlife Service, and the potential presence of this species in the area.
- A concrete wall acts as an absolute barrier to terrestrial wildlife, reducing access to available food and shelter. The proposed quarry expansion comes at a time when there is a growing consensus among biologists of the important role that large tracts of urban wildlife habitat such as Umstead State Park play as corridors for migrating species, and the impact that land conversion and fragmentation have on our ability to serve that role effectively.¹

Changes to the application that expand the mining areas and reduce buffers only exacerbate and do not mitigate the likely negative effects on the park. These effects include our previously expressed concerns: noise impacts, sedimentation/water quality, dust/air quality, truck traffic and blasting, loss of wildlife corridors, and loss of potential park expansion. We also believe several other issues related to recent public comments and regulatory action require further investigation by the State or Wake Stone, including the growing concern from the public that fly rock from blasting could become a danger to park visitors and those using adjacent trails, and the need for an environmental assessment that addresses the direct, secondary, and cumulative impacts of the proposed quarry.

Finally, we note that in its response regarding the permit modification and how it would impact eventual land donation to the State, Wake Stone quoted the Mining Commission when arguing that donation was only to occur when all quarryable stone was removed from "all of the land belonging to or under the control of Wake Stone Corporation during the period of its quarry operations." Yet in the very next sentence, the company acknowledges that the Odd Fellows tract is only now under its control and presumably was not at the time of the Mining Commission decision. We ask that when weighing the various proposals regarding this matter and interpreting prior decisions of the Commission, you consider whether such a significant expansion of the quarry was ever contemplated. As far as DPR is concerned, we have always – since our then-Director reviewed a draft permit including the "sooner" language in 1981 – relied upon the plain language of the permit

¹ While the public is most familiar with our recreational mission, DPR also plays an important natural resources stewardship role, including the protection of wildlife habitat. One of our primary partners in managing wildlife habitat is the N.C. Wildlife Resources Commission, which addressed the impacts of mining and quarrying in its 2015 Wildlife Action Plan (with a 2020 Addendum) as follows:

The primary direct impacts to wildlife resources from mining and quarries (not instream mining) relate to land conversion. Additional impacts can result if stormwater runoff is discharged offsite to surface waters. New and expanded mines and quarries may impact high-quality terrestrial uplands, wetlands, or streams. Water quality can be impacted if water from a mining site is discharged before it is appropriately treated to remove pollutants (page 694).

and planned for the land donation to occur at the “sooner” date of 2031 or the exhaustion of quarryable stone at the existing quarry.

Thank you again for this opportunity to comment, and please let us know if we can provide any additional information or other assistance.

Sincerely,

A handwritten signature in black ink that reads "Dwayne Patterson". The signature is written in a cursive, flowing style.

Dwayne Patterson
Director, NC Division of Parks and Recreation

Enclosures

cc: Jeff Michael, Deputy Secretary, DNCR
Phillip Feagan, General Counsel, DNCR
Brian Strong, Deputy Director, DPR