

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5400 | F: (585) 226-2830
www.dec.ny.gov

July 14, 2023

Via US Mail and email

Thomas Biamonte
Shelby Crushed Stone Inc
10830 Blair Road
Medina, NY 14103

RE: Draft Environmental Impact Statement
Determination of Adequacy of the Draft EIS for Public Review
Eagle Harbor Sand and Gravel Pit (Mine ID #80171)
Application ID: DEC ID# 8-3422-00003/00001
Town of Barre, Orleans County

Dear Mr. Biamonte:

The New York State Department of Environmental Conservation has reviewed the draft EIS (dEIS) information received by the Department on June 1, 2023, and has identified one modification to the application materials needed to complete the dEIS:

- Within the *Site Monitoring, Complaint Response, and Mitigation Plan* - Section 2.5 (Mitigation Options), please include that the reduction or ceasing of the permitted water withdrawal (quarry pumping) is a potential mitigation option. The Department reserves the right to require the permittee to reduce or cease the permitted water withdrawal depending upon the specific circumstances of any particular complaint received from an off-site groundwater user.

Please contact me at (585) 226-5396 (or email at Robert.call@dec.ny.gov) if you have any questions regarding to the information needed.

Sincerely,

Robert B. Call
Deputy Regional Permit Administrator

ecc: B. Milliman
D. Sek, NYSDEC - MLR
T. Haley, NYSDEC - Regional Permit Administrator
File





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strategic mining solutions

geologists & mining consultants
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July 18, 2023

Mr. Robert B. Call, Deputy Regional Permit Administrator
New York State Department of Environmental Conservation
Division of Environmental Permits, Region 8
6274 East Avon-Lima Road
Avon, New York 14414-9516

RE: Draft Environmental Impact Statement
Determination of Adequacy of the Draft EIS for Public Review
Eagle Harbor Sand and Gravel Pit (Mine ID #80171)
Application ID# 8-3422-00003/00001
Town of Barre, Orleans County

Dear Mr. Call:

The following response is to the comment raised by the New York State Department of Environmental Conservation (NYSDEC) in correspondence dated July 14, 2023 regarding the Eagle Harbor Sand and Gravel, Inc. (EHS&G) Draft Environmental Impact Statement.

NYSDEC Comment

- Within the Site Monitoring, Complaint Response, and Mitigation Plan - Section 2.5 (Mitigation Options), please include that the reduction or ceasing of the permitted water withdrawal (quarry pumping) is a potential mitigation option. The Department reserves the right to require the permittee to reduce or cease the permitted water withdrawal depending upon the specific circumstances of any particular complaint received from an off-site groundwater user.

EHS&G Response

Section 2.5 of the *Site Monitoring, Complaint Response and Mitigation Plan* has been updated to include reduction and/or ceasing permitted water withdrawal as mitigation

options. A copy of the updated *Site Monitoring, Complaint Response and Mitigation Plan* is enclosed for your review.

Please feel free to contact me with any questions or comments you may have.

Thank you,

A handwritten signature in black ink, appearing to read "Brian Milliman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Brian Milliman
Strategic Mining Solutions

enc

ecc Thomas Biamonte, Eagle Harbor Sand and Gravel, Inc.
Kevin Brown, Esq., Fogel & Brown, P.C.

**The Current Site Monitoring, Complaint Response and Mitigation
Plan is Located in Appendix 5**