

An aerial photograph of Dade County, Florida, is shown in a semi-transparent, light blue overlay on the left side of the cover. The map displays various land use patterns, including urban areas, water bodies, and undeveloped land.

DADE COUNTY LAKE BELT PLAN IMPLEMENTATION COMMITTEE

1998 PROGRESS REPORT



DADE COUNTY LAKE BELT PLAN IMPLEMENTATION COMMITTEE MEMBERS

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Florida Department of Environmental Protection

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Miami-Dade Water and Sewer Department

Hardy Johnson
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Honorable Alex Villalobos
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Project Manager



EXECUTIVE SUMMARY

During 1998, significant progress was made in each of the four primary steps that were identified in the 1997 Progress Report for the Dade County Lake Belt Plan Implementation Committee (generally known as the Lake Belt Committee) as necessary to complete the development and implementation of the Lake Belt Plan. The steps identified were: the adoption of a mitigation fee, issuance of the Environmental Impact Statement (EIS) and long-term permits, the integration of the Lake Belt Plan within the Restudy, and the completion of the Phase II Plan. In addition, an education and outreach effort was made by the Committee to encourage greater public involvement. The status of these is summarized below.

Through the efforts of Senator Diaz-Balart and Representative Villalobos, agreement was reached on a mitigation plan that included an appropriate mitigation fee per ton of limestone products sold from the Lake Belt Area. This was incorporated into Committee Substitute for House Bill 4071 which was passed by the Florida Legislature but vetoed by the Governor due to an unrelated provision in the bill.

The U. S. Army Corps of Engineers (USACE) will issue the draft Programmatic Environmental Impact Statement (PEIS) in January 1999. It identifies the projected impacts from mining and proposes how they should be mitigated. Once the PEIS is finalized in early 1999, the USACE will be able to issue long-term permits for mining within the Lake Belt Area.

The Recommended Comprehensive Plan for the Central and Southern Florida Project Restudy was released October 15, 1998, and held public meetings in November and December 1998. After incorporating the comments received, the final report will be submitted to Congress by July 1, 1999. The Lake Belt Committee, and the individual organizations on the Committee, have worked to effectively incorporate the Lake Belt Plan as an integral component of the Recommended Comprehensive Plan.

The Lake Belt Committee has initiated the studies necessary for the development of an enhanced wellfield protection program for the Lake Belt Area. This analysis, along with information from the Restudy and other sources, will be used to develop the detailed master plan for Phase II by December 31, 2000.

During July 1998 a public meeting was held to inform landowners within the Lake Belt Area about the current status of the area and the long-term planning efforts underway, including the Lake Belt Plan and the Restudy. Newsletter updates on these topics in both English and Spanish were subsequently mailed to all landowners within the Lake Belt Area.

The following pages discuss the progress of the Lake Belt Committee in implementing the Lake Belt Plan and identify the next steps and recommendations.





BACKGROUND

The Lake Belt Area is an 89 square mile area located between the Everglades and the urbanized areas of Miami-Dade County. The area provides half of the limestone used in the state every year, includes the largest drinking water wellfield in the state, and serves to buffer the Everglades from urban development. Approximately two-thirds of the land within the Lake Belt Area is owned by the mining industry or government agencies.

In 1992, the Florida Legislature created the



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" (Section 21 of ch. 92-132, Laws of Florida). The Committee is composed of representatives from government agencies, the rock mining industry, environmental organizations, and a representative for non-rock mining landowners. South Florida Water Management District (SFWMD) Governing Board member Bill Graham chairs the Lake Belt Committee.

In February 1997 the Lake Belt Committee published The Lake Belt Plan "Making a Whole, Not Just Holes." The purpose of the plan was to create a balance between the economic values of continued rock mining, the environmental values of the freshwater wetlands, the rights of individual property owners, the protection of municipal water supply, and on-going federal, state and local efforts to restore the greater Everglades ecosystem. It established an overall environmental permitting framework for creating a coordinated freshwater lake system to replace the unplanned checkerboard mosaic of quarried lakes now being excavated at a rate of approximately 300 acres per year. The development of the Plan has provided an opportunity for federal, state, and local gov-

ernments to work in partnership with the private sector. This partnership will continue as the parties work to implement this comprehensive plan for the Lake Belt Area.

Development of the Plan has occurred in two phases. Phase I established the overall framework for the Plan and contained specific recommendations regarding:

- a strategy for streamlining the permitting process for rock mining;
- specified areas for mining, mitigation, and additional analysis;
- establishment of a 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 the Phase II Detailed Master Plan.

As directed by the Legislature, the Lake Belt Committee is currently developing the Phase II Detailed Master Plan to address land use planning conflicts, analyze additional wellfield protection requirements, and consider the need to establish a land authority to further implement the Plan. The Phase II Detailed Master Plan will be completed by December 31, 2000.

PROGRESS ON PHASE I

Most of the effort to implement the Phase I Lake Belt Plan during 1998 was devoted to reaching final agreement on the Lake Belt Mitigation Plan. The mitigation plan was based on the recommendations of the Lake Belt Committee and was designed to offset the environmental impacts of mining within the Lake Belt Area of Miami-Dade County. Through the efforts of Senator Mario Diaz-Balart and Representative Alex Villalobos, agreement was reached during Spring 1998. The mitigation plan includes components that require legislative authorization prior to implementation, such as the mitigation fee on all limestone sold from the Lake Belt Area, as well as actions that can be implemented separately. The specific components are identified on the next page.

Legislation to enact the Lake Belt Mitigation Plan was approved by the Legislature as part of CS / HB 4071. Unfortunately, an unrelated provision concerning eminent domain was amended onto the bill on the last day of the Legislative session. Due to that provision, Governor Chiles vetoed the bill. However, in his veto message, he specifically commended the Lake Belt Mitigation Plan:

"I find especially laudable the Dade County Lake Belt Mitigation Plan in the bill. Standing alone, the Lake Belt Mitigation Plan would have met with my approval. While I am taking action to veto this bill, I encourage all agencies who would be participating in the Lake Belt Mitigation Plan to carry out its provisions to the degree possible absent the statutory provisions. I strongly encourage the Florida Legislature to take up and pass in 1999 the provisions of the Lake Belt Mitigation Plan, and in the intervening period, I pledge my executive authority to its legal extent to carry out the Lake Belt Mitigation Plan."

At the Lake Belt Committee's June meeting, Senator Diaz-Balart pledged his support to reintroduce the Lake Belt Mitigation Plan and seek its approval during the first few weeks of the 1999 session of the Florida Legislature.

Efforts continued to implement those components of the Lake Belt Mitigation Plan that did not require legislative action. The SFWMD began the process of acquir-

ing lands owned by rock mining firms within the Pennsuco wetlands. Several of the companies involved identified specific parcels of state owned lands that they wished to mine on a royalty basis. Taken together, these actions would accomplish the "land exchanges" authorized in the Phase I Plan.



LAKE BELT RESOLUTION

WHEREAS, the **Governor's Commission For A Sustainable South Florida** supports Governor Chiles' position concerning the Lake Belt Mitigation Plan as expressed in his letter to the Honorable Sandra B. Mortham, Secretary of State dated May 28, 1998.

NOW, therefore be it resolved that the Governor's Commission For A Sustainable South Florida pledges its support for the 1999 Florida Legislature to take up and pass the Lake Belt Mitigation Plan as drafted in HB-4071, and further that the Governor's Commission supports implementation of the Plan by local, state and federal agencies.

Resolution adopted May 29, 1998

LAKE BELT MITIGATION PLAN

COMPONENTS INCLUDED IN LEGISLATION

- The key component of the mitigation plan is the establishment by the Florida Legislature of a mitigation fee calculated on a per ton basis on all limestone sold from the Lake Belt Area. Proceeds from the mitigation fee will be used to perform mitigation activities to offset the impacts due to mining such as acquiring environmentally sensitive lands to restore, manage, and maintain their natural functions. Mitigation must be consistent with the recommendations contained in the reports prepared by the Lake Belt Committee for the Legislature and adopted under s. 373.4149, F.S.

- The mitigation fee would become effective on October 1st of the year it is enacted, at an initial rate of \$0.05 per ton. Beginning January 1st, 15 months later, the mitigation fee would be increased annually at a rate of 1.9* percent plus a growth cost factor to account for inflation. The growth cost factor is a weighted average of the Employment Cost Index (60%) and the Producer Price Index (40%). (Government agencies have based the mitigation plan upon an overall mitigation ratio of 2.5: 1 and an initial cost of \$6,142 per acre of mitigation in the Pennsuco wetlands.)

- An interagency committee will authorize expenditures for mitigation and prepare annual reports. The amount of the mitigation fee will be revisited in 2010 and at ten-year intervals thereafter to ensure that revenues collected are commensurate with the actual mitigation costs.

- Analysis of the hydrologic impacts resulting from future mining will be added as a requirement of the Phase II Plan. Additional mitigation measures, if needed, will be recommended at that time for inclusion in the Lake Belt Mitigation Plan

- Final implementation of the agreed upon mitigation will occur through the issuance of permits by the USACE. If the USACE does not issue permits consistent with the Lake Belt provisions in state statute and the Lake Belt Plan accepted by the Legislature during the 1997 legislative session, by September 30, 2000, then the mitigation fee will be suspended until it is re-adopted by the Legislature.

** Rate would be 2.0% if enacted during the 1999 legislative session*



OTHER COMPONENTS

- Protection of the County's Northwest Wellfield is a requirement that the Lake Belt Committee must address in the Phase II Plan due December 31, 2000. The County and the industry are continuing discussions regarding the maintenance of a solid buffer for a sixty-day travel time distance from the Northwest Wellfield.

- At present, mining south of Tamiami Trail would be permitted no closer than 2,000 feet east of the L-31N canal. The ultimate extent of mining in this area will be determined in the Phase II Report.

- "Up-front" sale of miner-owned lands within the Pennsuco wetlands will be negotiated with individual companies who agree in principle to sell at appraised value. The State will negotiate leases for mining of State owned lands located east of the Dade-Broward levee in areas that have already been identified as appropriate for mining. Such leases will include royalty payments to be negotiated between the DEP and the applicable mining company. Such leases may be contingent upon successful negotiation of the purchase of the applicable mining company held lands in the Pennsuco.

- Mitigation for mining done through permits with "mine now, mitigate later" conditions will be addressed and resolved on a permit by permit basis between the permittee and the agency or agencies issuing the permit.

- Increased mitigation will not be required for areas currently permitted when the permits expire and remaining unmined areas are requested to be re-permitted.

PUBLIC OUTREACH

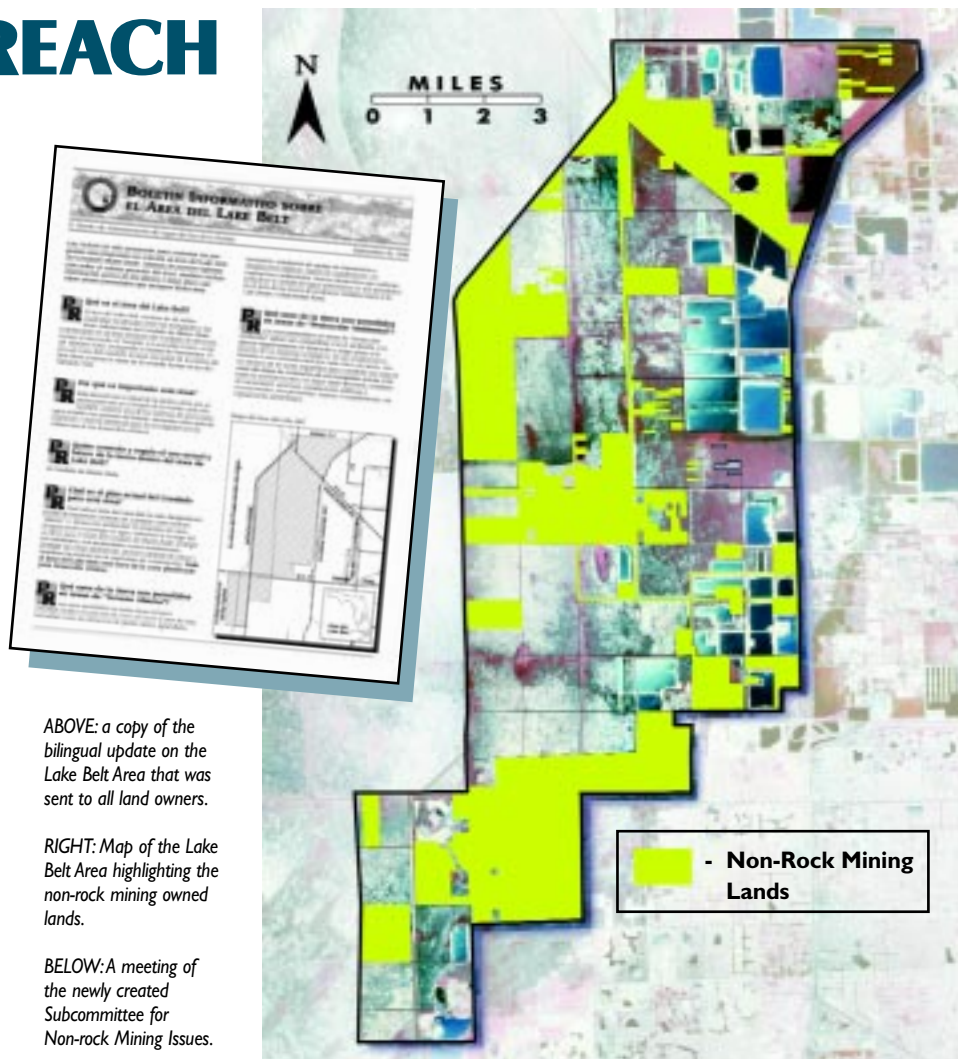
Much of the effort on the Lake Belt planning process during the past several years have been directed toward the development of the overall framework of the Plan. This was embodied in the phased approach where Phase I dealt with the "big picture" issues of where rock mining was most appropriate and what was an appropriate mitigation plan. In Phase II this overall plan is being refined and related issues are being resolved.

Phase II work efforts were initiated including an expansion of public outreach activities. The addition of a representative of non-rock mining landowners to the Lake Belt Committee is one example. Another example is the public meeting held on July 29, 1998. It was scheduled to address the issues raised at the June 1998 Committee meeting attended by 80 non-mining related landowners within the Lake Belt Area.

The landowners were responding to an anonymous letter that had been sent to several hundred landowners that stated "Your property lies in an area called 'The Lake Belt' and your Property Rights are in imminent danger"... Miami-Dade County Commissioner Miriam Alonso came to the June meeting and was able to assure the group, in both English and Spanish, that their property rights were not in any imminent danger. To ensure that the questions and concerns of the non-rock mining landowners could be more fully addressed, Commissioner Alonso requested that the Lake Belt Committee hold an evening public workshop. Approximately 500 people attended the public meeting that was held on July 29, 1998 at a nearby school. Information about the current status of the Lake Belt Area, the allowable land uses, the permits required, the work of the Lake Belt Committee, and the Restudy was provided. Several hours were devoted to a question and answer session. The meeting was conducted in both English and Spanish. Following the meeting, bilingual updates on both the Lake Belt Area and the Restudy were mailed to all landowners in the Lake Belt Area. Future updates will be provided periodically.

As part of its efforts to address the concerns expressed, the Lake Belt Committee created a Subcommittee for Non-Rock Mining Issues. This new Subcommittee will interact with the Master Plan Subcommittee as well as work on other related issues. The initial focus of the Non-Rock Mining Subcommittee is to develop an affordable mitigation plan for non-rock mining impacts that is consistent with existing federal, state, and local regulations.

During this year the Lake Belt web site, which is maintained as part of the SFVMD web site, was revised and expanded. The site contains information on future, current and past Lake Belt related activities as well as copies of most documents related to the project. The website is www.sfvmd.gov/org/pld/proj/lakebelt



ABOVE: a copy of the bilingual update on the Lake Belt Area that was sent to all land owners.

RIGHT: Map of the Lake Belt Area highlighting the non-rock mining owned lands.

BELOW: A meeting of the newly created Subcommittee for Non-rock Mining Issues.





PROGRESS ON PHASE II

WELLFIELD PROTECTION

As identified in prior progress reports, Miami-Dade County is investigating the adequacy of its existing wellfield protection program to protect its wellfields from potential impacts due to lake excavations. The County, the SFWMD and the rock mining coalition are jointly funding the investigation.

One of the objectives of this investigation is to identify the groundwater travel time (how long it takes groundwater to move from one point to another) in the vicinity of the Northwest Wellfield. Since the excavation of the lakes results in the removal of aquifer material, which acts as a natural filter for surface water contaminants, the lakes have the potential to act as conduits for surface water contaminants to reach the supply wells. Accurate knowledge of groundwater travel times will allow a determination of how much of a buffer is needed around the wellfield to provide

adequate filtration to prevent contamination.

The Miami-Dade County Department of Environmental Resources Management (DERM) has initiated Phase I of this program by conducting preliminary tracer tests in the vicinity of the Northwest Wellfield. Since this technique has not previously been attempted in south Florida, the purpose of this work has been to investigate the feasibility of conducting tracer tests in this area. Ultimately, the data obtained from the tracer tests will enable DERM to refine current groundwater models used in the County's wellhead protection program and develop an enhanced watershed protection program for the wellfields located in the Lake Belt Area.

Three preliminary tracer tests have been completed. Results from the preliminary tests indicate that this technique may be feasible, however there is still uncertainty regarding the quantity of tracer required. Subsequent efforts will attempt to resolve

this uncertainty. Larger scale tests will then be conducted to provide the information needed to refine wellfield protection models and develop a plan for the long-term protection of the public water supply.



WORK PROGRAM FOR LAKE BELT PHASE II DETAILED MASTER PLAN

TO ADDRESS ENVIRONMENTAL, ROCKMINING, AND NON-ROCKMINING CONCERNS

Activity	1999	2000	2001
Plan Development Cooperative Agreement w/ SFRPC Selection of Consultant(s)			
Inputs Wellfield Protection Study C & SF Restudy Report to Congress WPA Recommended Design Other Information			
Component Analysis Water Management Techniques and Needs Land and Recreation Use Plan Land Treatments Regulatory Treatments Public Involvement and Intergovernmental Coordination Implementation			
Public Involvement Public Workshops Meetings of Subcommittees Lake Belt Committee meetings			
Phase II Detailed Master Plan Activity Reports Draft Plan Final Plan			
Plan Implementation Approval by Legislature Adoption by Miami-Dade County Adoption by other Agencies			



DETAILED MASTER PLAN

Work on a detailed master plan for the Lake Belt Area was initiated in 1997.

Rock mining firms and government agencies own approximately 37,200 acres within the Lake Belt Area. The approximately 19,800 acres remaining are privately owned by other individuals.

Future land uses must be consistent with the Miami Dade County Comprehensive Development Master Plan and wellfield protection and other regulations and these may be changed. Following are the major components of the detailed master plan which have been identified to date:

- a land use plan that considers habitat uses, recreational needs, and other non-mining land uses.
- a phased mining plan that addresses blasting issues, conflicts with other existing land uses, and potential transition areas, while accommodating potential land swaps
- a mitigation program that incorporates regional ecosystem considerations, habitat objectives, management plans for Pennsuco and other wetlands, design criteria for lake littoral areas, and special features such as rookeries.
- Restudy considerations including regional seepage management, water storage, flood protection, and identification of new or modified facilities.
- lake design features including recreational access and use, ecological productivity, wellfield protection and other regional water management considerations.
- a water supply protection program that addresses public access, perimeter security, and other use restrictions.
- a land ownership and management program that addresses institutional and financial requirements, land swaps, and private property rights.
- a recreational use plan that addresses types of recreation, ownership interests, access and security.



CENTRAL & SOUTHERN FLORIDA PROJECT COMPREHENSIVE REVIEW STUDY

DRAFT COMPREHENSIVE PLAN

On October 15, 1998 the Draft Comprehensive Plan for the Restudy was released. The report's formal name is the "Central & Southern Florida Project Comprehensive Review Study Draft Integrated Feasibility Report and Programmatic Environmental Impact Statement". It contains a draft Comprehensive Plan for the water resources of Central and Southern Florida that identifies and discusses the plan's proposed features and their beneficial effects and potential impacts on the region for the next 50 years.

The effort centers on an update of the Central and Southern Florida (C&SF) Project, a network of more than 1,000 miles of canals, 720 miles of levees, and several hundred water control structures and pump stations. The network has provided water supply, flood protection, and other water management benefits to Central and Southern Florida for the last 50 years.

The USACE and the SFWMD led a multi-disciplinary team from over 30 agencies to determine the feasibility of various structural and operational changes to the C&SF Project that are needed to restore the Everglades and Florida Bay ecosystems while providing for other water-related needs.

Ten alternative plans were formulated as part of the Restudy effort. They were evaluated to identify the impacts and benefits of the proposed changes, including their ability to accomplish ecological restoration objectives while allowing the system to serve the economic and social needs of the region. Hydrologic characteristics that were used in the evaluation process included an assessment of each alternative's ability to: regain lost storage capacity, restore more natural hydropatterns, improve timing and quantities of fresh water deliveries to estuaries, improve water quality conditions, and meet urban and agricultural water demands.

Preliminary estimates are that the Plan will cost \$7.8 billion over the next 20 years to construct, with \$175 million needed each year for maintenance, operation, and monitoring after the projects are completed. The cost of construction will be shared equally between the federal government and the citizens of Florida. The complete nine-volume report is available on the Restudy web site: www.restudy.org. Public workshops of the draft report were held during November and December 1998. Additional written comments were requested by December 31, 1999. The Final Comprehensive Plan will be provided to Congress by July 1, 1999.

The most significant features of the Draft Comprehensive Plan are summarized below. The map in Appendix I illustrates the main components that are proposed within the Lake Belt Area.

HIGHLIGHTS OF DRAFT RECOMMENDED PLAN

60 Components

Storage Areas - 1.5 million acre-feet

Aquifer Storage and Recovery - 1,665 million gallons/day

Stormwater Treatment Areas - 30,000 acres

Water Conservation Area 3 Partial Decentralization

Everglades Rain-Driven Operations

Revised Lake Okeechobee Regulation Schedule

Wastewater Reuse

Lower East Coast Water Conservation



ENVIRONMENTAL IMPACT STATEMENT FOR LAKE BELT AREA

Providing regulatory certainty and streamlining the permitting process are key components of the Lake Belt Plan. The Florida Legislature recognized this when it directed Miami-Dade County and the Florida Department of Environmental Protection to work with the 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 determined that the scope of the Lake Belt Plan and the cumulative impacts of limestone mining in Dade County, Florida, might affect the quality of the human environment. It determined that issuance of general or long-term permits for mining in the wetlands within the Lake Belt Area would require a Programmatic Environmental Impact Statement (PEIS).

The PEIS included studies addressing hydrological modeling, water quality, vegetation and soils mapping and analysis, wildlife, and land use. The studies are discussed in the PEIS and are contained as appendices to it.

Several alternatives were identified and analyzed. They include an alternative that would allow future mining under a comprehensive plan that once adopted would serve as a guide in subsequent planning and regulatory actions. To assist in developing a plan, an Issue Advisory Team (Issue Team) was formed under the interagency South Florida Ecosystem Restoration Working Group (Working Group). The Issue Team was comprised of representatives from federal, state, and county agencies; rock mining interests; environmental interests; and private landowners. Its goal was to develop a consensus-based alternative that would meet the objectives of the study. The effort of the Issue Team led to the development of an alternative that identifies areas where mining would be permissible under specific time frames and conditions.

This PEIS contains a Recommended

Plan as a framework under which limestone mining would be permitted in southern Florida within the allowable areas identified in the Issue Advisory Teams report. It discusses the plans' proposed project features, their beneficial effects and potential impacts on existing resources. The Recommended Plan would result in the mining of approximately 11,000 acres of wetlands beyond 10,000 acres of mining already permitted or dug. It also contains recommendations for structural and operational features to mitigate adverse impacts resulting from the mining. A principal feature of the Recommended Plan is the creation of a comprehensive hydrologic and wetlands mitigation plan.

The Lake Belt Area will also play an important role in water storage and management for restoration of the Everglades as part of the Restudy. During the development of the Phase II Master Plan, revisions to the water control/seepage features, well-field protection measures, and littoral wetland design will be analyzed and recommended that will integrate with the Restudy's overall design.

The draft PEIS will be released in January 1999. The final PEIS will be issued several months later and will incorporate changes to address the comments received during the public comment period. Once this process is complete, the USACE will be able to issue long-term permits for limestone mining within the Lake Belt Area.





ACTION STEPS AND RECOMMENDATIONS

The continued development and implementation of the Lake Belt Plan will require action by the Legislature, Lake Belt Committee, and individual agencies and organizations that serve on the Lake Belt Committee. The most important action steps that remain to be taken include the following.

- Adoption of the Lake Belt Mitigation Plan by the Legislature and establishment of the mitigation fee beginning October 1, 1999, on all limestone sold from the Lake Belt Area to provide for mitigation of adverse environmental impacts of mining.
- Creation of the Lake Belt Mitigation Trust Fund to be managed by an inter-agency committee to receive and disperse funds associated with the mitigation activities.
- Prompt acquisition by SFWMD of all lands owned by rock mining firms within the Pennsuco wetlands at appraised value for use as part of the Lake Belt Mitigation Plan.
- Leasing of appropriate state owned lands within the Lake Belt Area to rock mining firms for mining on a royalty basis.
- Issuance of long-term mining permits by the U. S. Army Corps of Engineers by September 30, 2000, consistent with state statute and the Lake Belt Plan.
- Refinement of the Restudy components located within the Lake Belt Area during the subsequent phases of the Restudy and Water Preserve Area projects to increase their overall benefits and cost-effectiveness.
- Completion of the analysis of the hydrologic impacts resulting from future mining and incorporation into the Phase II Detailed Master Plan and inclusion of recommended mitigation measures into the Lake Belt Mitigation Plan.
- Development of an overall mitigation plan for non-rock mining impacts within the Lake Belt Area consistent with federal, state, and local requirements.
- Expansion of the membership of the Lake Belt Committee to provide for voting representation of non-rock mining landowners equal to the representation by rock mining interests.
- Completion of the Phase II Detailed Master Plan by December 31, 2000 which shall consider the property owner's concerns expressed in Appendix 2.



CURRENTLY ENACTED LAKE BELT 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 nonmining 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 com-

mittee 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 2ss. 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 pursuant 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 www.sfwmd.gov/org/pld/proj/lakebelt. 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 previously published Lake Belt Plan Progress Reports 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.

This publication was produced by the SFWMD Visual Communications Division.



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APPENDIX 1

PROPOSED RESTUDY COMPONENTS IN THE LAKE BELT AREA

**Figure Removed for
Security Purposes**

This does not represent the recommendation of the Lake Belt Committee. This graphic is a conceptual tool utilized for development only. This graphic is not self-executing or binding, and does not otherwise affect the interests of any person including any vested rights or existing uses of real property.

APPENDIX 2

NEEDS FROM NON-MINING LANDOWNERS IN THE NORTHERN PART OF THE LAKE BELT

50+ attended meeting between landowners on Nov. 17, 1998 at Coco's Nursery.

DENSITY AND USES (CERTAINTY)

- A. 1 (one) house per acre ("Stair Step Area"/Northern Lake Belt). Estates/Ranchets, Nurseries/A/U to be compatible.
- B. Properties that touch U.S. 27 light commercial to supply the area with their needs.

FLOOD PROTECTION AND FLOOD CONTROL

- For properties not for mining ("Stair Step Area")

UPGRADE INFRASTRUCTURE

- Pave dirt roads.
- Allow well water.
- Allow septic tanks (they cannot get permits for septic tanks or to many obstacles).

MITIGATION

- No mitigation for A/U uses, one house, ranchets.
- Affordable Mitigation on fill pad only (some people did not even like that idea).
- Option: declare C-9 as degraded and not charge for mitigation.

COMPLAINTS

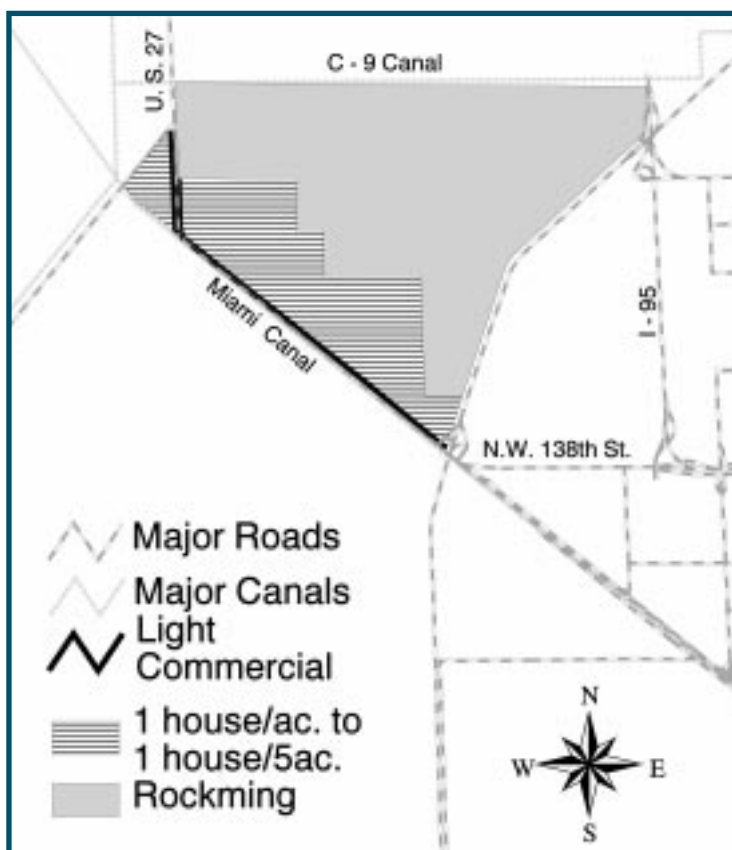
- High Mitigation used to prevent use.
- Septic tanks not allowed (Another obstacle to prevent use).
- Pay taxes and county is not supplying services.
- Now Government wants to buy lands and are not willing to pay for them.
- No body wants to buy (private) because they are scared (because of agencies plans).
- One-acre parcel cannot build a house.
- Blasting upsets small landowner can the intensity be lowered, small land owner can work with the issue in order to consist.

COMMENT: Opted to work with mining and environmental groups if possible.

- Cannot afford Mitigation, fixed low income.
- Wanted their properties to build their retirement home (Finca Style).
- Want ability to buy and sell property in the C-9 with no pressure to restrict/devalue via Mitigation, septic tank hook up, inspector harassing land owner to stop people from using their properties to open the way for government buying lands.
- Government can buy lands, but has to clear the cloud over the entire basin first (Not a willing selling and a willing buyer).
- Government must decide now whether it can pay full just compensation or allow landowners to retain existing and future uses and lift all road blocks it has established.

NOTE:

These comments should not be taken as to be the representation of all landowners in the Northern Section. There may be additional concerns that need to be addressed from other landowners that did not attend.



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NON-MINING OWNER RELIEF PACKAGE

Pilot Project Northern Lake Belt

LEGISLATION:

- Add legislation to the objective and mission statement of the original Lake Belt Legislation to include the following:

Protect private property rights, identify non-mining land owners needs not limited to existing uses and future opportunities and incorporate them into the detail master plan and the overall Everglades restoration efforts where possible.

- Add to the Lake Belt Legislation: lands that have and will be acquired in the Lake Belt area for public use by a government body must always be used for that purpose if that land is not used for that purpose it must revert back to the original owners or his heirs at a cost equal to what the land owner paid at the time his property was condemn or purchased.

MITIGATION:

- No mitigation for A/U and ranchets uses in the northern part Lake Belt with affordable Mitigation on fill pads.

LAND USE:

- Endorse landowners proposal for the Northern part of the Lake Belt.
Low density estate/ranchets uses A/U and nurseries compatible 1 house per acre to 1 house per 5 acres. Light commercial for properties that touch US 27 to supply the needs of the area.

OTHERS:

Note: I encourage each unique are of the Lake Belt to be looked at from the non-mining land owners perspectives and a general direction should be given to the land planners to try to accommodate their needs when possible.

