



August 10, 2021
Director Brian Wrenn
Division of Energy, Minerals and Land Resources
N.C. Department of Environmental Quality
217 West Jones Street
Raleigh, NC 27603
Sent by email to: brian.wrenn@ncdenr.gov

Re: Request to delay consideration of Wake Stone Corp. Modification of Mining Permit - Triangle Quarry Mining Permit No. 92-10 until Neuse River buffer impacts understood

To Director Wrenn,

The Capital Group of NC Sierra Club is a volunteer-led group of the national Sierra Club, serving 11 counties in central North Carolina. On behalf of our 10,000 members and supporters, we are writing to urge DEQ to delay the decision on Wake Stone's mining permit application 92-10 until the full impacts to the Neuse River buffers are known.

On May 5, 2020, the NC Sierra Club, representing over 100,000 members and supporters in the state who care about the environment and our state parks, sent a letter urging DEQ to deny Wake Stone's application for a mining permit modification. Among the reasons stated included lack of intent to seek stormwater coverage for new quarry area, inadequate reclamation plan, an inadequate study on the expected noise and vibration impacts to the state park, and failure to disclose all impacts to waters and wetlands.

The Capital Group is writing to bring to your attention that the impacts to waters and wetlands, particularly to the Neuse Buffer, are still not yet fully understood. The following are some of the issues that require further investigation:

1. **Proposed 60-foot wide bridge over Crabtree Creek.** The Wake Stone proposal calls for a 60-foot wide bridge over Crabtree Creek. This means that a bridge the width of a 4-lane highway would be within the viewscape of William B. Umstead State Park where visitors would see and hear operations of large quarry trucks. While there was a Neuse Buffer Authorization issued for this bridge, there were no measures required for avoidance or minimization of impacts on the Neuse buffer. Since the Neuse Buffer Authorization for the proposed bridge is in the appeal process, DEQ should not issue a decision on the mining permit before the outcome of the appeal has been determined, and not until impacts that the operation would have on the Neuse buffer are better understood.
2. **Impact of quarry operation on Foxcroft Lake.** Foxcroft Lake includes 1.5 acres of wetlands and crossing tributaries to Crabtree Creek. The proposal for the quarry would have an impact on Foxcroft Lake with 25-foot wide swaths of deforestation across the area, specifically in Zone 1 and 2 of Foxcroft Lake for the purpose of fence crossing according to Wake Stone's site plan. Foxcroft Lake and wetlands are protected under 15A NCAC 02J.0506 (see 15A NCAC 02B.0714 (3)(c)). Impacts to Foxcroft Lake would mean environmental damages of over 1/10 of 1 acre of Class WL wetland.

The upper portion of Foxcroft Lake is within Umstead State Park, and water from the park runs toward Foxcroft Lake, and drains to Crabtree Creek upstream of the park. It's crucial to protect

Foxcroft Lake to protect the water quality of Crabtree Creek within the park, and the wetland habitats. The Neuse River Waterdog has been spotted in Crabtree Creek in the state park and was recently listed as a threatened species. More information is needed to understand the impacts to Foxcroft Lake and its connection with Crabtree Creek and the associated wetlands, Wake Stone should be required to request a Neuse Buffer Authorization prior to any decision being made about the permit.

3. **30-foot tall, 1,700 feet long retaining wall along Crabtree Creek.** Wake Stone's proposal also includes construction of a retaining wall (up to 30 feet tall) along Crabtree Creek that would stretch for 1,700 feet. State law 15A NCAC 02B.0714 (3)(g) says, "No new clearing, grading or development shall take place nor shall any new building permits be issued in violation of this rule." Furthermore, because the retaining wall exceeds the 300 linear feet impact to perennial stream, mitigation and Neuse Buffer Authorizations should be required from Wake Stone.

Our understanding is that the wall is proposed to accommodate quarry trucks going to the bridge, but we are concerned that the construction would negatively impact Crabtree Creek. We are concerned that the retaining wall might confine Crabtree Creek to 100-year floods. The construction of the wall would also impact trees in Zone 1 as further clear-cutting would take place to make way for construction equipment. There is a need to better understand exactly how the retaining wall would impact Crabtree Creek, another reason for DEQ to require Wake Stone to apply for a Neuse Buffer Authorization for the installation of the retaining wall. Furthermore, strategies for mitigation should be required if approval is granted.

The Sierra Club has sent previous letters calling for denial of the mining permit due to numerous environmental concerns. DEQ should require application(s) for Neuse Buffer Authorizations for the concerns as stated above, and no mining permit decision should be made until the decisions for the Neuse Buffer Authorizations have been made. The Capital Group remains opposed to the permit and continues to request for its denial.

Sincerely,



Hwa Huang, Group Chair
Capital Group of NC Sierra Club