

**New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4**

65561 State Highway 10, Suite 1, Stamford, New York 12167-9503

Phone: (607) 652-7741 **FAX:** (607) 652-3672

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Joseph Martens
Commissioner

February 6, 2014

Carver Laraway, President
Carver Sand Gravel, LLC
494 Western Turnpike
Altamont, NY 12009

RE: SEQR POSITIVE DECLARATION
DEC # 4-4338-00004/00009
Masick Mine Site Expansion
Middleburgh (T), Schoharie County

Dear Mr. Laraway:

The Department of Environmental Conservation (DEC) has determined that the proposed action, to expand an existing permitted hard rock quarry by adding an additional 49 acres to the existing 105 acre Life of Mine area. The Life of Mine area would increase from 105 acres to 154 acres, located on State Route 30, in the Town of Middleburgh, may have a significant effect on the environment and that a Draft Environmental Impact Statement (DEIS) must be prepared.

A copy of the Positive Declaration, which includes the reasons for supporting this determination, is enclosed. This application cannot be considered complete until a DEIS has been prepared and accepted for public review.

A Scoping Outline which will identify the potential impacts which must be addressed in the DEIS will need to be prepared (Scoping Checklist enclosed). Department staff have determined a comment period on the draft scope is warranted, therefore a notice will need to be published to provide the public an opportunity to comment on the scoping outline before it is finalized. The scoping outline will then serve as the basis for the content of the DEIS. Upon completion of the public comment period, Department staff will review any comments that are submitted and will contact you regarding changes that may need to be made to the Scoping Outline prior to the preparation of the Draft Environmental Impact Statement (DEIS).

Please forward a Draft Scoping Outline to my attention at the above address. Once the draft outline has been received, you will be notified of the commencement of public comment period. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Martha A. Bellinger
Deputy Permit Administrator
Region 4

Enclosures

CC: Supervisor, Town of Middleburgh
Schoharie County
Griggs-Lang Consulting Geologists, Troy, NY
Region 4 - MLRS
Posdec ltr 2014.02.04.doc

617.21
Appendix E
State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Project Number: 4-4338-00004/00009

Date: February 6, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The New York State Department of Environmental Conservation, as Lead Agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Carver Sand and Gravel, LLC, Masick Mine Expansion
MLF # 40138

SEQR Status: Type I

Description of Action:

Carver Sand and Gravel, LLC, is proposing to expand an existing permitted hard rock quarry by adding an additional 49 acres to the existing 105 acre Life of Mine area. The Life of Mine area would increase from 105 acres to 154 acres. The 49 acre expansion area will be located approximately 1000 feet east of and approximately 290 feet higher than the existing approved Life of Mine.

A portable primary crusher will be located on the quarry floor of the proposed expansion area behind a ridge of unexcavated stone along the west side of the proposed modification area.

An existing woods road will provide vehicle access to the modification area. A stone-lined ditch and other storm water control features and a conveyor will be built along the access road. Rock from the expansion area will be moved by the conveyor from the primary crusher to the existing processing plant in the existing quarry. Transporting the rock by the conveyor is a quieter and more efficient process than moving the rock by trucks.

Reasons Supporting this Determination:

The primary potential impact associated with the mine expansion is visual. The 49 acre mine expansion represents an expansion by approximately 46%. This expansion has the potential to have adverse visual impacts on the viewshed areas located primarily to the northwest, west and southwest of the mine due to the expansion area being located approximately 1,000 feet east of and 290 feet higher in elevation than the existing quarry.

For Further Information:

Contact Person: Martha A. Bellinger, Deputy Regional Permit Administrator

Address: NYS DEC Region 4
65561 State Highway 10
Stamford, NY 12167

Telephone Number: (607) 652-7741

E-mail: mabellin@gw.dec.state.ny.us

A Copy of this Notice Sent to:

Office of the Chief Executive Officer of the political subdivision in which the action will be principally located: Town of Middleburg

Applicant: Carver Sand and Gravel LLC

Schoharie County

Griggs-Lang Consulting Geologists, Inc.