

New York State Department of Environmental Conservation

Division of Mineral Resources, Region 7

615 Erie Boulevard West, Syracuse, New York 13204-2400

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Joe Martens
Commissioner

September 16, 2014

Supervisor Price
124 Main Street
Windsor, NY 13865

RE: Bluestone Exploration Authorization #71017, Timberland Resources, LLC.
Town of Windsor, Broome County, **Vivito Quarry**

Dear Ms. Price:

Please be advised that this office has received an application for a Bluestone Exploration Authorization. In accordance with the Mined Land Reclamation Law, administered by NYS Environmental Conservation Law ("ECL") Section 23-2711(12-a):

Upon receipt of a complete application for bluestone mining exploration authorization, for a property not previously authorized pursuant to this subdivision, a notice shall be sent by the Department, by certified mail, to the chief administrative officer of the political subdivision in which the proposed bluestone mine is to be located. Such notice shall be accompanied by copies of all documents which comprise the complete application. The chief administrative officer may make a determination within thirty days after receipt accompanied by supporting documentation, in regard to:

- (i) appropriate setbacks from property boundaries or public thoroughfare rights-of-way,
- (ii) manmade or natural barriers designed to restrict access if needed and, if affirmative, the type, length, height and location thereof,
- (iii) the control of dust,
- (iv) hours of operation, and
- (v) whether mining is prohibited at that location.

Any determination made by a local government hereunder shall be accompanied by supporting documentation justifying the particular determinations on an individual basis. The chief administrative officer must provide any determinations, notices and supporting documents within thirty days.

As the Chief Administrative Officer please notify this office, within 30 days of receipt of this letter, whether the local government has any determinations as pertains to the above sections. If nothing is received by the end of the 30-day time frame, the Department will

presume the local government has no further interest in this particular project. Should you have any questions, please contact me at the number indicated above.

Respectfully,

A handwritten signature in cursive script that reads "Michael S. Spadafore". The signature is written in black ink and is positioned above the printed name.

Michael S. Spadafore
Mined Land Reclamation Specialist I

Enclosures

cc: Bill Hall