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North Carolina Department of Environment and Natural Resources
Division of Parks and Recreation

Michael F. Easley, Governor

William G. Ross Jr., Secretary

Lewis R. Ledford, Director

March 15, 2005

Mr. Ed Mussler
Environmental Engineer
Division of Solid Waste
401 Oberlin Road
Suite 150
Raleigh, NC 27605



Dear Mr. Mussler:

I am writing in regards to Black Bear LLC's proposed landfill located near the North Carolina-Virginia border in Camden County adjacent to Highway 17. Section .1622(8) of the Requirements for Municipal Solid Waste Landfill Facilities (MSWLF) states "A new MSWLF unit or lateral expansion shall not have an adverse impact on any lands included in the State Nature and Historic Preserve." The lands comprising the Dismal Swamp State Natural are registered as a State Nature Preserve. The Division believes that under the regulations listed above, an attempt must be made to quantify any foreseeable impacts to the Sate Natural Area (SNA). The analysis should include probable impacts from degradation of water quality, natural systems at the park (through gull migration or other vectors), increased truck traffic, or visual impacts to the SNA. Staff with the North Carolina Division of Parks and Recreation (Division) would like to express the following concerns over the proposed landfill location.

The SNA lies within Camden County, approximately 20 miles north of Elizabeth City, North Carolina on the Virginia-North Carolina state border (see Figure 1). In 1974, the state of North Carolina purchased 14,344 acres from The Nature Conservancy for \$2.2 million to establish the Dismal Swamp State Park. In the late 1980's, the Division of Parks and Recreation (DPR, 1995) changed the area's classification to a SNA because of its natural significance, limited potential for public use, and lack of funds to develop educational and recreational resources. The SNA contains 14,433 acres of forested wetland. There are four natural communities well represented in the SNA: Noriverine Swamp Forest, Pond Pine Woodland, Peatland Atlantic White Cedar Forest, and High Pocosin. The Dismal Swamp was authorized as a SNA to protect its biological, geological, recreational, and scenic value.

At present, no facilities exist on the SNA. However, the Division has completed design and will begin construction of a visitors center located adjacent to the Highway 17 Department of Transportation Welcome Center. The project will include a parking area on the east side of

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the Dismal Swamp Canal, a swing bridge to allow visitors to cross the Dismal Swamp Canal, a viewing platform along the Dismal Swamp Canal, a visitors center (including offices, museum, auditorium, and classrooms), a maintenance area and a boardwalk. The project will allow access to the Dismal Swamp SNA and education of visitors on the unique aspects of the natural area.

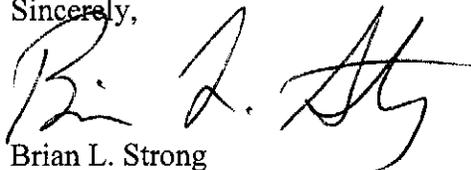
The proposed landfill will be located approximately 3,000 feet from the state natural on the east of the Dismal Swamp Canal. The proximity of the landfill is a concern for visibility issues related to the SNA. The natural area currently offers a unique setting in regards to the isolation it provides. This may be compromised with the construction of a 270 ft landfill that may be visible from a number of locations in the park. Areas of concern for visibility include trails paralleling the Dismal Swamp Canal in the SNA and viewing areas around the visitor center. The Division would be open to any ideas that may mitigate the impacts of visibility on the SNA.

The next issue is also related to the impacts of the quality of the SNA and how it would be impacted by truck traffic associated with the landfill. The site of the visitors center is located approximately 2.5 miles south of the proposed landfill. The visitors center is located adjacent to Highway 17 and the Division is concerned about the noise that will be created from the increased truck traffic along Highway 17. Material provided by Camp Dresser & McKee indicate that increasing truck traffic will be minimal along Highway 17, primarily arriving from north of the Highway 17 location for the visitors center.

The final issue relates to the increase in gulls that may be associated with the landfill adjacent to the SNA. The new landfill will most likely attract a large population of gulls who feed during the day at the landfill. The gulls will most likely seek a body of water to roost during the evening hours. Lake Drummond and the Dismal Swamp Canal will be a prime location because of its close location to the landfill. The increased gull population could cause problems with increased nitrification of these water bodies; predation on local nesting colonies of wading birds; and increased populations of gulls at the parking areas associated with the Highway 17 welcome center and the SNA visitor center.

The Division appreciates this opportunity to comment on the proposed landfill in Camden County, NC. The Division looks forward to discussing these issues and possible mitigation measures with the Division of Solid Waste. If you have any further questions regarding these comments please contact me at (919) 715-8711.

Sincerely,



Brian L. Strong
Resource Management Specialist

cc: Henry Stokes, Superintendent Dismal Swamp State Natural Area