MODIFICATION APPLICATION FOR PERMIT TO MINE AND MINED LAND USE PLAN

RIATO STONE, LLC.
TOWN OF FALLSBURG, NEW YORK

NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION
MLF # 30217

Prepared for:
Riato Stone, LLC.
40 McIntosh Road
Liberty, New York 12754

Prepared by:
JMT of New York, Inc.
19 British American Boulevard
Latham, New York 12110

Submitted: May 2022
Rev:03 March 2024
Project No. 20-03617-001

TABLE OF CONTENTS

1.0 INTRODUCTION....1
2.0 MINE PLAN....1
2.1 SITE LOCATION AND HISTORY....1
2.2 ENVIRONMENTAL SETTING....2
2.2.1 Adjacent Land Use Features....2
2.2.2 Man-made Features....2
2.2.3 Topography and Geology....2
2.2.4 Wetlands and Water Resources....2
2.2.5 Vegetation....3
2.2.6 Wildlife....3
2.2.7 Cultural Resources....4
2.3 DESCRIPTION OF MINING METHOD....4
2.3.1 Mining Method....4
2.3.1.1 Excavation Equipment....4
2.3.1.2 Mining Sequence....4
2.3.1.3 Grading and Setbacks....5
2.3.1.4 Roadways....5
2.3.1.5 Disposal of Waste Materials....5
2.3.1.6 Traffic....5
2.3.1.7 Hours of Operation....5
2.3.1.8 Site Facilities....6
2.4 METHODS FOR PREVENTING POLLUTION AND SOIL EROSION....6
2.4.1 Dust....6
2.4.2 Noise....7
2.4.3 Visual....11
2.4.4 Groundwater....12
2.4.5 Surface Water....13
3.0 RECLAMATION PLAN....14
3.1 LAND-USE OBJECTIVE....14
3.2 RECLAMATION METHOD....14
3.2.1 Final Grading and Revegetation....14

3.2.2 Haulageways 15
3.2.3 Disposal of Stockpiles and Removal of Equipment 15
3.2.4 Drainage 16
3.3 RECLAMATION SCHEDULE 16

FIGURE

FIGURE 1 SITE LOCATION
FIGURE 2 NOISE IMPACT ASSESSMENT MAP
FIGURE 3 INTERVENING TOPOGRAPHY CROSS SECTIONS

SHEETS

SHEET 1 MINE PLAN MAP
SHEET 2 RECLAMATION PLAN MAP
SHEET 3 FINAL GRADE PROFILES

APPENDICES

APPENDIX A MINING PERMIT APPLICATION ORGANIZATIONAL REPORT FORM
APPENDIX B DATABASE SEARCH -USFWS IPAC AND THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER
APPENDIX C FULL ENVIRONMENTAL ASSESSMENT FORM
APPENDIX D WETLAND DELINEATION MAP

1.0 INTRODUCTION

This report constitutes a modification application for Mined Land Reclamation Permit (3-4828-00061/00005) and an updated Mined Land Use Plan (MLUP) for the Riato Stone, LLC. (Riato; formerly Liberty Sand & Gravel; MLF # 30217), located in the Town of Fallsburg, Sullivan County, New York. This application and MLUP proposes +/- 13.4 acres of additional mining areas within the current affected parcel to the northeast of the current life-of-mine (LOM) boundary, for a total proposed LOM of +/-31.6 acres. To accommodate the expansion area, stormwater infrastructure including drainage ditches, a settling basin, and a permitted outfall connected to the expanded dredge pond is proposed. Prior submittals, most recently February 18, 2015, by Griggs-Lang Consulting Geologists, Inc., proposed a LOM expansion of +/-7.0 acres. The proposed LOM expansion described in this MLUP includes the +/-7.0 acres that were previously assessed for environmental impacts, as well as an additional +/-8.3 acres. Included herewith is a Modification Application for Permit to Mine, an updated Organizational Report Form, Full Environmental Assessment Form (EAF), updated Mine and Reclamation Plan Maps and Final Grade Profiles, which illustrate the mining limits as proposed in this application.

The information presented in this document is submitted in compliance with the application requirements contained in Article 23, Title 27, of the New York State Environmental Conservation Law and known as the Mined Land Reclamation Law (MLRL).

Mining is not prohibited at this site. The site is an active sand and gravel mine.

2.0 MINE PLAN

2.1 SITE LOCATION AND HISTORY

This report is an updated MLUP for the Riato site (MLF # 30217) located in the Town of Fallsburg, Sullivan County, New York. The mine site is located off of the north side of McIntosh Road, approximately 700 feet east of the intersection of McIntosh Road, Burnt Ridge Road, and Hysana Road. Figure 1, "Site Location Map," illustrates the location of the mine site and its relationship to the surrounding area. The mine site is surrounded by areas that include agricultural and second growth forest with rural residential areas. The proposed expansion area is entirely wooded lands.

The Riato site has been an active mine site since the 1940's. Operations at the site currently entail the extraction of sand and gravel west of the existing dredge pond. The extracted sand and gravel are then processed onsite for sale as aggregate and other similar products.

Riato is submitting this modification application to extend mining operations to the north and east of the current LOM, and to expand the existing dredge pond. The proposed expansion areas are on lands within the tax parcel currently affected by mining operations. Acreage details are provided on Sheets 1 and 2 as well as in the summary table given below.

The affected area proposed in this MLUP is as follows:

Affected Acreage Summary		
	Currently Permitted	Proposed
Life-of-Mine Affected Area	18.2+/- acres	31.6+/- acres
Permit Term Affected Area	12.7+/- acres	23.2+/- acres
Future Excavation Areas	0+/- acres	4.6+/- acres
Reclaimed Areas	5.5+/- acres	3.8+/- acres

2.2 ENVIRONMENTAL SETTING

2.2.1 Adjacent Land Use Features

The land use in the vicinity of Riato has not changed significantly since the inception of the mining operation. The perimeter land uses are agricultural, woodlands, and rural residential. Residences are located along Burnt Ridge Road to the west of the mine site, and along McIntosh Road to the south of the mine site. New York State regulated Wetland LE-20 exists to the east.

2.2.2 Man-made Features

Riato is an active sand and gravel pit. Man-made features on the site include all equipment and structures for the administration and production of aggregate. Other features include disturbed areas created during previous mining activity such as access roads, stripping areas, overburden storage piles and an existing pond.

2.2.3 Topography and Geology

The topography of Riato generally slopes from the northwest to southeast. The current affected area is in the central and eastern portions of the mine site. Elevations in the proposed modification area range from approximately 1450 ft AMSL in the southeast portion of the expansion area to 1625 ft AMSL in the northwest of the proposed expansions area. Pleistocene kame deposits consisting of mostly coarse to fine grained sands and gravels underly the site.

2.2.4 Wetlands and Water Resources

NYSDEC Wetland LE-20 is located along the east side of the site and is controlled by topography, with an outlet to the south that drains through two 18-inch culverts that run underneath McIntosh Road. The western wetland boundary was originally delineated by NYSDEC in 2012. While no new mining activity (i.e., excavation, processing, or storage of aggregate material) is proposed within the wetland area or the associated wetland buffer, a new State Pollutant Discharge Elimination System (SPDES) outfall (see Outfall

002 on Sheet 1 Mine Plan Map) is proposed within the one-hundred-foot wetland buffer area. As the validation for the 2012 wetland delineation of portions of Wetland LE-20 completed by NYSDEC is expired, North Country Ecological Services, Inc. (NCES), completed a follow-up delineation on February 1st, 2022. Per the 2022 delineation, which includes an extension of the 2012 delineation limit to the southwest (towards the entrance of the mine), several long-standing (i.e., pre-1976) features associated with the administration of the mine site, including the access road off McIntosh Road, are located within the one-hundred-foot buffer of Wetland LE-20. NCES staff met Michael Fraatz of the NYSDEC onsite on July 7, 2022 to allow NYSDEC to verify the LE-20 wetland boundary delineated by NCES. EThe updated wetland boundary that is reflective of that join effort is presented on the Mine Plan Map (Sheet 1 of 3). In addition, a Wetland Delineation Map has been provided as Appendix D.

While mining-related disturbance in the vicinity of proposed SPDES Outfall 002 is an occurrence with historic precedence that pre-dates Mined Land Reclamation Law, a Fresh Water Wetlands Permit application for the installation of Outfall 002 has been completed and is being concurrently submitted. Additionally, no significantly modified or new use aside from those associated with a lawfully existing land use will be undertaken within the freshwater wetland or adjacent area without issuance of a Freshwater Wetlands permit or confirmation in writing from the Department that a permit is not required.The approximate water table within the current affected area and the proposed expansion area has been determined through prior subsurface investigations (i.e., fifteen excavator dug test pits completed in 2012 under the supervision of Griggs and Lang Consulting Geologists, Inc.), the elevations of the existing dredge pond and NYSDEC Wetland LE-20, as well as the axiom that water tables are generally a subdued version of surface topography. The water table slopes gently from northwest to southeast across the site at depths ranging from at the surface of the dredge pond, to 50 feet or more in the northwest portion of proposed expansion area. The approximate elevation of the high seasonal water table is shown on the attached Sheet 3 Final Grade Profiles.

2.2.5 Vegetation

Vegetation within the mine site is variable. In the active mining area, vegetation has been removed. In the reclaimed areas, vegetation is dominated by grasses and small trees and shrubs. The proposed expansion area is entirely wooded.

JMT conducted searches of the USFWS IPaC database and the NYSDEC Environmental Resource Mapper on November 15, 2021 (Appendix B). Neither database identified any threatened or endangered plant species in the vicinity of the mine site or proposed expansion area.

2.2.6 Wildlife

The mine site and proposed expansion area may be habitat for common small animals such as squirrels, rabbits, woodchucks and other rodent species. Larger game animals such as deer may feed within the open areas and cultivated fields but seek refuge in the wooded areas. A recent search of the USFWS IPaC database and the NYSDEC Environmental Resource Mapper on May 24, 2022 (Appendix B) returned no

records of known threatened or endangered animals or critical habitat in the project area. USFWS IPaC indicated a potential for the Northern Long-eard Bat (*Myotis septentrionalis*), a threatened species, to be present in the project area.

2.2.7 Cultural Resources

A search of New York States Cultural Resource Information System (CRIS) was completed for the proposed expansion area on May 24, 2022, and found that no documented archaeologically sensitive areas or buildings included in the National Register of Historic Places exist within one mile of the proposed expansion area. The proposed action will have no impact on cultural resources.

2.3 DESCRIPTION OF MINING METHOD

2.3.1 Mining Method

No changes are proposed to the previously approved mining methods for the site. Sand and gravel are excavated by front- end loader and loaded onto haul trucks and/or an existing conveyor for transport to the onsite processing plant.

2.3.1.1 Excavation Equipment

Consistent with current excavation activity at Riato, standard industry equipment will be used to strip, excavate, and haul materials from bank faces. Bulldozers, scrapers, front-end wheel loaders, haul trucks and other standard industry equipment will be used as needed to accomplish each task.

2.3.1.2 Mining Sequence

The Mine Plan Map (Sheet 1) illustrates the limits of the Affected Area within which mining will take place over the duration of mining operations. Updates to the Life-of-Mine and current Permit Term Affected Areas are included in this application as illustrated on the Mine Plan Map, Reclamation Plan Map and Final Grade Profiles (Sheets 1, 2, and 3) to reflect the proposed eastern expansion area.

Riato will continue to excavate as needed, dependent on market demand. Mining will continue in a north-northeast direction and will proceed into the expanded LOM once the modification application has been approved. A phased approach to mining and a concurrent reclamation plan will continue to be employed, to the maximum extent practicable. The mining sequence is initiated by the stripping and stockpiling of topsoil and overburden in onsite stockpiles and berms. All material stored will eventually be used as needed for reclamation purposes. Removal of overburden is generally sequenced in advance of active mining faces to allow for a maximum of one year's mining. Removal of vegetative cover such as grasses, brush, shrubs, and trees, is also generally restricted to that area required for approximately one year's mining to minimize erosion and habitat disturbance.

To the greatest extent possible, topsoil and overburden are stockpiled separately. Any newly generated topsoil, overburden stockpiles and berms will be constructed with slopes no greater than one and one-half horizontal to one vertical (1.5:1) to minimize erosion and ensure stable slopes, and will be vegetated to

reduce erosion. The height of the stockpiles will be variable. Stockpiles and berms will be constructed in a neat, orderly fashion in accordance with typical industry practices.

Haul roads, in addition to those already in existence, will be constructed as necessary within the mine site to provide access to all excavation areas.

2.3.1.3 Grading and Setbacks

All New York State Department of Environmental Conservation (NYSDEC) setback requirements will be observed around the perimeter of the mine site. All other NYSDEC slopes and grading requirements will continue to be followed. The outer perimeter of the affected area within the approved Life of Mine will remain setback at least 25 feet from the property line The proposed expansion area will be setback at least 100 ft from property lines to comply with the Town of Fallsburg setback requirements. Grading and setbacks throughout the mine will adhere to mining and reclamation plans and regulatory setbacks, as indicated on the attached Sheets 1-3.

Active excavation areas will be graded internally to prevent stormwater from leaving the site and allow stormwater to return to the groundwater regime via percolation. Aside from the dredge pond, the floor of the pit will remain at least 5 feet above the seasonal high-water table in currently affected areas as well as proposed expansion areas. Riato will periodically dig test pits in the floor of the pit to confirm that at least 5 feet of material remains above the water table.

2.3.1.4 Roadways

There will be no additional access points from public roadways into the mine site associated with the proposed expansion. Internal haul routes will continue to be progressively adjusted, as is the current practice, to access active excavation areas. As mining activity progresses, internal roads will be systematically "mined-out" or reclaimed as they are no longer required to access portions of the site.

2.3.1.5 Disposal of Waste Materials

Stripped materials such as brush, shrubs and trees are chipped for reclamation purposes, buried onsite, or removed to an approved landfill.

2.3.1.6 Traffic

There will not be an increase in traffic with the addition of the proposed expansion area that will only serve to increase mine reserves. By law, all trucks are required to comply with NYS Vehicle Code 380a-1, which pertains to loose cargo.

2.3.1.7 Hours of Operation

No change to the currently approved hours of operation is proposed. The hours of operation are 7:00AM to 5:00PM Monday through Saturday. There will be no operations Sundays or on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day.

2.3.1.8 Site Facilities

A weigh scale and associated scale house/site office are located along the site entrance road. An aggregate processing facility, inclusive of crushing, screening, washing, and conveying equipment, is located just northeast of the existing dredge pond. The proposed expansion area will not add any additional site facilities.

2.4 METHODS FOR PREVENTING POLLUTION AND SOIL EROSION

2.4.1 Dust

The following sections (2.4-3.3) were originally prepared by Griggs and Lang, Consulting Geologists, Inc (Griggs) in support of prior applications that sought to expand of the Life-of-Mine Affected Area (specifically; document titled "Mined Land Use Plan Modification for New York State Department of Environmental Conservation" dated November 11, 2014). JMT is revising applicable sections to address the current increase in proposed expansion acreage. Much of the increased expansion area exists within lands that would have been largely bound by affected lands under the prior proposal (i.e., lands between the expansion "lobes" included in prior applications in which they were labeled as expansions areas "B" and "C"). For consistency, JMT has only added discussion and revised existing language to account for the increase in proposed expansion acreage. It is not the intent of JMT to reserve any rights to the original contents of the following sections. For clarity, language from the Griggs report has been included in italics.

Excavation operations will continue to be well screened from surrounding properties by maintaining wooded areas, natural topography, mine faces, the remote location of the mine, and the construction of perimeter berms, these screening methods effectively control dust generated at the site.

Only that area needed for one season's operation will be stripped. Reducing the amount of stripped area reduces the potential for dust generation and maintains vegetated buffers for as long as practicable.

The site is located in a relatively narrow valley bounded on both sides by moderately to steep-sided wooded valley walls. The excavation areas will continue to be on the west side of the valley and there are very few homes or potential receptors in the vicinity. Almost all mining-activity occurs on the mine floor, thereby maximizing the screening effect of the mine faces.

Existing wooded buffers will be left along the mine perimeter. The thickness of these buffers will vary throughout the site, as shown on the Reclamation Plan Map.

Below water excavation activities will generate very little dust as the material will be excavated wet.

The major sources of dust will be vehicle traffic on the unpaved entrance road and the unpaved haul roads and processing plant. The adjacent portion of McIntosh Road will be swept as often as needed to control dust. Spillage on McIntosh Road will be cleaned up immediately. Dust from the unpaved haul roads will be controlled by watering as often as needed to control dust. Water will be applied by a water truck, equipped with spray bars or equivalent. Vehicle speeds on haul roads will be limited.

The processing plant/crusher is located in the currently permitted Life of Mine Area, remotely located from potential receptors. The processing plant is equipped with spray bars or equivalent at key transfer points to control dust. Above water table reserves are typically processed through the wash plant, reducing the potential for dust generation. The below water sand and gravel will be naturally wet to damp when processed, further reducing the potential for dust generation.

The above water table area no longer needed for the safe and orderly operation of the mine will be revegetated and reclaimed, thereby reducing the potential for dust generation. Areas worked below water will have no potential to generate dust. The proposed mining method of working the above and below water table faces together reduces the potential for dust generation by reducing the area worked at one time and accelerating the establishment of the dredge pond.

2.4.2 Noise

Noise-producing equipment on-site will include:

- *A bulldozer (very intermittent usage) on top of mine faces during stripping activities-stripping is typically done during winter months*
- *Rubber-tire front-end loader or excavator for excavation of the above water faces and to feed the wash plant*
- *Off-road trucks hauling sand and gravel from the above water table faces to the processing plant*
- *An excavator for the excavation of the below water material*
- *A portable crushing and screening processing plant and wash plant*
- *Rubber tired front-end loader working and loading trucks in the stockpile area around the processing plant*
- *On-road trucks traveling to and from McIntosh Road via the entrance road*

Excavation operations will continue to be well screened from surrounding properties by maintaining wooded areas, the natural topography, mine faces, the remote location of the mine, and the construction of perimeter berms. The screening reduces the sound levels of the mine at potential off-site receptors.

Only that area needed for one season's operation will be stripped. Reducing the amount of stripped area maintains vegetated buffers for as long as practicable. These wooded buffers serve to reduce the sound levels of the mine at potential off-site receptors. Stripping is typically done for a few weeks per year during the winter when people are less likely to be outdoors. No one potential receptor would be significantly impacted by stripping operations for more than a few days over the life of the operation.

The site is located in a relatively narrow valley bounded on both sides by moderately to steep-sided wooded valley walls. The excavation areas will continue to be along the western portion of the valley and there are

few homes or potential receptors in the vicinity. Almost all mining-activity occurs on the valley slopes, thereby maximizing the screening effect of the mine faces and further attenuating potential mine noise.

Wooded buffers will be left along the mine perimeter. The thickness of these buffers will vary throughout the site, as shown on the Reclamation Plan Map. The wooded buffers will be augmented by the construction of perimeter berms, as shown on the Mining Plan Map.

All equipment will have sound control devices such as mufflers and will be maintained in good working order to reduce potential noise at the source. All mining equipment and trucks at the site are currently equipped with MSHA approved adjustable backup alarms.

The processing and wash plants will remain in the currently permitted Life of Mine Area, remotely located from potential receptors. The remote location and short haul distance between the faces and plant will reduce equipment activity and reduce sound levels at the source.

The potential noise impacts of the mine were assessed in the Noise Impact Assessment completed by Griggs dated April 2013. *The study indicates that the mine, as proposed, will have no potential to significantly impact sound levels at any off-site receptors.* The increase in proposed expansion area will not result in operations that are any closer to potential off-site receptors when compared to prior submittals and the results of the April 2013 assessment are still valid. To be conservative, a limited scope assessment was completed to ensure that the additional expansion area will not have the potential to generate noise impacts to residential receptors located on Kortright Road. While this additional assessment includes a brief background discussion, the April 2013 assessment should be referred to for additional detail on the principals of noise and assessment of potential noise impacts.

Two residential properties located to the South of Kortright Road, tax parcels 1-1-43.9 ("Cole Residence") and 1-1-43.10 ("Stasicki Residence"), were assessed for potential noise impacts. Sound pressure levels (SPL) for noise sources (mobile equipment and the processing plant area) were taken from the April 2013 report and are reflective of a field effort to collect sound data conducted by Griggs. The following table summarizes the SPL that were used to assess potential impacts to the Cole and Stasicki residences.

Sound Levels of Equipment	
Equipment	SPL (dBA)*
Loader and Haul Truck	80.4
Excavator	76.0
Processing Plant Area	84.4

*As measured from a 50' reference distance

As described in the April 2013 report, noise is energetic and the addition of two noise sources is not accomplished through standard arithmetic addition. Rather, logarithmic, or "energetic", addition is relied upon. To provide an assessment of a "worst-case" scenario, the noise contribution of the Loader, Haul Truck, and Excavator were collocated as close as possible within the proposed expansion area to the Cole

and Stasicki residences. Through logarithmic addition, a single SPL of 81.8 dBA was assigned for the collocated equipment. This SPL is more conservative than the value calculated (81.4 dBA) through the simplified methodology described in NYSDEC Policy *Assessing and Mitigating Noise Impacts*.

As described in the April 2013 Report, the reduction in noise intensity as it travels from a source to a receiver can be mathematically described through application of the Inverse Square Law, resulting in what is known as distance attenuation. The scenarios that were used to determine distance-based attenuation are presented on Figure 2 *Noise Impact Assessment Addendum Map*. The following table presents the distances from source to receiver.

Noise Projection Distances		
Receptor	Source	Distance (ft)
Cole	Haul Truck, Loader, and Excavator	768
Cole	Processing Plant Area	2,028
Stasicki	Haul Truck, Loader, and Excavator	841
Stasicki	Processing Plant Area	2,114

Intervening topography decreases SPL through an effect known as barrier attenuation. Per US Department of Transportation Federal Highway Administration guidance, noise barriers which break line-of-sight between sound sources and receptors can reduce projected sound levels by 5 dBA, plus 1.5 dBA for every meter of height above line-of-sight blockage. Figure 3 *Intervening Topography Cross Sections* depicts how the height of intervening topography for each scenario was determined. Both noise sources and receivers were modeled at 5 feet above existing grade. The following table presents the barrier height that was used to calculate barrier attenuation.

Noise Projection Barrier height		
Receptor	Source	Height (m)
Cole	Haul Truck, Loader, and Excavator	2.3
Cole	Processing Plant Area	4.8
Stasicki	Haul Truck, Loader, and Excavator	2.0
Stasicki	Processing Plant Area	9.4

The following table presents the resultant SPL from source contribution at the Cole and Stasicki residences. Per NYSDEC policy, intervening vegetation can reduce sound levels by as much as 3 to 7 dB(A) per 100 feet of depth. Several hundred feet of dense vegetation exists between the project-associated sound sources and the potential receptors at Kortright Road. To be conservative, only a 3 dBA reduction due to intervening vegetation has been accounted for as part of this analysis.

Cole Residence – Source Contribution						
	A	**B**	**(A-B)**	**C**	**D**	**(A-B-C-D)**

Noise Source	Noise Source (dBA)	Distance Attenuation (dBA)	Resultant SPL Distance Attenuation Only (dBA)	Barrier Attenuation (dBA)	Vegetation Attenuation (dBA)	Resultant SPL Distance and Barrier Attenuation(dBA)
Haul Truck, Loader, and Excavator	81.8	23.7	58.1	8.45	3.0	**46.7**
Processing Plant	84.4	32.2	52.2	12.2	3.0	**37**
					Combined SPL	47.1

Stasicki Residence - Source Contribution						
Noise Source	**A**	**B**	**(A-B)**	C	**C**	**(A-B-C)**
	Noise Source (dBA)	Distance Attenuation (dBA)	Resultant SPL Distance Attenuation Only (dBA)	Barrier Attenuation (dBA)	Vegetation Attenuation (dBA)	Resultant SPL Distance and Barrier Attenuation(dBA)
Haul Truck, Loader, and Excavator	81.8	24.6	57.2	8	3.0	**46.2**
Processing Plant	84.4	32.5	51.9	19.1	3.0	**29.5**
					Combined SPL	46.3

To quantify potential impacts, an existing or "ambient" noise level must be determined. To provide a conservative assessment, JMT used 49.1 dBA, the lowest ambient collected during the April 2013 report field effort. As noise is additive, the resultant source contribution summarized above must be logarithmically added to ambient noise levels. The following table summarizes the addition of source contribution to the ambient noise environment and the resultant increase above ambient.

Cole Residence			
Ambient (dBA)	Source Contribution (dBA)	Combined Ambient and Source Contribution (dBA)	Increase over Ambient (dBA)
49.1	47.1	51.2	2.1

Stasicki Residence			
Ambient (dBA)	Source Contribution (dBA)	Combined Ambient and Source Contribution (dBA)	Increase over Ambient (dBA)

49.1	46.3	50.9	1.8

According to NYSDEC Policy for Assessing and Mitigating Noise Impact, an increase over ambient of 5 dBA or less are "unnoticeable to tolerable". The analysis provided above demonstrates that increase over ambient, if any, will be within this threshold. As previously stated in this report, only a 3 dBA reduction due to vegetative attenuation was accounted for, despite several hundred feet of intervening vegetation,and the results are extremely conservative in nature. Furthermore, as material is excavated the resultant mine face will provide additional barrier attenuation, further reducing the potential for noise impacts. Based on the above provided analysis, the results of the April 2013 report are still valid, and no noise impacts are associated with the proposed LOM expansion.

The following best management practices were recommended by the Noise Impact Assessment and are incorporated into this report.

- *All machinery will be equipped and maintained with mufflers in good working order.*
- *Whenever practicable, stockpiles will be located between operating equipment and nearby off-site receptors.*
- *Vegetated barriers will be maintained as long as possible.*
- *Topsoil will be stripped and stored in perimeter berms, as shown on the Mining Plan Map and kept as long as practicable where needed to provide screening*
- *Directional mining (that best utilizes the screening effect of existing topographic barriers) will be used.*
- *Perimeter barriers should remain in place until the last parts of mining and reclamation to provide the maximum screening practicable for the longest period possible.*
- *Flow through traffic patterns will be used whenever possible to reduce backing up of equipment*
- *Truck drivers will be instructed to not use their jake brakes except m emergency conditions*
- *Truck drivers will be instructed to not slam their tail gates*
- *Vehicle speeds on haul roads and the entrance road will be limited*

2.4.3 Visual

A Visual Impact Assessment was prepared m accordance with the NYSDEC Visual Policy to determine the potential visual impacts of the project. The Visual Study is summarized below.

Excavation operations will continue to be well screened from surrounding properties by maintaining wooded areas, the natural topography, mine faces, the remote location of the mine, the construction of perimeter berms, the use of directional mining and the proposed mining method. The screening reduces or

eliminates the visibility of the mine at potential off-site receptors. The relationship of the mine area and the nearby residences is illustrated on the Final Grade Profiles (Sheet 3of 3).

Only that area needed for one season's operation will be stripped. Reducing the amount of stripped area maintains vegetated buffers for as long as practicable and reduces the amount of area that is unvegetated at any one time.

The site is located in a relatively narrow valley bounded on both sides by moderately to steep-sided wooded valley walls. The excavation areas will continue to be on the west side the valley slope, and there are few homes or potential receptors in the vicinity. Almost all mining-activity occurs on the mine floor or on the valley slope, thereby maximizing the screening effect of the mine faces and further attenuating potential mine visual impacts to local potential receptors.

Wooded buffers will be left along the mine perimeter. The thickness of these buffers will vary throughout the site, as shown on the Reclamation Plan Map. The wooded buffers will be augmented by the construction of vegetated perimeter berms, as shown on the Mining Plan Map.

Directional mining, as proposed, allows for maintenance of large buffer zones for as long as practicable and takes advantage of the screening effect of the natural and future mine topography.

The processing plant will remain in the currently permitted Life of Mine Area, remotely located from potential receptors. The remote location and short haul distance between the faces and plant will reduce equipment activity and reduce the potential for visual impacts.

The assessment found that due to the rural nature of the site, the thickness of vegetation surrounding the property, and the local topography, the operation will not be highly visible and will not have a significant visual impact.

2.4.4 Groundwater

Care will be taken so that potential contaminants are not spilled or disposed of in a manner that would reduce the quality of the groundwater. The main potential sources of contamination are:

- *Accidental leakage from storage tanks*
- *Accidental leakage during fuel delivery*
- *Accidental leakage from operating or parked equipment*
- *Vandalism*

The applicant proposes the following measures to ensure that surface water and groundwater quality is maintained.

- *No hazardous wastes or toxic chemicals will be stored or disposed of at the site*
- *Fueling will be done by delivery systems equipped with automatic shut-off valves*

- *Fueling operations will be done with caution and attended at all times*
- *The fuel delivery lines will be inspected each day the equipment is in operation and repairs made as needed to prevent leaks*
- *Maintenance and repair will be done to ensure equipment is kept in good working order*
- *Major equipment maintenance will not be done on-site*
- *Maintenance and fueling of mobile equipment will not occur within 50 feet of the dredge pond or within the New York State regulated freshwater wetland 100-foot adjacent area.*
- *The gate controlling access to the mine will be locked when the site is not operating*
- *Spill clean-up and containment kits will be maintained on-site*

In the unlikely event of a spill, the NYSDEC Spill Hotline will be contacted immediately and clean up done in accordance with their recommendations. The NYSDEC Spill Hotline phone number is 1-(800)-457-7362.

2.4.5 Surface Water

The contours on the Mining Plan Map illustrate the general directions of existing surface water drainage at the site. Overall, runoff generally flows east or south toward the perimeter wetlands. The stormwater management system at the facility will capture and direct stormwater runoff from the anticipated impervious surfaces, including the internal roads, any on-site structures, and the mine itself into a stormwater management area for treatment. Stormwater that comes in contact with industrial activity in the active mine area is presently captured and conveyed to the facility dredge pond. The wash plant also utilizes the dredge pond as part of its water recycling system, and draws water from the North Bay of the pond and discharges process water into the small Return Bay at the northwest corner of the pond.

Stormwater falling on the expansion area will be captured and conveyed by drainage ditches and a storm water basin to the expanded dredge pond (See Sheet 2). Stormwater within will be treated by the flocculant control system, which will reduce suspended sediment within the dredge pond, and improve water recycling. Treated overflow from the dredge pond will be discharged through Outfall 002 once it receives its Individual SPDES permit. *Drainage within the existing excavation will continue to be internal. Stormwater will either flow into the pond area or percolate into the mine floor and recharge the local aquifer or be returned to the atmosphere by evapotranspiration. Runoff along the boundaries of the life of mine will be kept internal by either an unexcavated ridge of material left in place, as shown on the Reclamation Plan Map and* Final Grade Profiles*, or an interceptor ditch on the uphill side of the mine to re-route run-in water away from the site.*

No uncontrolled off-site drainage will occur, eliminating the potential for off-site erosion and sedimentation from the mine. A line of silt fences and/or hay bales, as needed, will be placed around the perimeter of the mine as mining activities move into each area of the site to filter sediment from runoff.

The area used to dewater dredged material will be internally draining. Sediment will be filtered out by the underlying sand and gravel and will not migrate beyond the mine site.

Perimeter topsoil storage berms will be graded and seeded during the first growing season after their construction to prevent erosion.

Currently, the facility has coverage under the SPDES MSGP (Permit No. NYR00G576) for discharge of spring water and unaffected area runoff diversion (Outfall 001) and is seeking coverage under an Individual SPDES Permit for discharge from the stormwater pond (Outfall 002) and for Outfall 001. Once coverage under the Individual SPDES Permit is obtained, termination of the SPDES MSGP will be made.

3.0 RECLAMATION PLAN

3.1 LAND-USE OBJECTIVE

The mine will be reclaimed as a mixture of water, bedrock outcrops and open grassland suitable for a wide range of potential future land-uses.

A total of 33.5 *acres will be affected by mining and then reclaimed over the life of the mine.*

3.2 RECLAMATION METHOD

3.2.1 Final Grading and Revegetation

Riato *has a history of successful reclamation at the site. The current Life of Mine Area, according to the NYSDEC Mined Land Reclamation Database, is 18 acres, with 8 acres, or 44%, currently approved as reclaimed. Riato intends to continue this practice of concurrent reclamation as practicable.*

The above water reserves will be worked to the limits shown on the Reclamation Plan Map. The location and depth of the sand and gravel deposit and steep sided bedrock outcrops within the deposit results in a somewhat variable final topography.

All final above water side slopes will be graded to no steeper than one vertical on two horizontal. Slopes will be roughened by the bulldozer tracks during grading to reduce runoff velocity, hold seed and mulch in place and trap moisture.

Below water slopes will be graded to no steeper than one vertical on two horizontal. Shoaling areas comprising approximately 10 percent of the perimeter of the final pond will be created by grading and backfilling with pond fines and other non-salable sand and gravel. The shoaling areas will be graded to one vertical on three horizontal to a depth of six feet below water and will provide diversified shoreline habitat and breeding grounds.

Portions of the final above water floor compacted by heavy equipment will be scarified to facilitate root penetration prior to placement of topsoil for reclamation. The final above water floor and perimeter slopes will be covered with six inches of on-site topsoil capable of supporting and sustaining vegetation and planted to grasses and legumes, as described below.

The following recommendations were developed in accordance with the New York State Revegetation Procedures Manual: Surface Mining Reclamation, May 2005.

A fertility test will be done on the topsoil used for revegetation and results sent to the DEC prior to it being used for reclamation. Lime and fertilizer will be applied according to the results of the soil fertility test and to achieve a pH of 5 .5 or higher. Part of the lime will be applied at seeding and the other part after the seeds start to germinate.

Grass and legume seed for revegetation of the pit floor will consist of commercial grades of:

Orchard grass	*@ 10 lbs/acre*
Tall Fescue	*@ 20 lbs/acre*
Redtop	*@4 lbs/acre*
Birdsfoot Trefoil	*@ 10 lbs/acre*

Riato may choose to substitute an equivalent seeding mixture and application rate recommended by the local U.S. Department of Agriculture Soil and Conservation Service or if conditions at the time of reclamation warrant.

All legumes will be inoculated. Straw/hay mulch will be applied at two tons/acre (one ton/acre if hydroseeded) to achieve 75 to 90 percent ground cover.

To improve the chance of successful establishment of the vegetation, seeding should be done between early spring and late summer.

A previous revision of this MLUP stated that *"Perimeter areas within the current Life of Mine that have been affected prior to 1975 and determined by recent survey to be within the 100-foot wetlands buffer will be reclaimed in an effort by the applicant to promote concurrent reclamation".* In accordance with recent NYSDEC correspondence, Riato is not currently proposing and will not initiate said reclamation work, until a freshwater wetland is obtained, or NYSDEC otherwise issues a confirmation in writing that a permit is not required.

3.2.2 Haulageways

All haul roads not providing access to the reclaimed site will be revegetated along with the remainder of the life of mine area. The current access road will provide access to the reclaimed mine. The gates shown on the Reclamation Plan Map will control access to the reclaimed site.

3.2.3 Disposal of Stockpiles and Removal of Equipment

All stockpiles and mining equipment will be removed from the life of mine area prior to the completion of final site reclamation.

3.2.4 Drainage

All reasonable efforts will be made to minimize the disturbance of the prevailing hydrologic balance around the site. The final mine floor will direct water internally into the dredge pond where it will enter the groundwater system.

3.3 RECLAMATION SCHEDULE

Reclamation concurrent with mining will occur on those portions of the mine that have reached final grade and are not needed for the safe and orderly ongoing mining operations.

All disturbed areas and areas to be mined during the permit term will be covered by a reclamation bond as required by NYS Mined Land Reclamation Law. This bond will not be released until the NYSDEC Mined Land Specialist is satisfied that the reclaimed areas have met the requirements.

Final reclamation will begin immediately upon completion of mining activities at the site. All reclamation will be completed within two years of completion of mining activities.

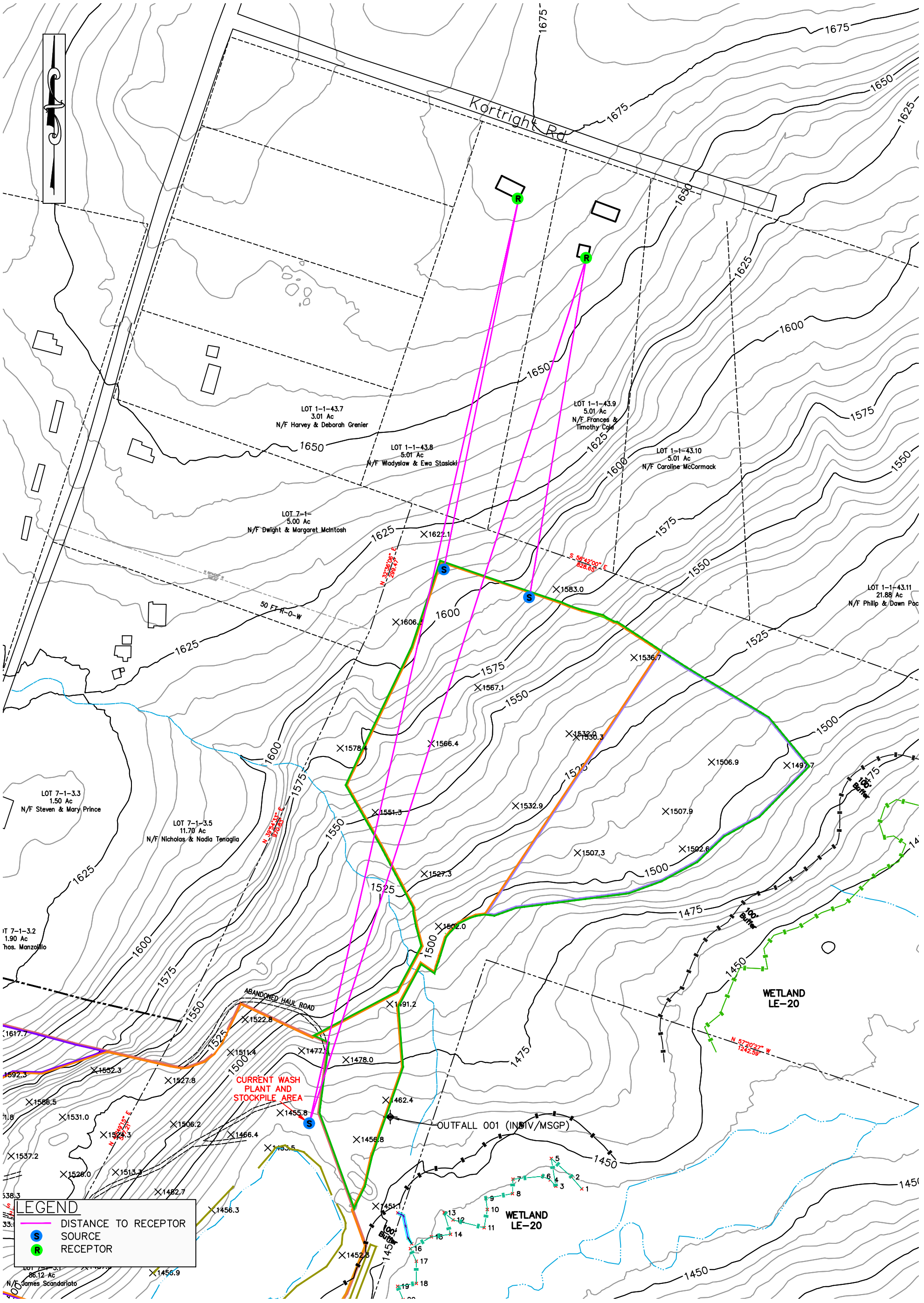
FIGURES

19 British American Blvd. W, Latham NY 12110
P: 518-782-0882| F: 518-782-0973| jmt.com

SITE LOCATION MAP
Riato Stone, LLC
Riato Stone, LLC

TOWN OF FALLSBURG — SULLIVAN Co., N.Y.

PROJ No.: 20-03617-001	Date: 11/17/2021	SCALE: 1" = 1,500 FT	FIGURE: 1



NOTES:
1) BASE MAPPING FROM MAP TITLED "MINE PLAN MAP" BY GRIGGS-LANG CONSULTING CONSULTING GEOLOGISTS, INC., DATED 9/27/12 AND LAST REVISED 5/19/14
2) ALL BOUNDARIES APPROXIMATE WHERE SHOWN

JMT
19 British American Blvd.,Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

NOISE IMPACT ASSESSMENT ADDENDUM MAP

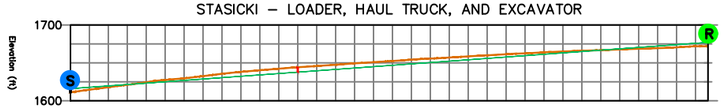
RIATO STONE, LLC

RIATO STONE, LLC

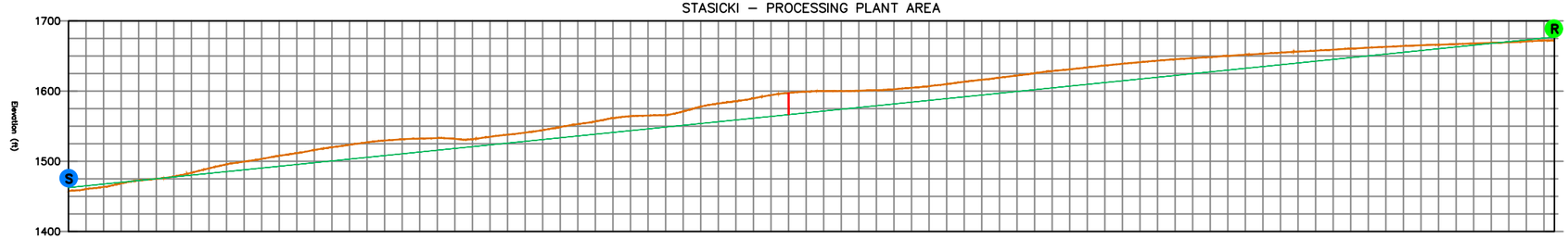
TOWN OF FALLSBURG SULLIVAN CO., NY

PROJ. No.: 20-03617	DATE: 7/13/2023	SCALE: 1"=200'	DWG. 20036170011A	FIGURE 2

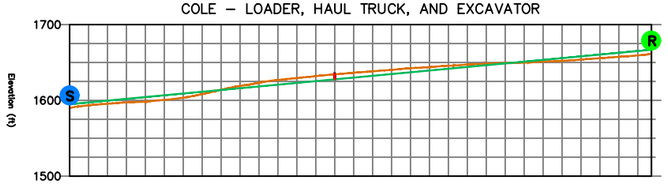
STASICKI – LOADER, HAUL TRUCK, AND EXCAVATOR



STASICKI – PROCESSING PLANT AREA



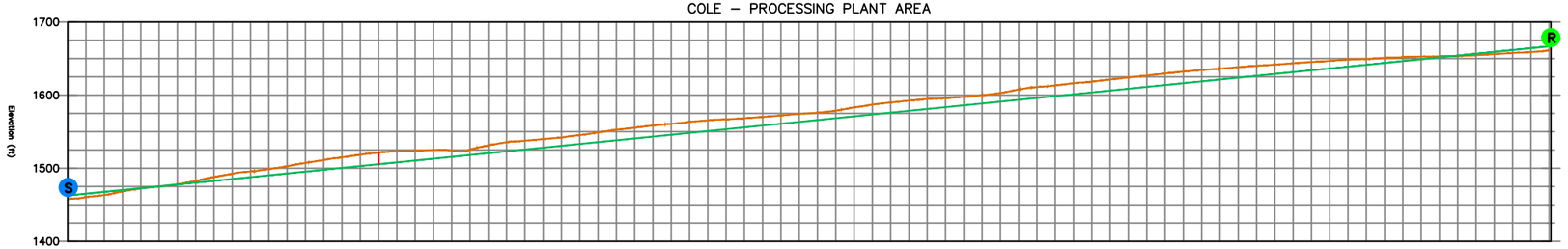
COLE – LOADER, HAUL TRUCK, AND EXCAVATOR



LEGEND

- EXISTING GROUND SURFACE
- LINE–OF–SIGHT
- TOPOGRAPHIC BARRIER HEIGHT
- S SOURCE
- R RECEPTOR

COLE – PROCESSING PLANT AREA



19 British American Blvd.,Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

INTERVENING TOPOGRAPHY CROSSECTIONS

RIATO STONE, LLC

RIATO STONE, LLC

TOWN OF FALLSBURG SULLIVAN CO., NY

PROJ. No.: 20–03617	DATE: 7/13/2023	SCALE: 1"=200'	DWG. 20036170011A	FIGURE 3

SHEETS

ACREAGE SUMMARY

TOTAL ACREAGE CONTROLLED	± 92.6 ACRES
CURRENT LIFE-OF-MINE AFFECTED AREA	± 18.2 ACRES
PROPOSED EXPANSION AREA	± 13.4 ACRES
PROPOSED 2018-2023 PERMIT TERM AFFECTED AREA	± 23.2 ACRES
FUTURE EXCAVATION AREA	± 4.6 ACRES
RECLAIMED AREA (APPROVED BY NYSDEC)	± 3.8 ACRES
PROPOSED LIFE-OF-MINE AFFECTED AREA	± 31.6 ACRES

Kortright Rd.

LOT 1-1-43.7
3.01 Ac
N/F Harvey & Deborah Grenier

LOT 1-1-43.8
5.01 Ac
N/F Wladyslaw & Ewa Stasicki

LOT 1-1-43.9
5.01 Ac
N/F Frances & Timothy Cole

LOT 1-1-43.10
5.01 Ac
N/F Caroline McCormack

LOT 1-1-43.11
21.88 Ac
N/F Philip & Dawn Pacchia

LOT 7-1-
5.00 Ac
N/F Dwight & Margaret McIntosh

LOT 1-1-43.3
26.00 Ac
N/F Dorian Curran

50 FT R-O-W

LOT 7-1-3.3
1.50 Ac
N/F Steven & Mary Prince

LOT 7-1-
Ac
N/F

LOT 7-1-2.2
11.10 Ac
N/F Alfred Leonelli

LOT 7-1-3.5
11.70 Ac
N/F Nicholas & Nadia Tenaglia

LOT 7-1-3.2
1.90 Ac
N/F Thos. Manzolillo

LOT 7-1-2.3
11.20 Ac
N/F Jno. Jr., Anne & Susan Scarpinito

LOT 7-1-3.4
6.50 Ac
N/F Liberty Land Associates LLC

LOT 7-1-2.4
11.40 Ac
N/F Jno. Jr., Anne & Susan Scarpinito

LOT 7-1-3.1
86.12 Ac
N/F James Scandariato

LOT 7-1-2.5
1.10 Ac
N/F Kieth & Lynne Priebe

LOT 7-1-2.7
1.15 Ac
N/F Donald & Emma Hamilton

LOT 7-1-3.6
2.12 Ac
N/F Richard Lee

LOT 7-1-3.13
1.75 Ac
N/F Giuseppe Carraccia

LOT 7-1-41.2
0.50 Ac
N/F Constantin & Mariana Preda

LOT 7-1-3.10
1.09 Ac
N/F Kristina Schafer

LOT 7-1-3.11
3.01 Ac
N/F Kenneth & Tracy Ross

LOT 7-1-3.9
2.15 Ac
N/F Richard & Rita Lee

Part of
LOT 7-1-3.1

LOT 7-1-3.7
1.00 Ac
N/F Liberty Land Assoc./ LLC

LOT 7-1-40
1.10 Ac
N/F Jeff & Michelle Bradley

LOT 7-1-5.7
0.16 Ac
N/F James & Anthony Scandariato

LOT 7-1-39.2
5.00 Ac
N/F Joanne & Dennis Freeman

LOT 7-1-5.2
1.00 Ac
N/F Kevin Patton

LOT 7-1-3.8
1.00 Ac
N/F Wm. & Deborah Lewis

LOT 7-1-5.1
43.65 Ac
N/F Gary Hill

LOT 7-1-9.38
103.75 Ac
N/F Abia Fallsburg LLC

RUN-ON DIVERSION DITCH 4

RUN-ON DIVERSION DITCH 3

RUN-ON DIVERSION DITCH 5

RUN-ON DIVERSION DITCH 1

Intermittent Drainage

ABANDONED HAUL ROAD

PERENNIAL SPRING

CURRENT WASH PLANT AND STOCKPILE AREA

DIRECTION OF MINING

PROPOSED STREAM CROSSING

PROPOSED STORM WATER BASIN

CONVEYANCE PIPE TO STORM WATER DITCH

EXPANSION AREA STORMWATER DITCH

OUTFALL 001 (INDIV/MSGP)

OUTFALL 002 (INDIV)

TOP OF BERM ELEVATION 1458'±

Pond Surface Elevation 1452'±

STOCKPILE AREA

EMERGENCY SPILLWAY

RECLAIMED AREA DITCH

APPROXIMATE OVERBURDEN/SOIL STORAGE AREA BERM

WETLAND LE-20

WETLAND LE-20

100' Buffer

100' Buffer

100' Buffer

Airport Rd

Burnt Ridge Rd.

McIntosh Rd

Bowers Rd.

Wade Rd.

LEGEND

- PROPERTY LINE
- ADJACENT PARCEL LINE
- HAUL ROAD
- EDGE OF WETLAND
- 100' BUFFER
- MAJOR CONTOUR
- MINOR CONTOUR
- BERM
- SPOT ELEVATION ×1452.0

NOTES:
1) BASE MAPPING FROM MAP TITLED "MINE PLAN MAP" BY GRIGGS-LANG CONSULTING CONSULTING GEOLOGISTS, INC., DATED 9/27/12 AND LAST REVISED 5/19/14
2) EDGE OF WETLAND UPDATED AS DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES 7/7/22
3) ALL BOUNDARIES APPROXIMATE WHERE SHOWN

NO.	DATE	RECORD OF WORK	DRN	CKD
1	5-18-22	UPDATED PER NYSDEC COMMENTS DATED 1-6-22 & 1-26-22	DTS	
2	6-30-23	UPDATED PER NYSDEC COMMENTS DATED 12-14-22	ARP	
3	3-27-24	UPDATED PER NYSDEC COMMENTS DATED 3-08-24	ARP	

PROJECT

PROJ. MGR:	EGD
PROJ. NO.:	20-03617-001
PREPARED BY:	DTS
DRAFTED BY:	DTS
CHECKED BY:	
APPROVED BY:	
DATUM:	NAD 83 NAVD88
CONTOUR INTERVAL =	5 & 25 FEET

0 25 50 100 200
1"=100'

MINE PLAN MAP
RIATO STONE, LLC
RIATO STONE, LLC
TOWN OF FALLSBURG SULLIVAN CO., NY

19 British American Blvd.,Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

DATE: 11/8/2021 | SCALE: 1"=100' | DWG. NO2003617003C | SHEET 1 OF 3

ACREAGE SUMMARY

TOTAL ACREAGE CONTROLLED	± 92.6 ACRES
CURRENT LIFE-OF-MINE AFFECTED AREA	± 18.2 ACRES
PROPOSED EXPANSION AREA	± 13.4 ACRES
PROPOSED LIFE-OF-MINE AFFECTED AREA	± 31.6 ACRES

Kortright Rd

LOT 1-1-43.7
3.01 Ac
N/F Harvey & Deborah Grenier

LOT 1-1-43.8
5.01 Ac
N/F Wladyslaw & Ewa Stasicki

LOT 1-1-43.9
5.01 Ac
N/F Frances & Timothy Cole

LOT 1-1-43.10
5.01 Ac
N/F Caroline McCormack

LOT 7-1-
5.00 Ac
N/F Dwight & Margaret McIntosh

LOT 1-1-43.3
26.00 Ac
N/F Dorian Curran

LOT 1-1-43.11
21.88 Ac
N/F Philip & Dawn Pocchia

LOT 7-1-3.3
1.50 Ac
N/F Steven & Mary Prince

LOT 7-1-
Ac
N/F

LOT 7-1-2.2
11.10 Ac
N/F Alfred Leonelli

LOT 7-1-3.5
11.70 Ac
N/F Nicholas & Nadia Tenaglia

LOT 7-1-3.2
1.90 Ac
N/F Thos. Manzolillo

LOT 7-1-2.3
11.20 Ac
N/F Jno. Jr., Anne & Susan Scarpinito

LOT 7-1-3.4
6.50 Ac
N/F Liberty Land Associates LLC

ABANDONED HAUL ROAD

Intermittent Drainage

PROPOSED STORM WATER BASIN

Pond Surface Elevation 1452'±

100' Buffer

WETLAND LE-20

LOT 7-1-2.4
11.40 Ac
N/F Jno. Jr., Anne & Susan Scarpinito

LOT 7-1-3.1
86.12 Ac
N/F James Scandariato

LOT 7-1-2.5
1.10 Ac
N/F Kieth & Lynne Priebe

LOT 7-1-3.6
2.12 Ac
N/F Richard Lee

LOT 7-1-3.13
1.75 Ac
N/F Giuseppe Carraccia

LOT 7-1-5.1
43.65 Ac
N/F Gary Hill

LOT 7-1-3.8
1.00 Ac
N/F Wm. & Deborah Lewis

LOT 7-1-5.2
1.00 Ac
N/F Kevin Patton

LOT 7-1-3.10
1.09 Ac
N/F Kristina Schaefer

LOT 7-1-3.11
3.01 Ac
N/F Kenneth & Tracy Ross

LOT 7-1-3.9
2.15 Ac
N/F Richard & Rita Lee

Part of LOT 7-1-3.1

LOT 7-1-3.7
1.00 Ac
N/F Liberty Land Assoc./ LLC

LOT 7-1-40
1.10 Ac
N/F Jeff & Michelle Bradley

LOT 7-1-5.7
0.16 Ac
N/F James & Anthony Scandariato

LOT 7-1-39.2
5.00 Ac
N/F Joanne & Dennis Freeman

LOT 7-1-9.38
103.75 Ac
N/F Abia Fallsburg LLC

A
A'
B
B'
C
C'

LEGEND

- PROPERTY LINE
- ADJACENT PARCEL LINE
- HAUL ROAD
- EDGE OF WETLAND
- EDGE OF WETLAND (UPDATED)
- 100' BUFFER
- MAJOR CONTOUR
- MINOR CONTOUR

NOTES:
1) BASE MAPPING FROM MAP TITLED "RECLAMATION PLAN MAP" BY GRIGGS-LANG CONSULTING CONSULTING GEOLOGISTS, INC., DATED 9/27/12 AND LAST REVISED 5/19/14
2) EDGE OF WETLAND UPDATED AS DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES 7/7/22
3) ALL BOUNDARIES APPROXIMATE WHERE SHOWN

NO.	DATE	RECORD OF WORK	DRN	CKD
1	5-18-22	UPDATED PER NYSDEC COMMENTS DATED 1-6-22 & 1-26-22	DTS	
2	6-30-23	UPDATED PER NYSDEC COMMENTS DATED 12-14-22	ARP	
3	3-27-24	UPDATED PER NYSDEC COMMENTS DATED 3-08-24	ARP	

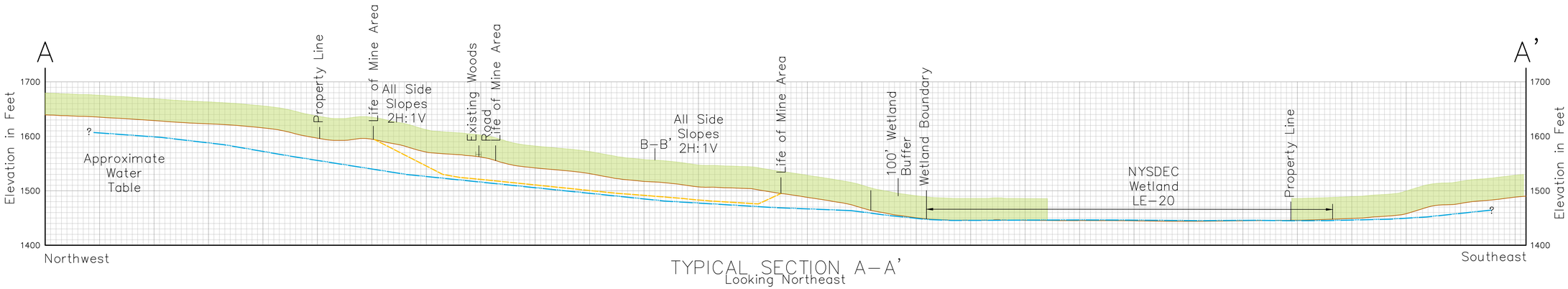
PROJECT	
PROJ. MGR:	EGD
PROJ. NO.:	20-03617-001
PREPARED BY:	DTS
DRAFTED BY:	DTS
CHECKED BY:	
APPROVED BY:	
DATUM:	NAD83 NAVD88
CONTOUR INTERVAL =	5 & 25 FEET

0 25 50 100 200
1"=100'

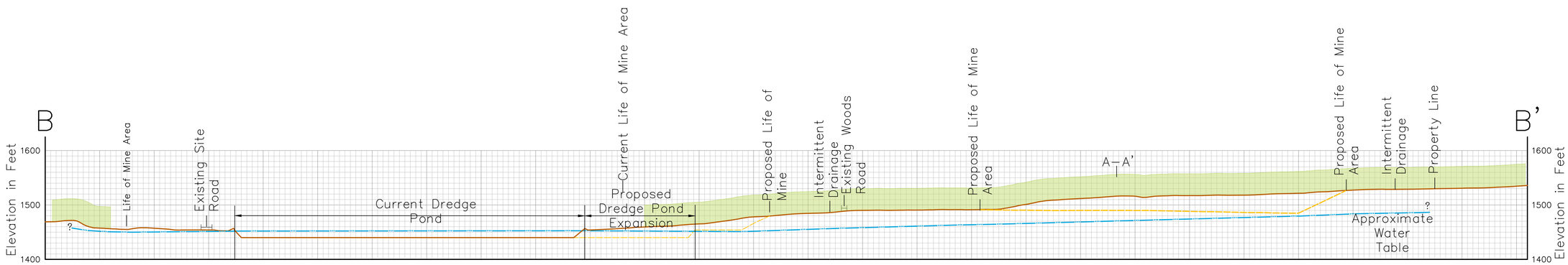
RECLAMATION PLAN MAP
RIATO STONE, LLC.
RIATO STONE, LLC.
TOWN OF FALLSBURG SULLIVAN CO., NY

19 British American Blvd.,Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

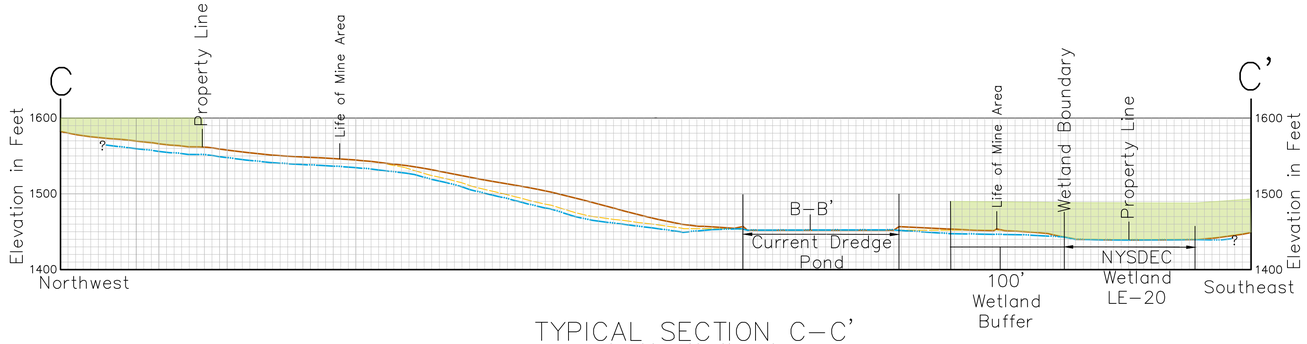
DATE: 11/8/2021 | SCALE: 1"=100' | DWG. NO20036170O4C | SHEET 2 OF 3



TYPICAL SECTION A–A'
Looking Northeast



TYPICAL SECTION B–B'
Looking Northwest



TYPICAL SECTION C–C'
Looking Northeast

LEGEND

- EXISTING TOPOGRAPHY
- PROPOSED FINAL GRADES
- APPROXIMATE WATER TABLE
- DENSE VEGETATION

NOTES:
1) BASE MAPPING FROM MAP TITLED "RECLAMATION PLAN MAP" BY GRIGGS–LANG CONSULTING CONSULTING GEOLOGISTS, INC., DATED 9/27/12 AND LAST REVISED 5/19/14
2) ALL BOUNDARIES APPROXIMATE WHERE SHOWN

NO.	DATE	RECORD OF WORK	DRN	CKD
1	5-18-22	UPDATED PER NYSDEC COMMENTS DATED 1-6-22 & 1-26-22	DTS	
2	6-30-23	ADDED SECTION C-C' PER NYSDEC COMMENTS DATED 12-14-22	ARP	

PROJECT	
PROJ. MGR:	EGD
PROJ. NO.:	20-03617-001
PREPARED BY:	DTS
DRAFTED BY:	DTS
CHECKED BY:	
APPROVED BY:	
DATUM:	MSL
CONTOUR INTERVAL =	5 & 25 FEET

0 25 50 100 200
1"=100'

FINAL GRADE PROFILES
RIATO STONE, LLC
RIATO STONE, LLC
TOWN OF FALLSBURG SULLIVAN CO., NY

19 British American Blvd..Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

DATE: 11/8/2021 | SCALE: 1"=100' | DWG. NO20036170O4C | SHEET 3 OF 3

APPENDIX A

MINED LAND RECLAMATION PERMIT APPLICATION ORGANIZATIONAL REPORT FORM

Division of Mineral Resources
MINING PERMIT APPLICATION

NEW YORK STATE OF OPPORTUNITY. | Department of Environmental Conservation

1. a. MINE FILE NUMBER: 30217	1. b. DEC ID NUMBER: 3-4828-00061/00005
2. NAME OF APPLICANT: Riato Stone LLC.	
3. TELEPHONE NUMBER: 631-495-3442	
4. PERMANENT ADDRESS: NUMBER & STREET NAME: PO BOX 442	
CITY: Ferndale / STATE: NY / ZIP CODE: 12734	
5. CONTACT PERSON: JAMES SCANDARIATO	6. a. TELEPHONE NUMBER: (516) 398-5886
6. b. EMAIL ADDRESS: JRIATO1@GMAIL.COM	
8. TAXPAYER ID (If other than individual, provide Federal Taxpayer ID Number): 58-65154	
10. a. PRESENT PERMIT TERM: Expiration Date 3 / 15 / 2023	10. b. COMING PERMIT TERM: ☑ 5 years ☐ Other ____ years
12. LOCAL ORDINANCES: a. Is mining prohibited at this location? ☐ Yes ☑ No	
13. a. ARE ANY OTHER STATE MINING PERMITS CURRENTLY HELD BY THE APPLICANT? ☐ Yes ☑ No	

7. MINED LAND PROJECT

	Yes	No
a. Will the total acreage affected by mining for the entire mining site be equal to or greater than 5 acres?	☑	☐
b. Will the vertical depth from the top of the mine face to the floor exceed 20 feet?	☑	☐
c. Will there be on-site processing of mining products (eg. crushing, screening, washing) that requires an air permit?	☐	☑
d. Will mining occur within 100 feet of a surface water body (eg. stream, lake) or wetland area?	☐	☑
e. Will any consolidated materials be mined (eg. limestone, trap rock, sandstone)?	☐	☑
f. Will mining occur within 500 feet of any dwelling?	☑	☐
g. Will mining ever occur below the water table?	☐	☑

9. APPLICATION TYPE: ☐ New ☐ Renewal ☑ Modification ☐ Transfer

11. NAME OF MINERAL/MATERIAL TO BE MINED: Sand and Gravel

12. b. Does the local government require any type of permit for mining at this location? ☐ Yes ☑ No

13. b. If YES, give Mine File Number(s)

14. Has any owner, partner, corporate officer or corporate director of your organization ever held any of these positions in another organization that has had a New York State mining permit **SUSPENDED OR REVOKED** or has had a New York State mined land reclamation bond **FORFEITED?**
☐ Yes ☑ No If YES, identify the person(s)

15. ACREAGE SUMMARY (To be filled in by applicant)

		FOR OFFICIAL DEC USE ONLY
a. Total acreage controlled by owner at this location	92.6 acres	____ acres
b. Total acreage permitted by DEC prior to this application	18.2 acres	____ acres
c. Total acreage affected since April 1, 1975	18.2 acres	____ acres
d. Total acreage approved by DEC as reclaimed since April 1, 1975	5.5 acres	____ acres
e. Current affected acreage (c minus d)	12.7 acres	____ acres
f. Acreage included in this application, but not previously approved	13.4 acres	____ acres
g. New acreage to be affected during the coming permit term	10.5 acres	____ acres
h. Number of acres to be reclaimed during coming permit term	0.0 acres	____ acres

16. NAME OF MINING OPERATION: Riato Stone LLC

17. MINE LOCATION
Road: MCINTOSH ROAD
Nearest Road Intersection: MCINTOSH ROAD & HYSANA ROAD
Town: FALLSBURG
County: SULLIVAN

18. MAP LOCATION
a. Quadrangle Name: LIBERTY, NY
b. ☐ 15 minute ☑ 7 ½ minute
FOR OFFICIAL DEC USE ONLY
LATITUDE: ____ LONGITUDE: ____ NAD 83

19. NAME AND ADDRESS OF SURFACE LANDOWNER(S)
Liberty Land Associates LLC.
PO Box 442
Ferndale, NY 12734

20. NAME AND ADDRESS OF MINERAL OWNER(S)
Liberty Land Associates LLC.
PO Box 442
Ferndale, NY 12734

21. The surface landowner(s) and the mineral owner(s) of the property that is to be mined by the above applicant have read the Mined Land Use Plan, which sets forth the applicant's mining and reclamation plan for the property to be mined, and hereby irrevocably consent and agree to the performance of the Mined Land Use Plan by the applicant, his surety or insurer, or the NYS Department of Environmental Conservation. The surface landowner(s) and mineral owner(s) further agree to allow access to the property to Department personnel for the purpose of conducting inspections or investigations in the regular course of their duties.

SIGNATURE(S) OF SURFACE LANDOWNER(S)	DATE	SIGNATURE(S) OF MINERAL OWNER(S)	DATE
	8/2/23		8/2/23

22. I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

NAME, TITLE AND SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE	DATE
Gina Scandariato	8/2/23

DIVISION OF MINERAL RESOURCES
625 BROADWAY - 3RD FLOOR, ALBANY, NEW YORK 12233-6500

OFFICE FILE NUMBER

NEW YORK STATE OF OPPORTUNITY. Department of Environmental Conservation

ORGANIZATIONAL REPORT

INCOMPLETE FORMS ARE NOT ACCEPTABLE AND WILL BE RETURNED FOR COMPLETION

1. FULL NAME AND COMPLETE MAILING ADDRESS OF THE ENTITY; INCLUDE NAME AND TITLE TO WHOM ALL CORRESPONDENCE SHOULD BE SENT.

GINAH SCANDARIATO, MANAGING MEMBER
RIATO STONE, LLC
PO BOX 442
FERNDALE NY 12734
EMAIL ADDRESS: GRIATO123@GMAIL.COM
TELEPHONE (631) 495-3442
FAX NUMBER ( )

2. FULL NAME AND COMPLETE MAILING ADDRESS OF **AGENT IN NEW YORK** WHO CAN BE SERVED ORDERS, NOTICES AND PROCESSES OF THE DEPARTMENT OR ANY COURT OF LAW. POST OFFICE BOX ADDRESSES ARE NOT ACCEPTABLE.

GINAH SCANDARIATO
542 10TH AVE
NEW HYDE PARK NY 11040
EMAIL ADDRESS: GRIATO12@GMAIL.COM
TELEPHONE (631) 495-3442

3. TYPE OF ACTIVITY (Check those that apply)

- ☐ PRODUCTION–Oil, Gas, Injection or Geothermal Well(s)
- ☐ STORAGE–Underground Gas or LPG Facility
- ☐ PURCHASING–Of Oil or Gas from Others
- ☐ TRANSPORTATION–By Truck or Pipeline for Others
- ☐ PLUGGING–Plug and Abandon Wells for Others
- ☐ DRILLING–Drill Wells for Others
- ☐ SOLUTION MINING–Own/Operate Facility
- ☐ BRINE DISPOSAL–Own/Operate Facility
- ☐ STRATIGRAPHIC–Own Well or Hole
- ☒ SURFACE MINING–Own/Operate Facility
- ☐ UNDERGROUND MINING–Own/Operate Facility

4. STATE WHETHER THE ENTITY IS A CORPORATION, LIMITED LIABILITY COMPANY, ASSOCIATION, PARTNERSHIP, INDIVIDUAL, PUBLIC AUTHORITY OR GOVERNMENTAL AGENCY, OR TRUST. IF FOREIGN (OUT-OF-STATE) CORPORATION, GIVE STATE AND DATE OF INCORPORATION AND DATE OF AUTHORIZATION TO DO BUSINESS IN NEW YORK STATE. IF PARTNERSHIP, STATE WHETHER GENERAL OR LIMITED AND COUNTY OF FILING. IF DBA, GENERAL PARTNERSHIP OR ASSUMED NAME OF A LIMITED LIABILITY PARTNERSHIP, GIVE COUNTY OF FILING.

RIATO STONE, LLC
LIMITED LIABILITY COMPANY
INCORPORATION: 10/26/2020
AUTH TO DO BUSINESS NYS: 10/26/2020

5. IF THE NAME ENTERED IN BOX 1 IS NEW, INCLUDE THE COMPLETE NAME AND ADDRESS OF THE PREVIOUS ENTITY.

PREVIOUS PERMIT HOLDER -
WERLIN ENTERPRISES
3988 ST. ROUTE 55
LIBERTY NY 12754

6. IF ENTITY IS A CORPORATION OR ASSOCIATION, LIST **ALL** DIRECTORS **AND ALL** OFFICERS. IF A PARTNERSHIP, LIST **ALL** GENERAL **AND ALL** LIMITED PARTNERS. IF A LLC, LIST **ALL** MEMBERS. CHECK BOX IF ADDITIONAL SHEETS ARE ATTACHED. ☐

NAME	TITLE
GINA L SCANDARIATO	MG. MEMBER 51%
ROSARIO SCANDARIATO	MG MEMBER 49%

7. LIST ALL PERSONS AUTHORIZED BY THE ENTITY TO SIGN ALL SUBMITTALS TO THE DEPARTMENT. AT LEAST ONE PERSON MUST BE LISTED.

NAME	TITLE
GINA L SCANDARIATO	MG MEMBER
ROSARIO SCANDARIATO	MG MEMBER
JAMES SCANDARIATO	(- MANAGER)

I affirm under penalty of perjury that the information provided in this report is true to the best of my knowledge and belief. I am aware that false statement made in this report is punishable pursuant to Section 210.45 of the Penal Law.

TYPE OR PRINT NAME OF AUTHORIZED PERSON: GINA L. SCANDARIATO

SIGNATURE: Gina L Scandariato DATE: 9/25/2021

SWORN TO AND SUBSCRIBED BEFORE ME, THIS 25 DAY OF Sept 20 21

NOTARY PUBLIC

LOUISA GENNARI
Notary Public, State of New York
No. 01GE5060794
Qualified in Queens County
Commission Expires May 28, 2022

85-15-12 (12/18)–28b

APPENDIX B

DATABASE SEARCH
USFWS IPAC AND THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
http://www.fws.gov/northeast/nyfo/es/section7.htm

In Reply Refer To: May 24, 2022
Project Code: 2022-0012510
Project Name: Riato Stone, LLC LOM Expansion

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Project Summary

Project Code: 2022-0012510
Event Code: None
Project Name: Riato Stone, LLC LOM Expansion
Project Type: Subsurface Extraction - Non Energy Materials
Project Description: Riato Stone, LLC seeks to expand their existing sand and gravel mining operations north east of their currently NYSDEC- permitted Life-of-Mine affected area for an additional 15.3 +/- acres. The current Life-of-Mine at the Riato Stone, LLC is located in Fallsburg, Schuyler County, New York is 18.2+/- acres and the proposed total Life-of-Mine affected area is 33.5+/- acres. Although no increase in production is anticipated at this time, the additional acreage would increase available reserves.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.805634999999995,-74.68290991254574,14z

Counties: Sullivan County, New York

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

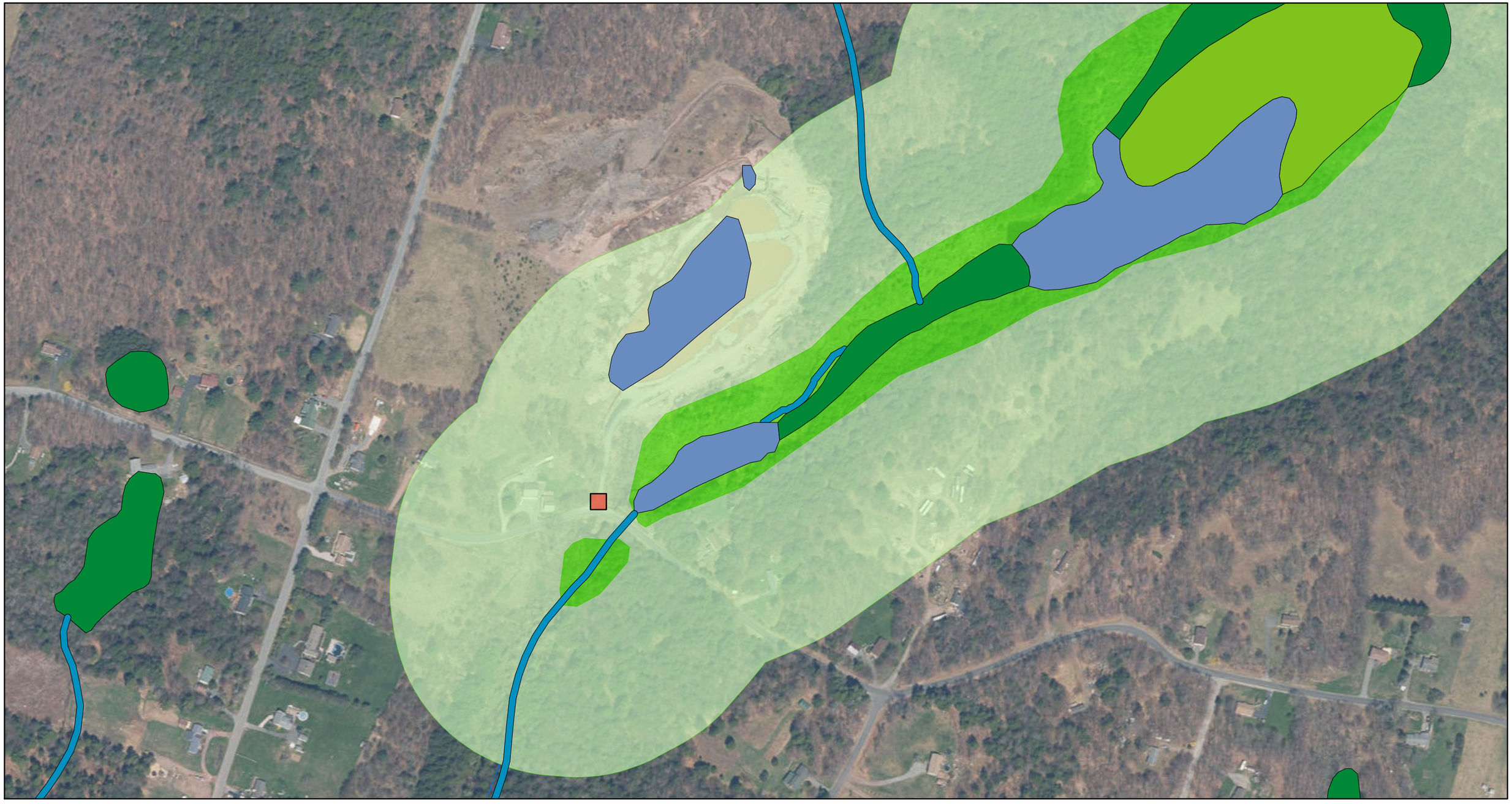
Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: JMT of New York Inc
Name: Andrew Philbin
Address: 19 British American Blvd
City: Latham
State: NY
Zip: 12110
Email aphilbin@jmt.com
Phone: 8329282275

Liberty Sand and Gravel Environmental Resource Search



April 18, 2022

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Author: Riato Stone Inc
Not a legal document

APPENDIX C

FULL ENVIRONMENTAL ASSESSMENT FORM

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Riato Stone LLC. - Site Expansion		
Project Location (describe, and attach a general location map): North side of McIntosh Road, Town of Fallsburg		
Brief Description of Proposed Action (include purpose or need): Riato Stone LLC. seeks to expand their existing sand and gravel mining operations north east of their currently NYSDEC- permitted Life-of-Mine affected area for an additional 13.4 +/- acres. The current Life-of-Mine at the Riato Stone, LLC. Mine is located in Fallsburg, Sullivan County, New York is 18.2+/- acres and the proposed total Life-of-Mine affected area is 31.6+/- acres. Although no increase in production is anticipated at this time, the additional acreage would increase available reserves.		
Name of Applicant/Sponsor: Riato Stone, LLC	Telephone: (631)-495-3442 E-Mail: JRIATO1@GMAIL.COM	
Address: PO BOX 442		
City/PO: Ferndale	State: NY	Zip Code: 12734
Project Contact (if not same as sponsor; give name and title/role): JAMES SCANDARIATO	Telephone: (576) 398-5886 E-Mail: JRIATO1@GMAIL.COM	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Riato Stone, LLC	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☐Yes ☑No		
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC MLR, NYSDEC SPDES	12/2021
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

NYS Major Basins:Upper Delaware

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
AG- Agricultural

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Tri-Valley Central School District

b. What police or other public protection forces serve the project site?
Fallsburg Police Department

c. Which fire protection and emergency medical services serve the project site?
Loch Sheldrake Fire Department

d. What parks serve the project site?
William E Pearson Park, Francis A Hanofee Park, Morningside Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial (mining)

b. a. Total acreage of the site of the proposed action? 13.4 acres
b. Total acreage to be physically disturbed? 13.4 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 92.6 acres

c. Is the proposed action an expansion of an existing project or use? ☑ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 84 Units: acres

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: Stormwater management

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☑ Surface water streams ☐ Other specify:

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: 0.0825 million gallons; surface area: 0.063 acres

v. Dimensions of the proposed dam or impounding structure: NA height; NA length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

The detention pond within the expanded LOM will use industry-standard excavation practices.

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☑ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging? The production of sand, gravel and other natural materials for sale.

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): 20,000 cubic yards
- Over what duration of time? +/- 20 years, depending on market demand

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Sand, gravel, and similar materials will be excavated, processed and sold.

i*v.* Will there be onsite dewatering or processing of excavated materials? ☑ Yes ☐ No

If yes, describe. Materials will be processed at the existing processing plant in the currently approved life of mine.

v. What is the total area to be dredged or excavated? 13.4 acres

vi. What is the maximum area to be worked at any one time? 13.4 acres

vii. What would be the maximum depth of excavation or dredging? 20-50 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

Consistent with the approved reclamation plan for this site, the expanded life of mine affected area will consists of grassland, meadow, pond areas.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☑No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

NA Square feet or NA acres (impervious surface)

NA Square feet or NA acres (parcel size)

ii. Describe types of new point sources. An outfall will be constructed within the current Life-of-Mine and will serve the existing storm water pond (Outfall 2).

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater within the proposed LOM expansion will be received by the detention pond and be directed to the existing stormwater pond within the current LOM before draining to wetland LE-20

- If to surface waters, identify receiving water bodies or wetlands: Wetland LE-20
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Continued use of bulldozers, scrapers, front-end wheel loaders, haul trucks, and other standard industry equipment.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

NA

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

No new stationary sources are proposed during the operation of the expansion area.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☑Yes ☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☑No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☑Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

Dust particles generated from internal transportation and material excavation will be minimized through dust control practices.

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 7:00 AM - 5:00 PM
- Saturday: 7:00 AM - 5:00 PM
- Sunday: N/A
- Holidays: No operations on Holidays*

* New Year's Day, Memorial Day, Independence Day (July 4), Labor Day, Thanksgiving, and Christmas.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

_____

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

n. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

_____

_____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:_____

_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

_____

_____

_____

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____

  _____
- Operation: _____

  _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

  _____
- Operation: _____

  _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☑ Other (specify): Sand and Gravel Mine

ii. If mix of uses, generally describe:

Grassland, Sand And Gravel Mine, Wooded Lands, Farmland, Rural

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0	0
• Forested	13.4	0	-13.4
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	13.33	+13.33
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0.069	+ 0.069
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:_____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 10-50+ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Wurtsboro loam 8-15%	32.4 %
Wellsboro and Wurtsboro soils	55.4 %
Tunkhannock gravelly loam	11.4 %

d. What is the average depth to the water table on the project site? Average: 5-50' feet

e. Drainage status of project site soils:
☑ Well Drained: 11.4 % of site
☑ Moderately Well Drained: 88.6 % of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 67.6 % of site
☑ 10-15%: 32.4 % of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 815-243 Classification B(T)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, NYS Wetland Approximate Size 31.8
- Wetland No. (if regulated by DEC) LE-20

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:

Transient Species	Deer	Snakes
Salamander	Frogs	Birds

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No

If Yes, provide county plus district name/number: Sullivan County, SULL004

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: See attached Inventory of Aesthetic Resources

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): See attached Inventory of Aesthetic Resources

iii. Distance between project and resource: < 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/~~Sponsor~~ Name Gina Scardamato Date 8/4/23

Signature Gina Scardamato Title President

PRINT FORM

APPENDIX D

WETLAND DELINATION MAP (SIGNED CERTIFICATION BLOCK SUBMITTED SEPERATELY)

NYSDEC FRESHWATER WETLAND BOUNDARY VALIDATION

The freshwater wetland boundary as represented on these plans accurately depicts the limits of Freshwater Wetland _____as delineated by _____on _____.

DEC Staff:_____Surveyor/Engineer:_____

Date Valid:_____Expiration Date:_____ SEAL

Wetland boundary delineations as validated by the New York State Department of Environmental Conservation remain valid for five (5) years **unless** existing exempt activities, area hydrology, or land use practices change (e.g., agricultural to residential). **After five (5) years the boundary must be revalidated by DEC staff.** Revalidation may include a new delineation and survey of the wetland boundary.

Any proposed construction, grading, filling, excavating, clearing or other regulated activity in the freshwater wetland or within 100 feet of the wetland boundary as depicted on this plan requires a permit from the NYS Department of Environmental Conservation under Article 24 of the Environmental Conservation Law (Freshwater Wetlands Act) prior to commencement of work.

Intermittent Drainage

RUN-ON DIVERSION DITCH 5

PROPOSED STORM WATER BASIN

PROPOSED STREAM CROSSING

ABANDONED HAUL ROAD

PERENNIAL SPRING

EXPANSION AREA STORMWATER DITCH

DIRECTION OF MINING

CURRENT WASH PLANT AND STOCKPILE AREA

TOP OF BERM ELEVATION 1458'±

Pond Surface Elevation 1452'±

APPROXIMATE OVERBURDEN/SOIL STORAGE AREA BERM

OUTFALL 001 (INDIV/MSGP)

OUTFALL 002 (INDIV)

WETLAND LE-20

WETLAND LE-20

100' Buffer

LOT 7-1-5.1
43.65 Ac
N/F Gary Hill

LOT 7-1-3.8
1.00 Ac
N/F Wm. & Deborah Lewis

LOT 7-1-5.2
1.00 Ac
N/F Kevin Patton

N 37°34'34" W 208.00'

S 28°28'26" W 233.00'

S 37°34'34" E 95.50'

S 32°40'34" W 1465.15'

N 25°49'15" E 547.21'

LEGEND

- PROPERTY LINE
- ADJACENT PARCEL LINE
- HAUL ROAD
- EDGE OF WETLAND
- 100' BUFFER
- MAJOR CONTOUR
- MINOR CONTOUR
- BERM
- SPOT ELEVATION (×1482.0)

NOTES:
1) BASE MAPPING FROM MAP TITLED "MINE PLAN MAP" BY GRIGGS-LANG CONSULTING CONSULTING GEOLOGISTS, INC., DATED 9/27/12 AND LAST REVISED 5/19/14
2) EDGE OF WETLAND UPDATED AS DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES 7/7/22
3) ALL BOUNDARIES APPROXIMATE WHERE SHOWN

ACREAGE SUMMARY

TOTAL ACREAGE CONTROLLED	± 92.6 ACRES
CURRENT LIFE-OF-MINE AFFECTED AREA	± 18.2 ACRES
PROPOSED EXPANSION AREA	± 13.4 ACRES
PROPOSED 2018-2023 PERMIT TERM AFFECTED AREA	± 23.2 ACRES
FUTURE EXCAVATION AREA	± 4.6 ACRES
RECLAIMED AREA (APPROVED BY NYSDEC)	± 3.8 ACRES
PROPOSED LIFE-OF-MINE AFFECTED AREA	± 31.6 ACRES

JMT
19 British American Blvd.,Latham, New York 12110
P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

WETLAND DELINEATION MAP
RIATO STONE, LLC
RIATO STONE, LLC.
TOWN OF FALLSBURG SULLIVAN CO., NY

PROJ. No.: 20-03617	DATE: 7/11/2023	SCALE: 1"=125'	DWG. NO. 20-361700108	FIGURE 1