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NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
PUBLIC HEARING

In the Matter of Application to Modify Permits
pursuant to Article 23, Title 27 of the
Environmental Conservation Law (ECL) and Part 420 et
seq. of Title 6 of the Official Compilation of
Codes, Rules, and Regulations of the State of New
York (6 NYCRR), by

Route 13 Rocks, LLC,
Applicant.

FACILITY: Cortlandville Sand and Gravel Mine
DEC Permit Application No.: 7-1122-00043/00008
MR No.: 70436

HELD ON: July 23, 2024

HELD AT: Cortlandville Town Hall
3577 Terrace Road
Cortland, New York

BEFORE: DANIEL P. O'CONNEL, ESQ.
DAVID GREENWOOD, ESQ.

APPEARANCES:
For Bowman Consulting Group, LLC:
Michael Polacco, Senior Geologist

HEARING REPORTER: RENAYE M. SIRIANNI

CSR Court Reporting, LLC

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2 MR. O'CONNELL: Good evening. My
3 name is Daniel O'Connell. I am an
4 Administrative Law Judge with the Office
5 of Hearings and Mediation Services of
6 the New York State Department of
7 Environmental Conservation. I am joined
8 by my colleague, David Greenwood.

9 Judge Greenwood and I have been
10 assigned to conduct this evening's
11 public comment hearing. Applicant,
12 Route 13 Rocks, LLC, operates the
13 Cortlandville Sand and Gravel Mine, and
14 has applied to the New York State
15 Department of Environmental Conservation
16 to modify its current mined land use
17 plan, and related mined land reclamation
18 permit.

19 Department staff, as the lead
20 agency, pursuant to the State
21 Environmental Quality Review Act,
22 identified the proposed modification as
23 a Type I Action, issued a positive
24 declaration on May 12, 2021, and
25 required applicant to prepare a draft

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1 environmental impact statement or DEIS.

2
3 Department staff has accepted the
4 DEIS, and it is available for public
5 review and comment with the application
6 materials.

7 The purpose of this evening's
8 public comment hearing is to provide
9 members of the public with the
10 opportunity to comment about Applicant's
11 proposed modification and the DEIS.
12 Members of Department staff are here
13 tonight to listen to your comments.

14 Copies of the combined notice for
15 today's hearing were published in the
16 Department's Environmental Notice
17 Bulletin on June 18, 2024.

18 In addition, a copy of the combined
19 notice was published in The Cortland
20 Standard on June 20, 2024.

21 Please note that written and oral
22 comments are given equal weight. If you
23 would like to submit written comments,
24 please send them to Jonathan Stercho,
25 Deputy Regional Permit Administrator,

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2 NYS Department of Environmental
3 Conservation Region 7. That address is
4 5786 Widewaters Parkway, Syracuse, New
5 York 13214. Comments can be sent by
6 email to DEP.R7@dec.ny.gov. Please
7 write "Cortlandville Sand & Gravel" in
8 the subject line. Written comments
9 about the proposal must be postmarked or
10 emailed no later than August 9, 2024.

11 Speakers are encouraged to submit
12 lengthy statements in writing and
13 provide only a summary of their comments
14 today.

15 Before going on the record, I asked
16 if any members of the public were here
17 to make a comment on the record and no
18 one had indicated that.

19 The Applicant, however, has
20 requested to make a brief presentation
21 and they can go ahead with that.

22 Whenever you're ready go ahead,
23 please.

24 MR. POLACCO: Of course. Good
25 evening, everyone. My name is Mike

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2 Polacco. I am a Senior Geologist from
3 Bowman Consulting Group. This evening I
4 will be giving you a brief overview of
5 Cortlandville Sand and Gravel's DEIS on
6 behalf of the Applicant, Route 13 Rocks,
7 LLC.

8 We will be touching on the permit
9 history, giving a site overview, review
10 the current permit conditions as well as
11 any proposed modifications, and,
12 finally, review the technical studies
13 that have been completed to date and a
14 brief conclusions of those studies.

15 So for permit history, the original
16 technical studies were conducted in
17 2018, along with the initial application
18 submitted in 2018, between 2018 and
19 2021. Applicant and DEC addressed notes
20 to complete application.

21 Later that year, in 2021, the
22 Applicant received a notice of complete,
23 followed by a negative declaration.

24 Later that year, in 2021, DEC
25 rescinded the notice of complete

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1
2 application requiring the draft
3 Environmental Impact Statement, which
4 bring us to 2024 with the submission of
5 the draft Environmental Impact
6 Statement.

7 Site overview. This is Figure 1
8 from the DEIS. This is a site map. We
9 have the life of mine boundary for
10 Cortlandville Sand and Gravel shown in
11 red here. The property boundary of the
12 Lime Hollow Nature Center shown to the
13 west. Route 13 running here. And Lime
14 Hollow Road running here, with
15 Cortlandville to the northeast. The
16 Lime Hollow wells are located right in
17 this area here.

18 Current lot permit conditions and
19 the proposed modifications and the image
20 here is the proposed mine plan map.
21 Mine plan map shows the location of the
22 Lime Hollow pumping wells. Applicant's
23 property boundary is shown here. The
24 current life of mine boundary is denoted
25 by the solid red line. The total is

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1
2 66.8 acres.

3 We have the proposed lateral
4 modification boundary shown to the
5 southeast here by the red dashed line.
6 That is a 10.1 acre lateral expansion,
7 with a .4-acre reduction life of mine
8 boundary in the northwest corner here,
9 totalling an acreage of 76.5 acres for
10 the modification.

11 Next, the current permit conditions
12 and proposed modifications. The image
13 here is the proposed reclamation plan
14 from the DEIS. The current vertical
15 permit conditions allow the extraction
16 of reserves to within eight feet of the
17 groundwater table, approximate elevation
18 1172.

19 The proposed vertical modification
20 will allow the extraction material to
21 elevation 1070 approximately 100 feet
22 into the water table.

23 Technical studies that have been
24 completed to date. A total of nine
25 technical studies have been completed

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1
2 since the beginning of the project, six
3 years ago now. We conducted geological
4 studies, hydrogeologic studies, wetland,
5 stormwater, habitat assessments, noise,
6 visual, threatened native species, and
7 storm preservation surveys.

8 Finally, the conclusion of these
9 studies indicated that the proposed
10 modification alternative represents the
11 best mining alternative to extract the
12 maximum amount of natural resources
13 needed to meet the public's demands
14 while eliminating or minimizing
15 environmental impacts to the point that
16 no potential significant environmental
17 impact exist.

18 Thanks, everyone. That concludes
19 the summary of the DEIS for Route 13
20 Rocks.

21 MR. O'CONNELL: Thank you very
22 much. So just to check, is there anyone
23 else that would like to make public
24 comments? There being none.

25 (Brief Recess.)

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2 MR. O'CONNELL: We're back from the
3 break. We waited for other members of
4 the public to come and no one else has
5 come. I just want to ask the room if
6 there's anyone here that wants to make a
7 public comment tonight? And there being
8 none, we will adjourn.

9 Before we do that, I will remind
10 everyone, for the record, that the
11 comment period closes on August 9, 2024,
12 and there is information at the sign-in
13 desk and also in the hearing notice for
14 the address and email address to send
15 public comments. We are adjourned.
16 Thank you.

17 (Hearing concluded.)
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CERTIFICATION:

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.



RENAYE M. SIRIANNI