

Public Notice

Extension of Public Comment Period on Red Wing Properties, Inc. Draft Environmental Impact Statement [DEIS]

Extension of Public Comments for the Red Wing Properties - White Schoolhouse Road Mine

DEC ID # 3-1350-00052/00003

PLEASE TAKE NOTICE, that New York State Department of Environmental Conservation (NYS DEC) has extended the public comment period for the White Schoolhouse Road Mine for an additional 30 days until February 10, 2023 at 5:00 pm. The Complete application was previously noticed in the Environmental Notice Bulletin (ENB) on November 2, 2022. The Notice of Complete application is available at: https://www.dec.ny.gov/enb/20221102_reg3.html .

Pursuant to this extension, written comments on this project must now be postmarked by Friday, February 10, 2023 and mailed to John Petronella, Regional Permit Administrator at NYSDEC, 21 South Putt Corners Rd, New Paltz, NY 14209 or emailed to John Petronella at john.petronella@dec.ny.gov by 5:00 pm on Friday, February 10, 2023. Written statements will be considered equally with oral statements given at the legislative public comment hearing, provided they are postmarked by Friday, February 10, 2023 or emailed by 5:00 p.m. on that date. Please see NYS DEC's Combined "NOTICE OF ACCEPTANCE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT / NOTICE OF COMPLETE APPLICATIONS / NOTICE OF PUBLIC HEARING" (appearing at Page 2 of this Notice) for all of the requirements for filing written public comment.

Contact: John W. Petronella, NYS DEC - Region 3 Office, Division of Environmental Permits, 21 South Putt Corners Road, New Paltz, NY 12561, Phone: (845) 256-3054, E-mail: DEP.R3@dec.ny.gov

A copy of this notice of extension of the public comment period has also been published by the NYS DEC in the ENB at: https://www.dec.ny.gov/enb/20230111_not3.html

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NOTICE OF ACCEPTANCE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT
NOTICE OF COMPLETE APPLICATIONS
NOTICE OF PUBLIC HEARING**

Applicant: Red Wing Properties, Inc.
PO Box 408 675 Leetown Rd. Stormville NY 12582

Facility: Red Wing White Schoolhouse Road Mine
White Schoolhouse Road, Rhinebeck, New York 12572

Project Description: Applicant proposes to modify its existing Mined Land Reclamation Permit to mine sand and gravel at the White School House Road Mine in the Town of Rhinebeck, Dutchess County. Applicant proposes to increase the permitted life of mine from 43 acres to 94 acres within a 241-acre parcel owned by Applicant. Below water mining will cover 65 acres within the 94-acre life of mine area. Applicant also proposes to construct a spillway channel within the adjacent area for a regulated freshwater wetland (RC-25, Class 2).

State Environmental Quality Review Act (SEQR) Status: The New York State Department of Environmental Conservation (NYSDEC), as the lead agency, determined that the proposal is a Type I Action as determined by 6 NYCRR 617.4(b)(6)(i) and issued a positive declaration. The applicant prepared a Draft Environmental Impact Statement (DEIS), which is now available for public review and comment. As noted further below, written public comments will be accepted on the Draft EIS until January 11, 2023. Pursuant to 6 NYCRR 617.9(a)(4), DEC has made the determination to hold a public hearing, the details of which are provided below in the legislative public hearing section of this notice.

Notice of Complete Application of Permits Applied For: The following applications for the proposed expansion of Red Wing White Schoolhouse Rd Mine have been submitted by Red Wing Properties, Inc. and determined to be complete by the NYSDEC:

- ECL Article 23 7: Mined Land Reclamation, DEC No. 3-1350-00052/00003
- ECL Article 24: Freshwater Wetlands, DEC No. 3-1350-00052/00004
- ECL Article 15: Protection of Waters (Stream Disturbance), DEC No. 3-1350-00052/00005

Legislative Public Comment Hearing: A public comment hearing pursuant to 6 NYCRR Parts 617 and 621 to hear and receive unsworn comments from the public will be held on **November 17, 2022 at 1:00p.m. and 6:00 p.m. The hearing will be conducted electronically through the Webex electronic webinar platform.** Instructions for participating in and attending the webinar are provided below. All persons, organizations, corporations, or government agencies who may be affected by the project are invited to attend the hearing and comment on the permit applications and Draft Environmental Impact Statement (DEIS).

Lengthy comments should be submitted in writing. Equal weight will be given to oral and written statements. The Administrative Law Judge (ALJ) may limit the time available to each person for oral comments, depending on the number of people who wish to speak, to ensure that all persons have an opportunity to be heard. **Please be advised that speakers will be called in the order they register with publicly elected officials called first.**

Because the hearing is being conducted by electronic webinar, it is reasonably accessible to

persons with a mobility impairment. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests **must be received by November 7, 2022** and directed to the NYSDEC Office of Communication Services, either by mail (address: NYSDEC, Office of Communication Services, 625 Broadway, Albany, New York 12233-4500), by telephone (518 402-8044) or by e-mail (language@dec.ny.gov).

Written Public Comment: Written comments on this project must be **postmarked by January 11, 2023** and mailed to John Petronella, Regional Permit Administrator at NYSDEC, 21 South Putt Corners Rd, New Paltz, NY 14209 or emailed to John Petronella at john.petronella@dec.ny.gov by 5 pm on January 11, 2023. Written statements will be considered equally with oral statements given at the legislative public comment hearing, provided they are postmarked by January 11, 2023 or emailed by 5:00 p.m. on that date.

Document Availability: The DEIS, draft permits, permit applications and supporting documents are available for review at the following locations during normal business hours:

NYSDEC New Paltz Office
21 South Putt Corners Rd
New Paltz, New York 12561
Contact Person: John W. Petronella
(845) 256-3041

Starr Library Rhinebeck
68 West Market Street,
Rhinebeck, New York 12572
(845) 876-4030

Rhinebeck Town Hall
80 East Market Street
Rhinebeck, New York 12572
(845) 876-3409

The Draft DEIS, draft permits and permit applications can also be accessed through the applicant's website at:
<https://www.redwing-rhinebeckdeis.com/>

State Historic Preservation Act (SHPA) Determination: A cultural resources survey has been completed and cultural resources were identified. Based on information provided in the survey report, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has determined that the proposed activity will have no adverse impact on registered or eligible archaeological sites or historic structures. No further review in accordance with SHPA is required.

Coastal Zone Management: This project is not located in a Coastal Management Area and therefore is not subject to the Waterfront Revitalization and Coastal Resources Act.

Instructions for Attending the Legislative Public Comment Hearing:

To join the hearing through the internet, visit www.webex.com and click "Join a meeting." Meeting options include:

1:00 PM -

Event Number: 2349 085 0440
Password: welcome1 (93526631 from phones)

To join by phone only:

Dial: 1-518-549-0500
Access Code: 2349 085 0440

6:00 PM –

Event Number: 2336 942 6948
Password: welcome1 (93526631 from phones)

To join by phone only:

Dial: 1-518-549-0500
Access Code: 2336 942 6948

Persons wishing to comment on the applications and/or DEIS will have the opportunity to make a statement at the public comment hearing webinar. **Any person wishing to provide a public statement must register in advance of the hearing no later than 3:00 p.m. on November 16, 2022.** Any person may listen to the hearing by phone without pre-registration.

To register electronically: Persons who will login to the hearing electronically must register. To register, visit <http://www.webex.com>, click “Join a meeting,” input the event number listed above, click “Register,” and fill in the requested information. You will be asked whether you wish to make a public statement. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

On the appropriate date and time of the hearing, participants should visit <https://www.webex.com>, click “Join a meeting” at the top right-hand corner of the screen, and input the appropriate event number for the hearing. Participants will be asked to “select audio system.” It is recommended that participants choose to have the system “call me” or “call using computer.” The “call me” option will require participants to enter their phone numbers.

To register by telephone: Any person who is not able to login electronically may participate by telephone. Call-in participants must register to speak in advance by calling the Department at 518-402-9003 no later than 3:00 p.m. November 7, 2022. Please provide your first and last name, address, email address if any, and telephone number and reference the Red Wing Rhinebeck public comment hearing.

On the day and time of the hearing, use the phone access phone number, (518) 549-0500, and the appropriate access code listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJ will call each person who has requested to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. The ALJ may limit the time available per person for oral comments, as necessary to afford all participants an opportunity to be heard. We also recommend that lengthy comments be summarized for oral presentation and submitted in

writing as provided above. The hearing will be stenographically recorded for inclusion in the record.

Contact Person

John W. Petronella
NYSDEC Division of Environmental Permits
21 South Putt Corners Rd
New Paltz, New York 12561
(845) 256-3041
John.petronella@dec.ny.gov