

Dade County Lake Belt Plan Implementation Committee



1997 PROGRESS REPORT

COMMITTEE MEMBERS

DADE COUNTY LAKE BELT PLAN IMPLEMENTATION COMMITTEE MEMBERS

Bill Graham, Chairman	South Florida Water Management District
Anthony Clemente.....	Miami-Dade Water and Sewer Department
Mimi Drew	Florida Department of Environmental Protection
Dennis Harmon	Office of the Governor
Rod Jude.....	Sierra Club
Michael Kane	South Florida Limestone Mining Coalition
Barbara Lange.....	Friends of the Everglades
Stephen Lau.....	FL Game and Fresh Water Fish Commission
Janet Llewellyn.....	Florida Department of Environmental Protection
James Murley	Florida Department of Community Affairs
Bob O'Brien	South Florida Limestone Mining Coalition
Guillermo Olmedillo.....	Miami-Dade County Department of Planning, Development, and Regulation
John Renfrow	Miami-Dade County Department of Environmental Resources Management
Karsten Rist.....	Florida Audubon Society
Alberto Tamayo.....	Non-rockmining Landowner
Leo Vecellio.....	South Florida Limestone Mining Coalition
Karl Watson	South Florida Limestone Mining Coalition
Estus Whitfield.....	Office of the Governor

EX-OFFICIO MEMBERS

Bob Barron.....	US Army Corps of Engineers
Hon. Mario Diaz-Balart	Florida Senate
Austin Forman	Flagler Properties and Investments
Aaron Higer	US Geological Survey
Terry Manning.....	South Florida Regional Planning Council
Heinz Muller.....	US Environmental Protection Agency
Susan Ritter.....	Everglades National Park
Hon. Luis Rojas	Florida House of Representatives
Melanie Steinkamp	US Fish and Wildlife Service
Hon. Alex Villalobos.....	Florida House of Representatives
Jim Jackson.....	Project Manager

EXECUTIVE SUMMARY



The Plan provides an opportunity for federal, state, and local governments to work in partnership with the private sector to implement a comprehensive plan for the Lake Belt Area.

This year, 1997, was significant for the Lake Belt Area. In February, the Dade County Lake Belt Plan Implementation Committee (generally known as the Lake Belt Committee) completed the Lake Belt Plan and published the report "Making a Whole, Not Just Holes". The Plan was approached in two phases. Phase I established the overall framework of the Plan and contained specific recommendations concerning:

- strategy for streamlining the permitting process for rockmining;
- specified areas for mining, mitigation, and additional analysis;
- dedicated funding mechanism for mitigation;
- authorization for government - industry land exchanges;
- authorization for agencies to enter into agreements to implement the Plan;
- development of Phase II Detailed Master Plan; and
- expansion of Lake Belt Committee membership and terms.

In April 1997, the Florida Legislature accepted the Plan and adopted the recommendations of the Lake Belt Committee. The adoption of the tonnage based mitigation fee was delayed for future consideration to allow details of implementation of the fee to be completed. The Legislature directed the Lake Belt Committee to prepare a Phase II Detailed Master Plan by December 31, 2000.

Following the legislature session, the Lake Belt Committee created four subcommittees to implement

Phase I of the Lake Belt Plan and begin working on Phase II. The subcommittees address Mitigation, Land Swaps, Wellfield Protection, and Detailed Master Planning. These subcommittees have begun their tasks and will continue until they are completed.

The South Florida Ecosystem Restoration Task Force and its Working Group are responsible for coordinating the many efforts currently underway to restore the Everglades. To support the programmatic environmental impact statement being prepared by the US Army Corps of Engineers and to ensure that the Lake Belt Plan was consistent with Everglades restoration efforts, the Working Group formed the Lake Belt Issue Advisory Team (Issue Team) in December 1996.

The Issue Team was composed of representatives from most of the organizations on the Lake Belt Committee and built upon the Lake Belt Committee's efforts. The Issue Team issued a final report in June 1997 to the Working Group. The work of the Issue Team was important in that it broadened the consensus for and further refined the Lake Belt Plan.

This report describes the actions by the Lake Belt Committee and related efforts to implement and expand the consensus for the Lake Belt Plan for 1997 and provides recommendations for future activities.

INTRODUCTION

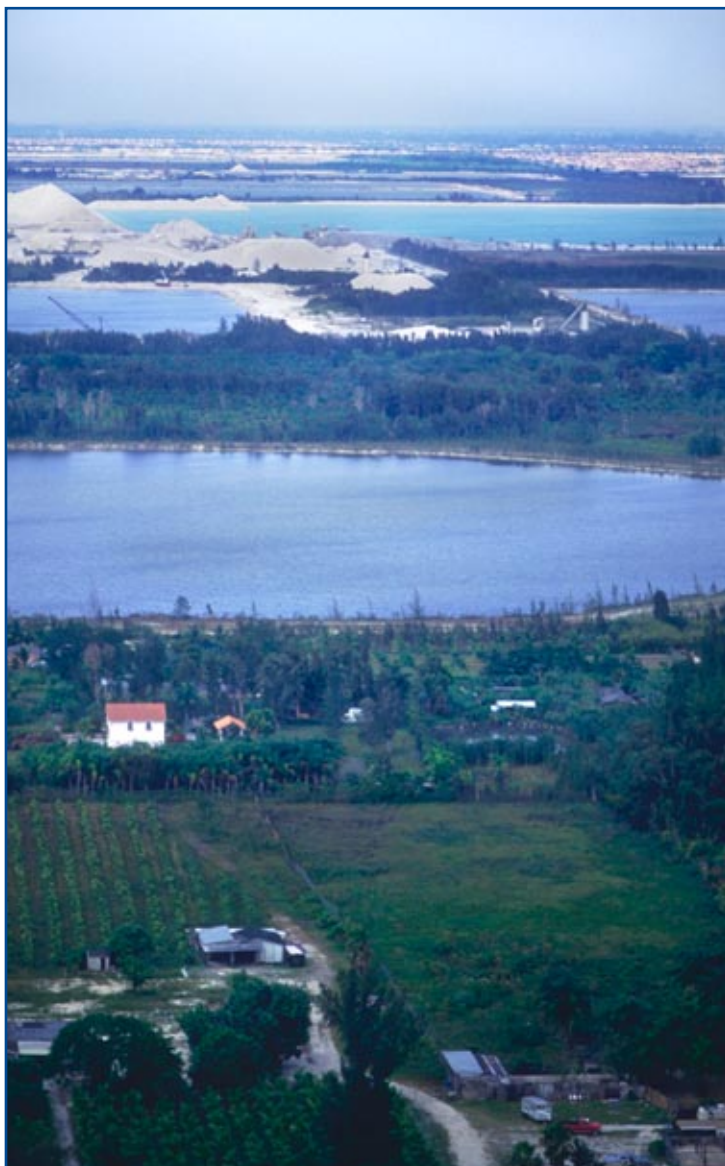
The Florida Legislature created the Dade County Lake Belt Plan Implementation Committee (Lake Belt Committee) and directed it to “develop a plan which: (a) enhances the water supply for Dade County and the Everglades; (b) maximizes efficient recovery of limestone while promoting the social and economic welfare of the community and protecting the environment, and (c) educates various groups and the general public of the benefits of the plan.” The Lake Belt Committee is composed of representatives from government agencies, the rockmining industry, environmental organizations and nonmining land owners. Since March 1997, South Florida Water Management District (SFWMD) Governing Board member Bill Graham has chaired the Lake Belt Committee.

The Lake Belt Area is an 89 square mile area located between the Everglades and the urbanized areas of Miami-Dade County that provides half of the limestone mining resources used in the state every year. Approximately two-thirds of the land within the Lake Belt Area is owned by the industry or government agencies. The Plan provides an opportunity for federal, state, and local governments to work in partnership with the private sector to implement a comprehensive plan for the Lake Belt Area.

The Plan establishes the overall environmental permitting framework to create a coordinated freshwater lake system to replace the unplanned checkerboard mosaic of quarried lakes now being created at a rate of 300 to 400 acres per year.

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- strategy for streamlining the permitting process for rockmining;
- specified areas most appropriate for mining, mitigation, and additional analysis;
- dedicated funding mechanism for mitigation;
- authorization for government - industry land exchanges;
- authorization for agencies to enter into agreements to implement the Plan; and
- development of Phase II Detailed Master Plan.



Progress to implement and further refine the Lake Belt Plan has occurred at the federal, state, and local level during 1997.

During the 1997 session the Florida Legislature accepted and adopted the recommendations of the Lake Belt Committee. The adoption of the tonnage based mitigation fee was delayed for future consideration to allow details of implementation of the fee to be completed. In addition, the Legislature appointed additional members to the Lake Belt Committee, and extended its mandate to prepare a Phase II Plan by December 31, 2000. Information on the Lake Belt Plan, the technical support documents, the Lake Belt Committee's website, and the 1997 legislation are on pages 12 and 13.

Progress to implement and further refine the Lake Belt Plan has occurred at the federal, state, and local level during 1997. The following pages summarize the actions that have taken place during 1997 and provide recommendations for future activities.

THE FEDERAL PERMIT FOR THE LAKE BELT

Providing regulatory certainty and streamlining the permitting process are key components of the Lake Belt Plan. The Florida legislature recognized that when it directed Miami-Dade County and the Florida Department of Environmental Protection to work with the US Army Corps of Engineers (USACE) to establish a general permit under section 404 of the Clean Water Act for limestone mining within the Lake Belt Area consistent with the lake Belt Plan. The USACE has been preparing a programmatic environmental impact statement (EIS) for the Lake Belt Area. As part of the EIS, the USACE has had EAS Engineering extend the vegetative cover typing work completed for the Lake Belt Committee to include the area south of the Tamiami Trail. The vegetation cover type map for the entire Lake Belt Area is shown in figure 1.

The South Florida Ecosystem Restoration Task Force and its Working Group are responsible for coordinating the many efforts currently underway to restore the Everglades. To support the EIS being prepared by the USACE and to ensure that the Lake Belt Plan was consistent with Everglades restoration efforts, the Working Group formed the Lake Belt Issue Advisory Team (Issue Team) in December 1996. The Issue Team was convened to develop alternative plans for evaluation and recommend to the Working Group a final conceptual plan under which mining could take place. While the Issue Team was composed of representatives from most of the organizations on the Lake Belt Committee, and was able to build upon the Lake Belt Committee's efforts, it reflected a greater level of involvement by federal agencies.

The Issue Team used an alternative development process that consisted of consensus-based decision making that attempted to address all members' concerns, reach complete agreement, draw upon each member's wants, and recognize minority or dissenting opinions. The process evaluated a series of alternatives for the three regions of the Lake Belt Area against a set of eleven factors developed by the Issue Team members.

Purpose of Issue Team: To analyze a set of alternatives and recommend a preferred alternative that balances the public need for construction aggregate, cement, and road base materials with 1) environmental restoration goals for the Everglades, 2) regional water management goals, and 3) achieving a "no net loss" of wetland functions from mining activities.

The recommended alternative, figure 2, reflects a consensus for most of the study area. It contains several refinements to the Lake Belt Plan developed by the Lake Belt Committee, including additional mining designations in the FP&L strip. It also includes an unresolved component in the southern region.

In addition to developing a preferred alternative, the Working Group directed the Issue Team to address several related issues. These included 1) determine appropriate

mitigation, 2) manage/offset increases in seepage, 3) address impacts on surrounding wetlands, 4) address effects of seepage control, 5) increase mining tonnage in existing mining areas, 6) improve water management, and 7) address water quality issues related to backpumping. While these issues were not completely resolved, the progress made on them will be useful to the Restudy, Lake Belt EIS and Phase II of the Lake Belt Plan.

The Issue Team met six times before presenting a final report June 5, 1997. The Working Group adopted the Issue Team's report including its conceptual plan. Upon adopting the report, the Working Group also voted to disband the Issue Team in favor of a continued, greater level of participation by the member organizations in the Lake Belt Committee process. The work of the Issue Team was important in that it broadened the consensus and further refined the Lake Belt Plan.

Based on the preferred alternative identified by the Issue Team, the mining interests will submit a more detailed plan that shows where mining could actually take place given the physical constraints on the mining process. The miners' plan will serve as a basis for further refinement as interested parties express their needs and concerns. The final adjusted plan will be presented and evaluated in the USACE draft programmatic EIS for the Lake Belt Area. The draft EIS is scheduled for completion in the spring of 1998 if all required analyses are completed on time.

COVER TYPES, LAKE BELT REGION

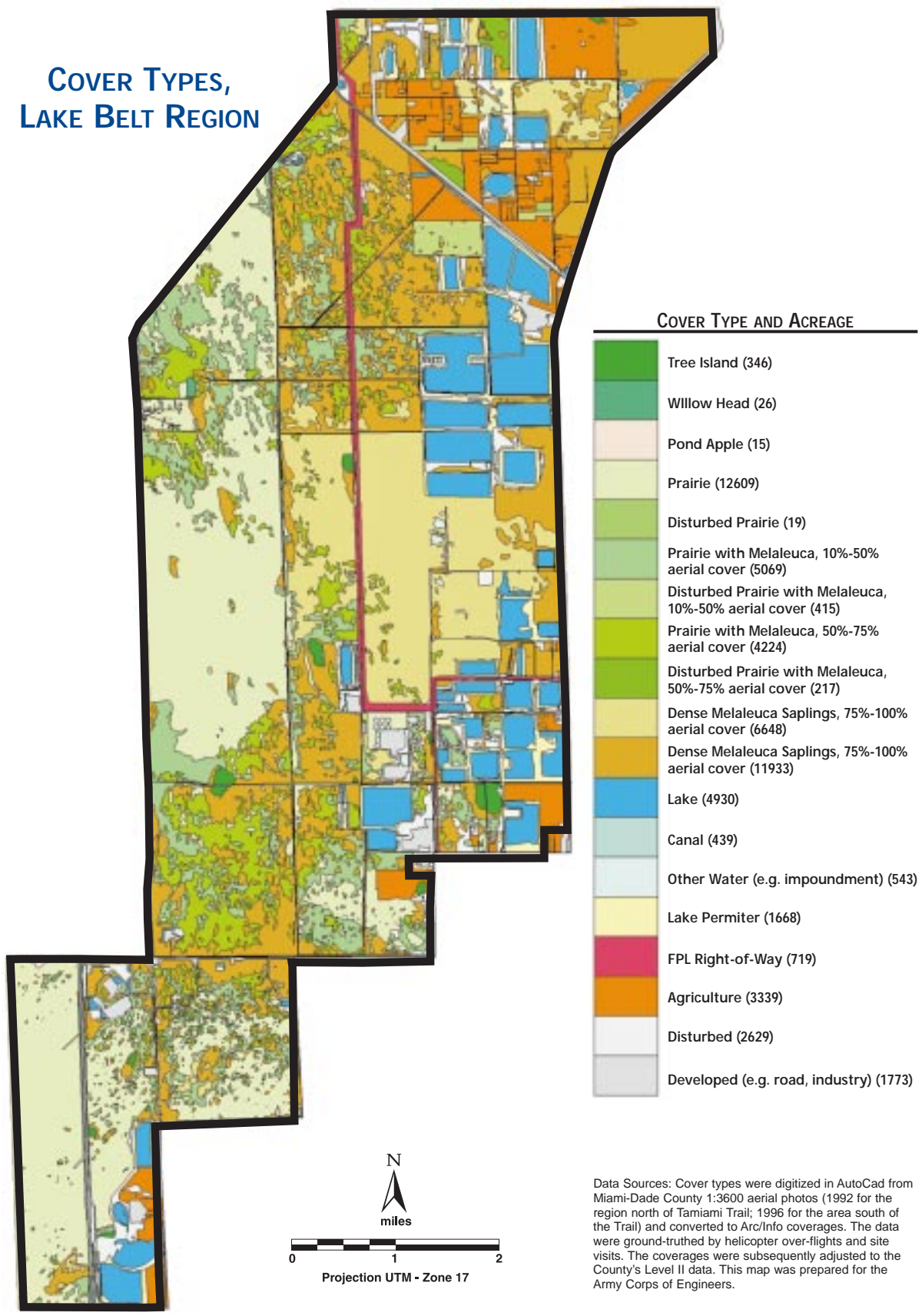
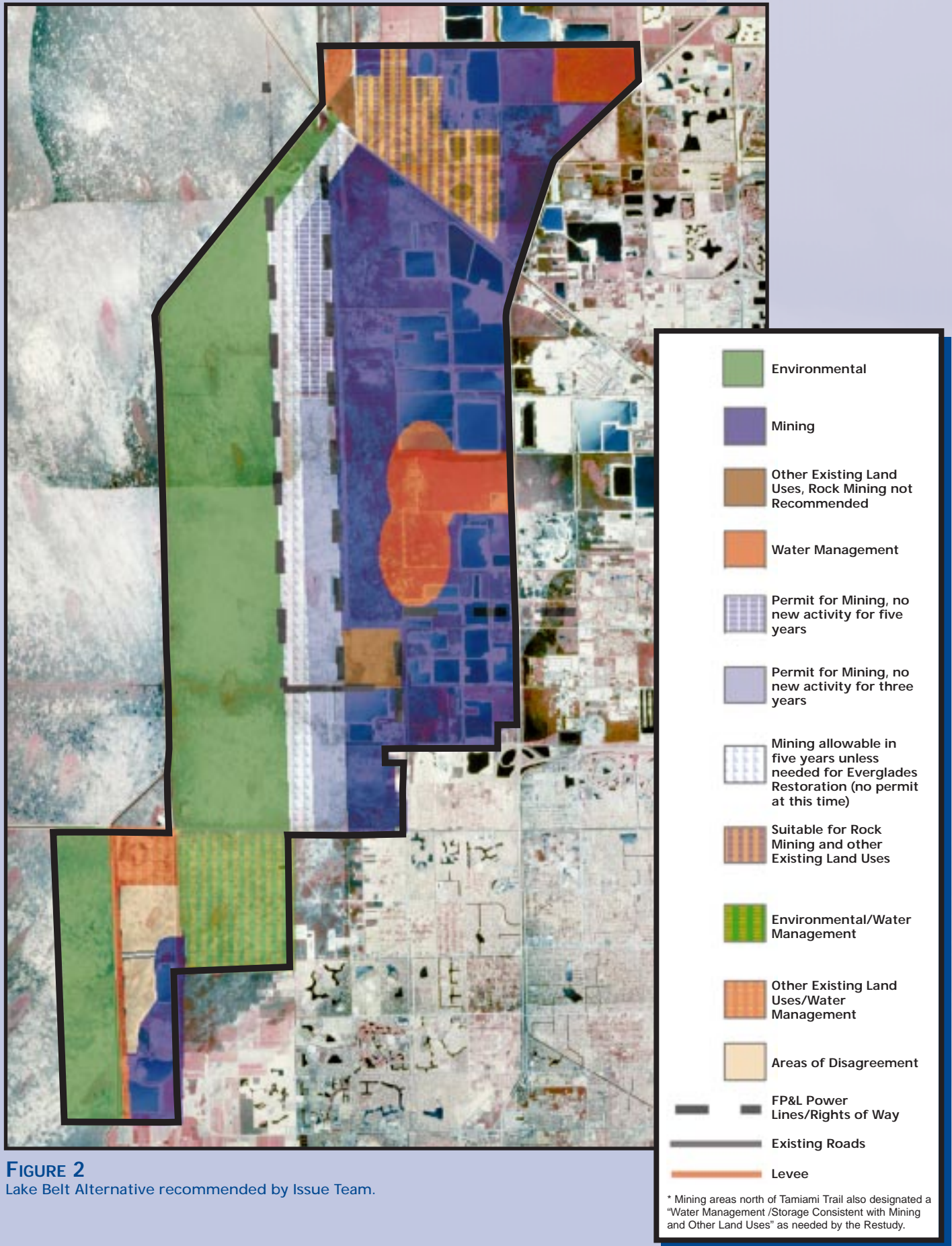


FIGURE 1
Vegetation cover types in the Lake Belt Area.



THE LAKE BELT AND EVERGLADES RESTORATION

The USACE and SFWMD are carrying out a Comprehensive Review (Restudy) of the Central & Southern Florida (C&SF) Project to determine the feasibility of various structural and operational changes to the project that are needed to restore the Everglades and Florida Bay ecosystems while providing for other water-related needs. The USACE completed a Reconnaissance Study in November 1994 that clearly demonstrated that the East Coast Buffer / Water Preserve Areas should be part of any Everglades ecosystem restoration project. The Water Preserve Areas, which include the Lake Belt Area, are expected to enhance regional capabilities for meeting environmental, urban, and agricultural water demands.

The Restudy is currently in a feasibility phase. A comprehensive plan for the overall C&SF system and the tools necessary to evaluate the comprehensive plan and the separate and incremental portions of the project are being developed. The Plan will also include findings from other on-going study efforts including the Water Preserve Areas Feasibility Study. The end product of the restudy feasibility study will be a Feasibility Report with an integrated programmatic EIS that will serve as the basis for obtaining con-

gressional authorization of the comprehensive plan.

Alternative plans are being formulated as part of the Restudy effort. They will be evaluated to identify the impacts and benefits of the proposed changes, including their ability to meet the planning objectives of the study. Numerous studies support the theory that the remaining natural system can be modified to more closely mimic its pre-drainage wetland character through modifications to the hydrologic features. The issue that remains is how to best accomplish these ecologic restoration objectives while allowing the system to serve the economic and social needs of the region. Hydrologic characteristics that will be used in the evaluation process include an assessment of each alternative's ability to:

- regain lost storage capacity
- restore more natural hydro-patterns
- improve timing and quantities of fresh water deliveries to estuaries; and
- restore water quality conditions.

The Internet is being used to rapidly disseminate and receive comments on proposed alternative plans for the Comprehensive Review

Study (website: www.restudy.org). Through April 1998, alternative comprehensive plans will be formulated and evaluated. Each alternative will be judged on how well it meets study goals. This will be done by comparing the alternative plans against the Existing Condition and the Future Without-Project Condition for a range of hydrologic performance measures. Public workshops will be held upon completion of the draft feasibility report scheduled for Fall, 1998.

"The Lake Belt proposal is now sufficiently developed to allow hydrologic analysis as part of the Corps of Engineers restudy now underway. It may be that upon detailed analysis, further modifications will be necessary to protect water quality and assure against negative impacts on the Everglades. But the Lake Belt Plan is a good and imaginative beginning."

-- Secretary of the Interior
Bruce Babbitt

COMPREHENSIVE PLAN MILESTONES

Begin Comprehensive Plan Development	Sept 97
Complete Comprehensive Plan Evaluation	Apr 98
Comprehensive Plan Selection	June 98
Release Draft Report and EIS	Oct 98
Public Meetings	Nov 98
Release Final Report and EIS.....	Apr 99
Submit Report and EIS to Congress	July 1, 1999
Complete Water Preserve Area Feasibility Study	Sept 30, 2001

WATER PRESERVE AREAS

The East Coast Buffer/Water Preserve Areas will consist of a series of surface water areas which would be interconnected and managed as a system of marshlands, reservoirs, and/or aquifer recharge basins. The overall purposes of the project are to: (1) hold more water in the system by controlling seepage from the Everglades; (2) capture, store, and clean up excess stormwater currently lost to tide; (3) provide a buffer between the urban area and the Everglades; and (4) protect and conserve wetlands and habitat values outside the remaining Everglades.

The Restudy Team completed a geographic information systems analysis to determine land suitability within the study area in order to assess the physical ability of lands to be utilized for any of the specific objectives of the Water Preserve Areas. The specific objectives were identified as wetland restoration or preservation, water storage, stormwater attenuation, and, as needed, water quality treatment. The results of this land suitability analysis were combined with preliminary water quality needs and a hydrologic analysis to determine which lands had the most potential to be included in the Water Preserve Areas Project.

In September 1997, the SFWMD Governing Board authorized the addition of 1,234 acres within the Lake Belt Area to the acquisition program. The acquisition will address potential water quality concerns for environmental purposes and for the Northwest wellfield which is located in the Lake Belt Area and is Miami's primary source of drinking water. Figure 3 shows the Water Preserve Areas within the Lake Belt Area, including the areas that were added to the project and the lands acquired to date.

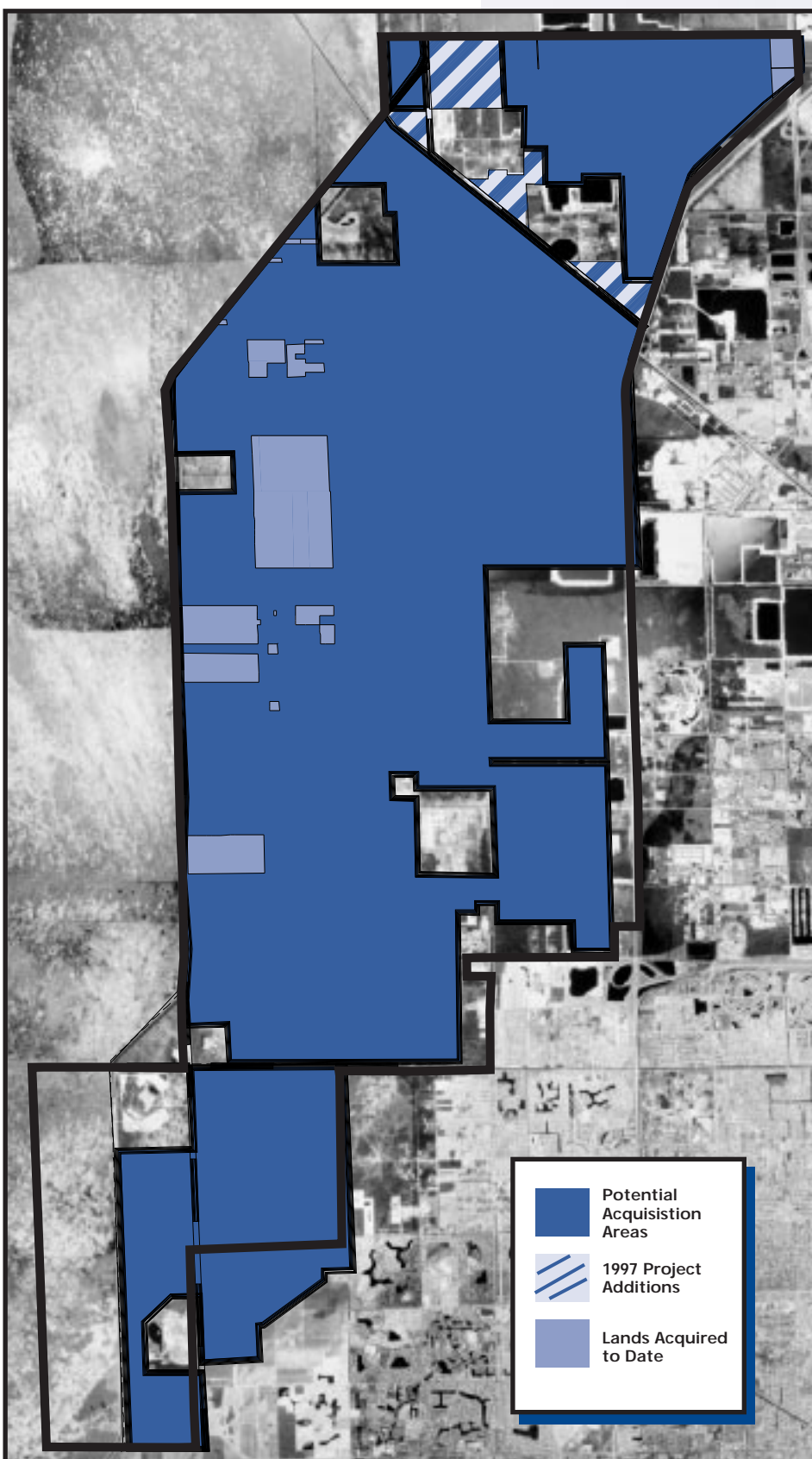


FIGURE 3
Water Preserve Areas within the Lake Belt Area.

COMMUNITY COUNCILS

In addition to permitting regional water management, and ecosystem restoration considerations, local zoning and land use designations are important to developing and implementing a master plan for the Lake Belt Area. In late 1996, the Miami-Dade County Board of County Commissioners created fifteen "Community Councils" to make local zoning decisions and advise the County Commission on planning and budgeting issues in the unincorporated areas of the county. Each Community Council is composed of seven members, six elected and one appointed, who reside within the council area. Following the election of members in November 1996, the Community Councils became fully operational during 1997.

All of the Lake Belt Area is within the unincorporated portion of the county and is distributed among six of the fifteen Community Councils. Figure 4 shows the boundaries of the Community Councils within the Lake Belt Area.

The following responsibilities of the Community Councils most significantly affect the Lake Belt Area:

- Make all zoning decisions involving appeals of staff administrative decisions, special exceptions, unusual and new uses (including lake excavation and ancillary uses), variances from subdivision regulations, district boundary changes, and site plan approvals made in conjunction with these activities. Appeals of Community Council decisions are made directly to the circuit court, except for district boundary changes, which will be heard by the County Commission until February 1998, and thereafter are scheduled to be heard by the Court. Alternative appeal procedures are under consideration.
- Make recommendations to the Planning Advisory Board and the Board of County Commissioners on all proposed amendments to the Miami-Dade County

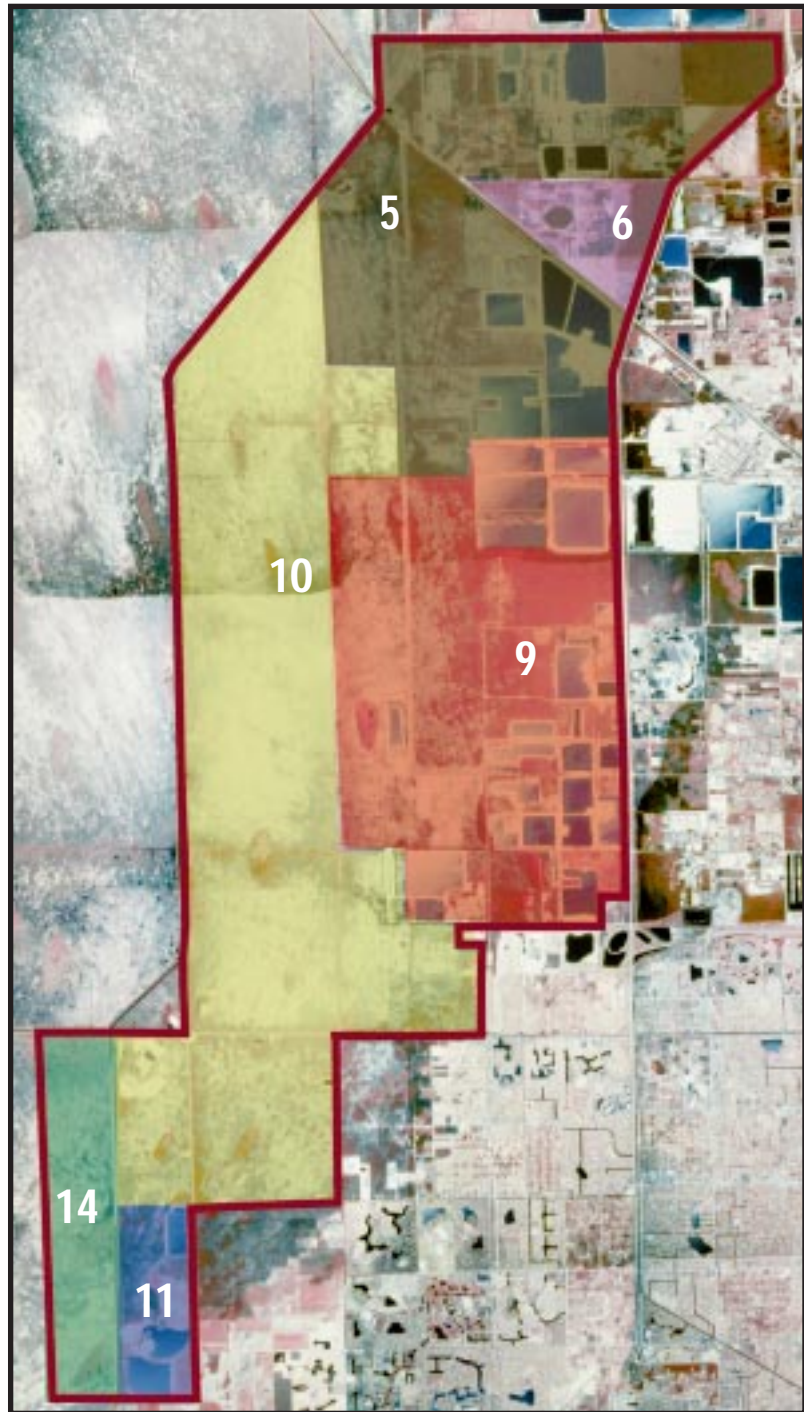


FIGURE 4

Community Councils within the Lake Belt Area. The map shows the boundaries of those portions of the Community Councils within the Lake Belt Area. The numbers on the map correspond to the respective Councils.

Comprehensive Development Master Plan.

In addition, the Community Councils have the option of conduc-

ing other various planning, budgeting, and service related activities.

PROGRESS ON IMPLEMENTATION OF PHASE I

The Lake Belt Committee has continued to move forward in implementing the Plan. Subcommittees were established this year in four important areas to implement Phase I and develop Phase II. These are discussed below.

MITIGATION PLAN

Based upon the results of the environmental studies completed by the Lake Belt Committee last year, the USACE, DEP, SFWMD and DERM determined that a 2.5:1 ratio (acres of mitigation to acres) mined for the entire Lake Belt Plan for the acquisition, enhancement and perpetual maintenance of the wetlands in the Pennsuco would be necessary to offset impacts resulting from quarrying limestone in the wetlands in the Lake Belt Area. This was based upon no net loss of wetland functions and values. The Lake Belt Committee envisioned that funds needed to complete the mitigation would be converted into a user fee to be assessed per ton of limestone materials sold from the Lake Belt Area. Proceeds from the user fee would be deposited into a trust fund administered by Miami-Dade County under the oversight of an interagency committee.

While the Lake Belt Issue Team accepted this general approach, further work was needed on the implementation details. The Issue Team's final report identified several mitigation tasks yet to be completed. The primary areas that needed further

refinement involved determining the methodology for assessing the mitigation requirement for wetlands and identifying and mitigating for any hydrologic impacts. Both the USACE and the Mitigation Subcommittee have continued working to resolve these issues.

While the USACE had preliminarily agreed to a 2.5:1 mitigation ratio, federal agencies typically utilize functional assessment methodologies to determine wetland impacts and mitigation requirements rather than the "ratio" approach used at the state and local levels. Currently a comparison of functional assessment methodologies is being conducted. The purpose of the comparison is to help reach a consensus on the amount of mitigation needed to offset the impacts from additional mining.

The primary location for the mitigation is anticipated to be the Pennsuco wetlands within the Lake Belt Area. GIS analysis has been done to determine the amount of land potentially available for use as mitigation. Anticipating reimbursement from the Lake Belt mitigation trust fund, the SFWMD has purchased 1,249 acres of land within the Pennsuco for use as mining mitigation. Approximately 6,400 acres within the Pennsuco are owned by the industry or government agencies and are available for mitigating the impacts of mining. An additional $\pm 5,000$ acres are privately owned and may be available. As it is anticipated that adequate mitigation

cannot be provided in the Pennsuco wetlands alone, other sites both within the Lake Belt Area and outside, such as the FPL mitigation bank, also are being considered for mitigation.

Efforts also are underway to quantify the hydrologic impacts resulting from increased mining and identify ways to address them. Potential hydrologic impacts include increased seepage from Water Conservation Area 3B, reduction in the hydroperiod of the Pennsuco wetlands, and an increased demand for water from the regional system. Industry would be responsible for mitigating the impacts directly attributable to additional mining, in the form of providing water control structures or other actions that would prevent these hydrologic impacts. If the most effective way to address the impacts would be as part of the overall Everglades restoration efforts being determined by the Restudy, then the industry may pay their portion of the costs rather than implement a separate solution. The analysis of potential hydrologic impacts will be completed in February 1998 at which time a possible adjustment to the user fee to provide adequate funds to prevent these hydrologic impacts can be determined.

LAND SWAPS

One of the important components of the Lake Belt Plan is to exchange the land holdings between the rock mining industry and government agencies to facilitate mining and wetland preservation in the most appropriate places. Currently, the industry owns over 3,700 acres within the Pennsuco wetlands that are not considered suitable for mining. Similarly, government agencies own lands in areas appropriate for rockmining. The Lake Belt Committee established a Subcommittee to implement the land swaps component of the Lake Belt Plan. Given the interrelationship of this issue with mitigation, the industry requested that discussions on land swaps be postponed until the overall mitigation issues were resolved.



PROGRESS ON PHASE II

The Phase I Plan established the broad framework of the Lake Belt Plan. Phase II is intended to ensure that the actual development of the Lake Belt Area is done in such a way as to obtain the most benefit from the plan. In addition to the completion of the mitigation plan and land swaps, the Lake Belt Committee recognized that the existing wellfield protection program needed review. The remainder of the Phase II effort is being done under the overall umbrella of the detailed master plan. These activities are discussed below.

WELLFIELD PROTECTION

Miami-Dade County's existing wellfield protection program identifies allowable land uses within wellfield protection areas, setbacks from the wellheads for rockmining, restrictions on the use and storage of hazardous materials, and restrictions on wastewater and storm water disposal. However, the program was established primarily to protect the water supply from septic tanks and hazardous materials spillage and may

Northwest Wellfield as groundwater under the direct influence of surface water and thus requiring more treatment will be an important component of this effort.

The Wellfield Protection Subcommittee has identified the tasks that must be completed to properly analyze the County's wellfield protection program. Miami-Dade County, SFWMD, and the rockmining industry are providing a total of \$275,000 for this two-year effort which will include several tasks and be overseen by the Wellfield Protection Subcommittee. The initial tasks will consist of a water quality assessment utilizing an inventory of existing data, the design of a monitoring program, and a preliminary dye-tracing test utilizing existing monitoring wells for dye injection. Based upon the results of this preliminary work, the Subcommittee will finalize the study design. Subsequent work may consist of further evaluation of the distribution of microorganisms, a full-scale tracer test, a sur-



One of the 15 wells that comprise the Northwest wellfield. Ensuring the protection of this wellfield is an important component of the Lake Belt Plan.

not adequately address potential impacts from microorganisms associated with surface water influences.

The Lake Belt Committee established a Wellfield Protection Subcommittee to review the adequacy of the existing wellfield protection program and determine what changes, if any, are needed to ensure the protection of the watershed and urban water supplies as the Lake Belt Plan is developed. Measures to prevent the reclassification of the

face tracer test, and a tracer test that uses suspended particles instead of a dissolved aqueous dye to mimic the nature of microbes as much as possible. The data obtained from these tasks will be used to develop a comprehensive wellfield protection plan for the Lake Belt Area.

DETAILED MASTER PLAN

Preliminary work on a detailed master plan for the Lake Belt Area has begun, led by the SFRPC, Miami-Dade County, DCA, and SFWMD. While future land uses must be consistent with the Miami-Dade County Comprehensive Development Master Plan, wellfield protection, and other regulations, it is important to develop long term policies to eliminate the potential for future land uses and zoning changes that would conflict with these goals. The following are the major components of the detailed master plan:

- Land use plan that considers habitat areas, recreation areas, and other land uses.
- Mitigation program that considers regional ecosystem considerations, habitat objectives, management plan for the Pennsuco and other wetlands, design criteria for lake littoral areas, and identification of special features, such as bird rookeries.
- Water management considerations including regional seepage management, water storage, flood protection, and identification of new or modified facilities.
- Land ownership and management program that considers institutional and financial requirements and land swaps.
- Private property rights.
- Lake design including recreational access and use, ecological productivity, wellfield protection, and regional water management considerations.
- Wellhead protection program that considers access restrictions, perimeter security, and use restrictions.
- Recreational use plan that addresses types of recreation, ownership, access and security.
- Phasing plan that considers blasting restrictions, conflicts with other existing land uses, potential transition areas, access management and land swaps.

NEXT STEPS / RECOMMENDATIONS

There are four primary steps that are necessary to complete the development and implementation of the Lake Belt Plan. These are the issuance of the USACE permit, the adoption of a user fee to implement the agreed upon mitigation, the integration of the Lake Belt Plan within the Restudy and related Everglades restoration efforts, and the completion of the Phase II Plan.

The USACE is considering an overall permit and programmatic EIS for mining within the Lake Belt Area. The individual agencies and organizations on the Lake Belt Committee, as well as others, are working with the USACE to resolve the outstanding concerns. The draft EIS is scheduled to be released in the Spring of 1998. It will identify the impacts from mining and propose how they should be mitigated.

The information from the draft permit and EIS will enable a user fee per ton of limestone products sold from the Lake Belt Area to be determined. **Once a consensus is reached on the appropriate amount of the user fee, the Lake Belt Committee would encourage the Legislature to enact the user fee.** The issuance of the USACE permit and adoption of the user fee by the Legislature would enable the consolidation of permitting.

The Restudy effort is currently underway with a report and EIS to be issued to Congress by July 1, 1999. The Lake Belt Committee, and the individual organizations on the Lake Belt Committee, will continue to work to effectively incorporate the Lake Belt Plan as an integral component of the Everglades restoration effort.

The Lake Belt Committee has initiated the studies necessary for the development of an enhanced well-field protection program for the Lake Belt Area. This analysis, along with information from the permitting and Restudy, will be developed into the detailed master plan for Phase II by December 31, 2000.



1997 LEGISLATION

373.4149 Dade County Lake Belt Plan.—

(1) The Legislature hereby accepts and adopts the recommendations contained in the Phase I Lake Belt Report and Plan, known as the "Dade County Lake Plan," dated February 1997 and submitted by the Dade County Lake Belt Plan Implementation Committee.

(2) (a) The Legislature recognizes that deposits of limestone and sand suitable for production of construction aggregates, cement, and road base materials are located in limited areas of the state.

(b) The Legislature recognizes that the deposit of limestone available in South Florida is limited due to urbanization to the east and the Everglades to the west.

(3) The Dade County Lake Belt Area is that area bounded by the Florida Turnpike to the east, the Dade-Broward County line to the north, Krome Avenue to the west and Tamiami Trail to the south together with the land south of Tamiami Trail in sections 5, 6, 7, 8, 17, and 18, Township 54 South, Range 39 East, and in sections 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, Township 54 South, Range 38 East.

(4) The Dade County Lake Belt Plan Implementation Committee shall be appointed by the governing board of the South Florida Water Management District to develop a strategy for the design and implementation of the Dade County Lake Belt Plan. The committee shall consist of the chair of the governing board of the South Florida Water Management District, who shall serve as chair of the committee, the policy director of Environmental and Growth Management in the office of the Governor, the secretary of the Department of Environmental Protection, the director of the Division of Resource Management or its successor division within the Department of Environmental Protection, the director of the Office of Tourism, Trade, and Economic Development within the office of the Governor, the secretary of the Department of Community Affairs, the executive director of the Game and Freshwater Fish Commission, the director of the Department of Environmental Resource Management of Dade County, the director of the Dade County Water and Sewer Department, the Director of Planning in Dade County, a representative of the Friends of the Everglades, a representative of the Florida Audubon Society, a representative of the Florida chapter of the Sierra Club, a representative of the non-mining private landowners within the Dade County Lake Belt Area, and four representatives from the limestone mining

industry to be appointed by the governing board of the South Florida Water Management District. Two ex officio seats on the committee will be filled by one member of the Florida House of Representatives to be selected by the Speaker of the House of Representatives from among representatives whose districts, or some portion of whose districts, are included within the geographical scope of the committee as described in subsection (3), and one member of the Florida Senate to be selected by the President of the Senate from among senators whose districts, or some portion of whose districts, are included within the geographical scope of the committee as described in subsection (3). The committee may appoint other ex officio members, as needed, by a majority vote of all committee members. A committee member may designate in writing an alternate member who, in the member's absence, may participate and vote in committee meetings.

(5) The committee shall develop Phase II of the Lake Belt Plan which shall:

(a) Include a detailed master plan to further implementation;

(b) Further address compatible land uses, opportunities, and potential conflicts;

(c) Provide for additional wellfield protection;

(d) Provide measures to prevent the reclassification of the Northwest Dade County wells as groundwater under the direct influence of surface water.

(e) Secure additional funding sources; and

(f) Consider the need to establish a land authority.

(6) The committee shall remain in effect until January 1, 2001, and shall meet as deemed necessary by the chair. The committee shall monitor and direct progress toward developing and implementing the plan. The committee shall submit progress reports to the governing board of the South Florida Water Management District and the Legislature by December 31 of each year. These reports shall include a summary of the activities of the committee, updates on all ongoing studies, any other relevant information gathered during the calendar year, and the committee recommendations for legislative and regulatory revisions. The committee shall submit a Phase II report and plan to the governing board of the South Florida Water Management District and the Legislature by December 31, 2000, to supplement the Phase I report submitted on February 28, 1997. The Phase II report must include the detailed master plan for the Dade County Lake Belt Area together

with the final reports on all studies, the final recommendations of the committee, the status of implementation of Phase I recommendations and other relevant information, and the committee's recommendation for legislative and regulatory revisions.

(7) The committee shall report to the governing board of the South Florida Water Management District semiannually.

(8) In carrying out its work, the committee shall solicit comments from scientific and economic advisors and governmental, public, and private interests. The committee shall provide meeting notes, reports, and the strategy document in a timely manner for public comment.

(9) The committee is authorized to seek from the agencies or entities represented on the committee any grants or funds necessary to enable it to carry out its charge.

(10) The Department of Environmental Protection, in conjunction with the South Florida Water Management District and the Dade County Department of Environmental Resources Management, is directed to develop a comprehensive mitigation plan for the Dade County Lake Belt Plan, subject to approval by the Legislature, which offsets the loss of wetland functions and values resulting from rock mining in mining-supported and allowable areas.

(11) The secretary of the Department of Environmental Protection, the secretary of the Department of Community Affairs, the secretary of the Department of Transportation, the Commissioner of Agriculture, the executive director of the Game and Freshwater Fish Commission, and the executive director of the South Florida Water Management District may enter into agreements with landowners, developers, businesses, industries, individuals, and governmental agencies as necessary to effectuate the provisions of this section.

(12) (a) All agencies of the state shall review the status of their landholdings within the boundaries of the Dade County Lake Belt. Those lands for which no present or future use is identified must be made available, together with other suitable lands, to the committee for its use in carrying out the objectives of this act.

(b) It is the intent of the Legislature that lands provided to the committee be used for land exchanges to further the objectives of this act.

History.—s. 21, ch. 92-132; s. 5, ch. 94-122; s. 1010, ch. 95-148; s. 10, ch. 97-222.

373.414 Additional criteria for activities in surface waters and wetlands.—

(15) Activities associated with mining operations as defined by and subject to ss. 378.201-378.212 and 378.701-378.703 and included in a conceptual reclamation plan or modification application submitted prior to July 1, 1996, shall continue to be reviewed under the rules of the department adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, the rules of the water management districts under this part, and interagency agreements, in effect on January 1, 1993. Such activities shall be exempt from rules adopted pursuant to subsection (9) and the statewide methodology ratified pursuant to s. 373.4211. As of January 1, 1994, such activities may be issued permits authorizing construction for the life of the mine.

(16) Until October 1, 2000, regulation under rules adopted pursuant to this part of any sand, limerock, or limestone mining activity which is located in Township 52 South, Range 39 East, sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36; in Township 52 South, Range 40 East, sections 6, 7, 8, 18, and 19; in Township 53 South, Range 39 East, sections 1, 2, 13, 21, 22, 23, 24, 25, 26, 33, 34, 35, and 36; and in Township 54 South, Range 38 East, sections 24, and 25, and 36, shall not include the rules adopted pursuant to subsection (9). In addition, until October 1, 2000, such activities shall continue to be regulated under the rules adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, as such rules existed prior to the effective date of the rules adopted pur-

suant to subsection (9) and such dredge and fill jurisdiction shall be that which existed prior to January 24, 1984. In addition, any such sand, limerock, or limestone mining activity shall be approved by Dade County and the United States Army Corps of Engineers. This section shall only apply to mining activities which are continuous and carried out on land contiguous to mining operations that were in existence on or before October 1, 1984.

History.—ss. 4, 5, ch. 86-186; s. 30, ch. 93-213; s. 4, ch. 94-122; s. 3, ch. 96-370; s. 5, ch. 96-371; ss. 2, 5, ch. 97-222.

373.4415 Role of Dade County in processing permits for limerock mining in Dade County Lake Belt.—

The department and Dade County shall cooperate to establish and fulfill reasonable requirements for the departmental delegation to the Dade County Department of Environmental Resource Management of authority to implement the permitting program under ss. 373.403-373.439 for limerock mining activities within the geographic area of the Dade County Lake Belt which was recommended for mining in the report submitted to the Legislature in February 1997 by the Dade County Lake Belt Plan Implementation Committee under s. 373.4149. The delegation of authority must be consistent with s. 373.441 and chapter 62-344, Florida Administrative Code. To further streamline permitting within the Dade County Lake Belt, the department and Dade County are encouraged to work with the United States Army Corps of Engineers to establish a general permit under s. 404 of the Clean Water Act for limerock mining activities

within the geographic area of the Dade County Lake Belt consistent with the report submitted in February 1997. Dade County is further encouraged to seek delegation from the United States Army Corps of Engineers for the implementation of any such general permit. This section does not limit the authority of the department to delegate other responsibilities to Dade County under this part.

History.—s. 3, ch. 97-222.

378.4115 County certification for limerock mining in the Dade County Lake Belt.—

The department and Dade County shall cooperate to establish and fulfill reasonable requirements for the departmental certification of the Dade County Department of Environmental Resource Management to implement the reclamation program under ss. 378.401-378.503 for limerock mining activities within the geographic area of the Dade County Lake Belt which was recommended for mining in the report submitted to the Legislature in February 1997 by the Dade County Lake Belt Plan Implementation Committee under s. 373.4149. The delegation of implementing authority must be consistent with s. 378.411 and chapter 62C-36, Florida Administrative Code. Further, the reclamation program shall maximize the efficient mining of limestone and the littoral area surrounding the lake excavations shall not be required to be greater than 100 feet average in width.

History.—s. 4, ch. 97-222.

The SFWMD is supporting a website for the Lake Belt as part of its **website** at **www.sfwmd.gov**. The SFWMD website contains extensive information about the SFWMD and its on-going activities. The Lake Belt website is located under the heading of major projects. From the SFWMD home page, select **major projects**, then select **Lake Belt** from the list. The Lake Belt website provides information on the Lake Belt Plan, Committee and Subcommittee activities, draft programmatic environmental impact statement, and other information.

Copies of the Lake Belt Plan "**Making a Whole, Not Just Holes**" published February 1997, are available by calling Donna Martens at 561-687-6745.

Several technical reports were prepared in support of the Lake Belt Plan. These include studies on wildlife, vegetation, soils, land use, water quality, and hydrologic modeling of alternative Lake Belt configurations.

To obtain information on these studies, call Jim Jackson at 561-687-6334.

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