



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

Governor Roy Cooper

Secretary D. Reid Wilson

January 20, 2022

Mr. Paul Wojoski, Supervisor
Department of Environmental Quality
401 & Buffer Permitting Branch
paul.wojoski@ncdenr.gov
1617 Mail Service Center
Raleigh, NC 27699-1617
Physical Location: 512 N. Salisbury St., Raleigh, NC 27604, Archdale Building - 9th floor

Dear Mr. Wojoski:

I write to express the North Carolina Division of Parks and Recreation's (DPR) concerns with the Buffer Authorization Application submitted on October 13, 2021, by Wake Stone Corporation for a proposed bridge crossing over Crabtree Creek.

Thank you for the prior opportunities to provide comments related to Wake Stone Corporation's requested expansion of Triangle Quarry. DPR remains opposed to the expansion of the existing quarry for the reasons detailed in our letters of November 18, 2021, 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.

Our main concern with a bridge is the potential for aquatic habitat degradation in Crabtree Creek, which flows through the park. In addition to the direct loss of stream buffer at the crossing, a bridge increases the likelihood of contamination from equipment and stormwater runoff from the road network. The primary agency responsible for regulation of threatened and endangered species in North Carolina is the NC Wildlife Resources Commission (NCWRC). We have reviewed their May 2020 comments on the mining permit (attached) and agree with the concerns expressed therein, including: the need for adequate buffers along perennial streams; the impact of forest fragmentation on wildlife habitat; and threats to water quality related to sediment and erosion.

We would further note that since that letter was submitted, additional species have been Federally listed as threatened under the Endangered Species Act:

- The Neuse river waterdog (*Necturus lewisi*), which occurs in Crabtree Creek at Hwy 401, was added to the Federal register in June 2021)¹;
- The Atlantic pigtoe mussel (*Fusconaia masoni*), which has historically occurred in Crabtree Creek within the Umstead State Park boundary, was added in November 2021².

We recommend that surveys be conducted for these and other threatened species before a permitting decision is made.

As a matter of best practices, we are also aware that US Fish and Wildlife Service (USFWS) and the North Carolina Department of Transportation (NCDOT) have reached agreements pertaining to bridge replacement and repair standards in habitats that are critical to specific species, including the Neuse river waterdog³ and mussel species similar to the Atlantic pigtoe⁴. While no recommendations are in place yet for the Atlantic pigtoe due to its recent listing, it is anticipated that a similar conference opinion between NCDOT and USFWS will likely be reached.

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

Sincerely



Dwayne Patterson

Attachments

cc: Brian Wrenn, DEQ
D. Reid Wilson, Secretary, DNCR
Jeff Michael, Deputy Secretary, DNCR
Brian Strong, Deputy Director, DPR

¹ <https://www.federalregister.gov/documents/2021/06/09/2021-11600/endangered-and-threatened-wildlife-and-plants-threatened-species-status-with-section-4d-rule-for>

² <https://www.federalregister.gov/documents/2021/11/16/2021-24784/endangered-and-threatened-wildlife-and-plants-threatened-species-status-with-section-4d-rule-for>

³ https://connect.ncdot.gov/resources/Environmental/EAU/BSG/Documents/Neuse%20River%20Waterdog%20&%20Carolina%20Madtom%20Programmatic/20200506_Final_PCO_CMT_NRWD.pdf

⁴ https://saw-reg.usace.army.mil/ESA/ProgrammaticBO_Final_BridgeReplacements.pdf