



Tompkins County
DEPARTMENT OF PLANNING AND SUSTAINABILITY

121 East Court Street
Ithaca, New York 14850

Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Telephone (607) 274-5560
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April 13, 2022

Ray Burger, Director of Planning
Town of Dryden
93 East Main St.
Dryden, NY 13053

Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action: Special Use Permit for RMS Gravel Mining Permit Modification and Renewal, Town of Dryden Tax Parcel # 35.-1-6.2, RMS Gravel, Inc, Owner/Applicant

Dear Mr. Burger:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Department of Planning & Sustainability pursuant to §239 -l, -m and -n of the New York State General Municipal Law. We have no recommendations on this proposal. The Department offers the following comments regarding the proposed project, which is not a formal recommendation under General Municipal Law §239 -l, -m and -n:

Comments:

- The permit application shows a delineated 1.78-acre forested wetland southwest of Mott Rd and acknowledges that if the US Army Corps of Engineers grants a permit, the wetland will be excavated. While it is in the purview of the Army Corps of Engineers to make that determination, we encourage all developers to either design their projects to not disturb a wetland or to consider the functions of the wetland and elaborate on how the mining will not negatively impact those functions.
- Tompkins County and the Town of Dryden have a multi-year contract with the U.S. Geological Survey (USGS) to conduct an aquifer study on Lower Fall Creek, within which this project is located. Given the scope of this project, we reached out to USGS for their review of the project materials, and with their input, we offer the following comments:
 - The water withdrawal permit states that 98% of the water used in the facility operation is collected in settling ponds and reused. Two additional wells provide groundwater to replace the water that is lost through evaporation. The facility will be permitted to withdraw up to 1,983,600 gallons per day, but the permit does not specify how much of that is surface water and how much is groundwater. The annual Water Withdrawal Report for the facility only estimates monthly usage and does not differentiate between surface and groundwater withdrawals. The wells are not metered, despite metering and auditing being included as best management practices in the state's Water Conservation Program Form. We suggest that DEC require metering on the wells and that the annual report provide metered readings for the wells.
 - The permit suggests that well #2 had no drawdown when pumped at 500 gal/min for 10 hours. The completion report for well #2 (TM3839) indicates that an air lift test was done. According to USGS, drawdown cannot be correctly measured in the well during air

lifting. It would be useful to do an aquifer test with a pump so that a more accurate drawdown can be measured at the pumping well (well #2), well #1, and at least one well east of the gravel pit in the aquifer used at Freeville.

We look forward to receiving notification on the final action taken by your municipality within 30 days of decision, as required by State law. Should you have any questions about this review please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine Borgella".

Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Cc: Kevin Balduzzi, NYS DEC - Region 7, Division of Environmental Permits
Shannon Fisher, USGS