



North Carolina General Assembly Senate

SENATOR WILEY NICKEL
16TH DISTRICT

OFFICE ADDRESS: 1121 LEGISLATIVE BUILDING
16 W. JONES STREET
RALEIGH, NC 27601-2808
TELEPHONE: (919) 715-3036
(919) 754-3223 FAX
EMAIL: wiley.nickel@ncleg.net
DISTRICT: WAKE COUNTY:
CARY, MORRISVILLE, & RALEIGH

COMMITTEES:

APPROPRIATIONS ON GENERAL GOVERNMENT
AND INFORMATION TECHNOLOGY
JUDICIARY
PENSIONS AND RETIREMENT AND AGING
REDISTRICTING AND ELECTIONS

Residents of Wake and Durham County,

Raleigh Durham International Airport, Research Triangle Park, Universities, State Government, and recreational opportunities including William B. Umstead State Park, Eno River State Park, and Falls Lake State Parks, East Coast Greenway, along with County and Municipal Parks, are recognized community amenities and economic drivers for our area. While each of these entities is unique, they collectively contribute to the success of our state. Proposed activities, both public and private, that impact any of these economic drivers must be thoroughly evaluated for long- and short-term harmful effects.

William B. Umstead State Park is listed as of 1995 in the **National Register of Historic Places**. Not only the park structures, but the park land, trails, **waterways**, and **forest landscape** were also listed as part of the protections under the National Register of Historic Places. The Odd Fellows Tract is a 105-acre forested land on the border of William B. Umstead State Park and connected East Coast Greenway.

As it is imperative to protect the surroundings of the state park in order to ensure the environmental integrity of the park itself and its connected recreational and wildlife corridor, North Carolina must not allow the first private rock mine on public land adjacent to a North Carolina State Park. A private company has put forward a proposal to replace the forest and hills on the Odd Fellows Tract with a 400-foot deep pit (Mining Permit No. 92-10 Modification Application). This plan, which would involve mass deforestation, loss of hills and tributaries, and irreparable environmental harms next to Crabtree Creek and adjacent to William B. Umstead State Park, would hinder efforts to protect North Carolina's natural wonders for future generations.

Furthermore, the application proposes both a substantial reduction in buffer width along Crabtree Creek and continued mining operations at the current quarry site, on the far side of Crabtree Creek, beyond the promised 50-year sunset clause. This proposal, if accepted, would extend the adverse impacts of the current quarry operation on the park and prevent park expansion.





North Carolina General Assembly
Senate

SENATOR WILEY NICKEL
16TH DISTRICT

OFFICE ADDRESS: 1121 LEGISLATIVE BUILDING
16 W. JONES STREET
RALEIGH, NC 27601-2808
TELEPHONE: (919) 715-3036
(919) 754-3223 FAX
EMAIL: wiley.nickel@ncleg.net
DISTRICT: WAKE COUNTY:
CARY, MORRISVILLE, & RALEIGH

COMMITTEES:

APPROPRIATIONS ON GENERAL GOVERNMENT
AND INFORMATION TECHNOLOGY
JUDICIARY
PENSIONS AND RETIREMENT AND AGING
REDISTRICTING AND ELECTIONS

The negative impacts this proposed quarry would have on William B. Umstead State Park were highlighted in a letter from the Director of the North Carolina Division of Parks and Recreation to the Director of North Carolina Division of Energy, Minerals, and Land Resources. Dated February 12, 2021, the letter explicitly requested that the Mining Permit Application be denied, as the "approval of a permit to expand the quarry will degrade Umstead State Park and represent a significant lost opportunity for the park, our Division, and the natural resources of our state". As detailed in the letter, the significant adverse effects to our state park include noise impacts, blasting, dust and air quality, truck conflict with park users, loss of wildlife habitat, fragmentation of wildlife corridors, sedimentation and water quality in Crabtree Creek, and significant delays to park expansion.

To provide further context on the proposed quarry's potential impacts to wildlife, the Neuse River Waterdog has been listed as "**Threatened**" by the US Fish & Wildlife, on or just before **June 10, 2021**.

The **Neuse River Waterdog salamander (*Necturus lewisi*)** has been documented within William B. Umstead State Park in Crabtree Creek (2004, as well as earlier). The Neuse River Waterdog salamander was found as recently, within the last 3 months (**week of March 7, 2021**) in **Crabtree Creek**. The firm RK&K under contract with NCDOT found the Neuse River waterdog salamander near Capital Boulevard, downstream of William B. Umstead State Park. It is reasonable to assume that the Neuse River waterdog salamander still lives in Crabtree Creek within William B. Umstead State Park. Sediment from unstable stream banks and direct discharges have been an issue with the existing Triangle Quarry. Protection of the stream buffers is critical. The proposed expanded quarry operations on the existing site south of Crabtree Creek, as well as the new proposed operation on the north side of Crabtree Creek will severely reduce the Neuse Riparian Buffers.

Dangers to the health and viability of a beloved state park aren't the only concerns associated with development of new quarry operations. The location of the proposed quarry pit is especially troublesome: adjacent to the official US1 Carolina Connection Bikeway and East Coast Greenway route, next to two private residences, and within earshot of a thriving apartment





North Carolina General Assembly
Senate

SENATOR WILEY NICKEL
16TH DISTRICT

OFFICE ADDRESS: 1121 LEGISLATIVE BUILDING
16 W. JONES STREET
RALEIGH, NC 27601-2808
TELEPHONE: (919) 715-3036
(919) 754-3223 FAX
EMAIL: wiley.nickel@ncleg.net
DISTRICT: WAKE COUNTY:
CARY, MORRISVILLE, & RALEIGH

COMMITTEES:

APPROPRIATIONS ON GENERAL GOVERNMENT
AND INFORMATION TECHNOLOGY
JUDICIARY
PENSIONS AND RETIREMENT AND AGING
REDISTRICTING AND ELECTIONS

complex. This placement presents a direct health and safety hazard to local residents and greenway users. Bikers, hikers, and runners will be choked by dust thrown up from regular blasting and fine particles. Inhaled with every breath, these particles put every person who visits the area at risk for a variety of long and short-term health conditions. Further, locals will have to learn to live with the roar of mining equipment and explosions shattering the forested calm.

The Regional Transportation Alliance (RTA) Preliminary Task Force Findings and Recommendations on RDU Airport Infrastructure Development (AID) Task Force, Airport Land Use Recommendations has also included: "The situation surrounding RDU's lands and adjacent Umstead State Park has been a costly distraction . . . RDU should revisit the entire 2040 master plan given the reality of an adjacent beloved state park."

Due to these reasons and more, we, the undersigned, agree with the NC Division of Park and Recreation and request protection of public and environmental welfare by denial of the Mining Permit No. 92-10 Modification Application, dated April 8, 2020, as approval of such would result in substantially diminished environmental protection for Crabtree Creek, Neuse River Buffer, and William B. Umstead State Park.

Further, we request that original agreements be respected as to current quarrying operations within the area, specifically as they pertain to the buffer width and character on the existing pit and to restoration of the 50-year Sunset Clause.

Sincerely,

Wiley Nickel
State Senator
District 16, North Carolina
Wiley.Nickel@ncleg.gov
919-715-3037

