

**LAKE BELT
PHASE II PLAN
COMPANION DOCUMENTS
COMMENTS & ADDITIONAL PROPOSALS**

Prepared by
WALLACE ROBERTS & TODD, LLC

For the
**MIAMI-DADE COUNTY
LAKE BELT PLAN
IMPLEMENTATION
COMMITTEE**

January, 2001

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MIAMI-DADE COUNTY LAKE BELT PHASE II PLAN
Companion Documents
Comments and Additional Proposals
January, 2001

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1. Overview

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Overview

This document is one of four Companion Volumes that have been prepared to accompany the Lake Belt Phase II Plan Report. These four volumes provide a more detailed package of background information pertinent to the Phase II Plan. Such information includes commentaries received from members of the public, Committee members and other interested parties, during the planning process; information regarding the planning process itself; and technical documents related to wellfield protection and water management issues.

These documents (including color versions of many of the graphic exhibits), as well as additional information, can also be reviewed at the South Florida Water Management District's website, specifically, the "Documents" portion of the Lake Belt web-page (<http://www.sfwmd.gov/org/pld/proj/lakebelt/index.html>).

The other three Companion Volumes are as follows:

- Lake Belt Phase II Planning Process (Wallace Roberts & Todd, LLC, January, 2001). This volume gives an overview of the methodology by which the Phase II Plan was developed. It describes the sequence of tasks undertaken, includes copies of interim reports and products, and shows the range of Alternative Concepts considered in preparation of the Plan as well as comments received which critiqued and evaluated those Alternatives.
- Northwest Wellfield Watershed Protection Plan (Miami-Dade County Department of Environmental Protection, August, 2000). This volume comprises DERM's Report on the results of initial assessment of the adequacy of Miami-Dade County's existing program of protection for the Northwest Wellfield. It identifies key issues related to risk avoidance, wellfield protection and watershed management, and identifies a series of strategies and action steps for completion of the necessary studies and for implementation.
- Groundwater Simulations for the Miami-Dade County Lake Belt Plan (South Florida Water Management District, January, 2001) This volume describes the subregional groundwater modeling done in support of the Lake Belt Phase II Plan. It contains model documentation including boundary conditions, assumptions and period of record, as well as descriptions of the scenarios modeled and a brief summary of results.

This volume, Comments and Additional Proposals, focuses on comments to the Phase II Plan. It includes comments received at various points in the Phase II planning process; at the outset; during the consideration of Alternative Concepts for the area's future; and particularly during the preparation of the final Phase II Plan Report. They range from general observations, objections or questions, to

detailed comments on various specifics of the draft and final versions of the Phase II Plan, and to independent proposals for the area submitted as alternatives to the planning concepts developed by the Committee and consultants.

Comments received which focus specifically on the "Alternative Concepts" (Alternatives "A" through "C" developed in August-September, 2000), need to be referenced to the Alternatives themselves. They are included in the "Planning Process" volume, along with the Alternatives maps and supporting documents. Comments that address the Lake Belt as a whole, or which can be understood without reference to the Alternatives maps, are included herein.

2. Lake Belt Public Meetings Summaries of Comments Received

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Lake Belt Phase II Master Plan

Summary of Comments received at the Public Meeting on 9/23/99

Paul Bell Middle School, Miami-Dade County, FL

The meeting opened with an introduction by Jim Jackson who discussed the purpose of the meeting, its format, and the openings on the Committee for non-rock mining members. He then gave a brief update on the Lake Belt Legislation and the efforts underway to restore the Everglades. He included a summary of legislation passed earlier this year and a review of important changes affiliated with both the rock mining industry and non rock-mining interests.

David Sacks of WRT continued with the presentation, discussing the next phase, Phase II of the Master Plan. He began with a little background on the Lake Belt committee and its purposes. He then reviewed the results of the Phase I Plan and introduced components (Phase I-V) of the Phase II Master Plan, discussing how they relate as well as the upcoming schedule and process. He then discussed the opportunities for public involvement, including public meetings, workshops, and mailings. Mr. Sacks ended his presentation with a description of three main issues that face the planners of the project and a review of the "givens," and the contextual issues that must be recognized. He stated that while adjustments can be recommended, they must be compatible with the broad public interests in an effort to achieve a balance of the public and private interests.

Comments and questions were then opened up to the public. The first speaker was Ms. Elsa Echemendia who had a total of three questions.

- Her first question concerned the price of the land acquisition and whether or not she and other owners would be compensated for the full amount paid when they purchased the property.
- Her second question asked whether or not a survey designating the land desired in the acquisition will be provided to the owners of the land before the plan is completed.
- Her third question concerned whether or not owners were notified as to when the project endeavor would commence.

The District staff responded to these questions on land value and acquisition.

Regarding the compensation issue, it was stated that the government determines the appraisal or current value of the property, which could be more or less than the amount initially paid by each owner. The South Florida Water Management District will then make an offer depending on this appraised value. It was also stated that owners of properties in the Lake Belt proper were given notices for the meeting, however this does not mean that everyone who received a letter should assume that they will be affected, because not all portions of the Lake Belt proper area will be affected. It was also stressed that the South Florida Water Management District did not participate in the adoption of

the initial legislation that started the process. They were ordered by the state legislature to undertake this endeavor and required by law to implement the process.

Mr. Alberto Tamayo, both a non-mining landowner and non-mining representative serving the Lake Belt committee, was the next speaker. He attended at the request of the non-mining landowners in the northern section of the Lake Belt and his main agenda was to discuss their petition outlining their minimum expectations for the land and their requests, which include the following:

- A request for Appendix B, appendix 2 of the 1998 progress report to be incorporated into the detailed master plan
- A request for the consideration (where appropriate) of other uses such as universities, stadiums, schools, resorts, etc., which could mesh with the open spaces established by the lake, and benefit the entire community
- A request for the Water Management District's Restudy to adjust the boundaries and adapt the project to accommodate the small landowners' requests, as it has accommodated the requests of land-mining land owners and environmental interests (which up until now has been 99% of the focus);

He stated that the Master Plan was the only window of opportunity left for the interests of the non-mining landowners to be incorporated. He also disapproved of the proposal by the National Audubon Society to establish a fund for buying the property that small land owners would be forced to sell, knowing that the property will be worth a fortune after the plan is implemented. He also disapproved of the National Audubon Society's refusal to enforce the legislation that would both eliminate the speculation that this land would be used for private land banking, and protect the non-mining landowners by guaranteeing them the following:

- Lands acquired by the government body for public use must always be used for that purpose
- Lands not used for that purpose must be reverted back to the original owner or his/her heir for an amount cross/equal to the amount paid to the owner at the time the land was condemned or purchased.

Mr. Tamayo also requested the following:

- To include non-mining landowner interests in the product, which will balance what is now out of balance
- To add a third mandate to the legislation which watches out for non-mining interests

Mr. Tamayo is concerned that the focus of the restudy on the broad public interests (water projects) will continue to override the requests and interests of the non-mining landowners. He states that if balance is the goal then the restudy should not be a given, the landowner's needs must be met, and the boundaries must be restructured. He doesn't think it is necessary to acquire land from those who do not want to sell it, and that the project could make do with the use of the old lands. He thought that the mission statement included a segment on the fact that non-mining landowners did not have to be 100% compatible, and asked therefore why the boundaries can't be tweaked to avoid taking land from those with non-mining interests.

In response, a staff member of the Water Management District emphasized Governor Bush's dedication to protect the interests of non-mining landowners and to balance these interests with all others.

The next speaker, Dr. Vincent Rodriguez, a property owner on 132nd Ave. expressed the following:

- The position of the county shows inconsistencies. Their purpose for implementing the plan supposedly is to protect the environment and yet they don't control recreational practices and the harm done by off-road vehicles and dirt bikers
- The use of land for residential purposes is not an incompatible use and yet land is being purchased/ condemned for implementation of the plan

Mr. Rodriguez also asked the following question:

- What was the process in eliminating certain properties from the Lake Belt area plan during the past legislative process?

It was explained to Mr. Rodriguez that a number of property owners attending the public meeting held last year informed us that they did not want their properties to be inside the Lake Belt area. Their interests were then expressed in writing to the Senator. The proposals were evaluated by the agency and if the properties' being taken out did not conflict with the public purposes behind the plan, they were removed from the Lake Belt area.

Mr. Domingo Rodriguez expressed the following concerns:

- Changes have been made to land use and zoning since the initial purchase of land by many landowners, diminishing the value of their land. At the time of purchase, the land had been zoned residential. Many years later, they were informed of changes to regulations in the area during a meeting at the Board of County Commissioners. Days later they received notification that their property had been down zoned from residential to general use.

- Powerful advocates exist at the federal, state, and local levels, but the only vote the non-mining landowners have is the collective integrity of those working on the plan. The master plan phase offers the only opportunity for those working on the plan to be responsive to the needs and wishes of the non-mining landowners and have an enormous amount of influence in the decision making process.

Another gentlemen, Jorge Hernandez made the following points:

- We are not showing the whole picture; that of landowners who have worked extremely hard and made sacrifices with their properties
- The agencies have an obligation and responsibility to look at other alternatives, which would not be at the expense of the non-mining landowners. Land to the west could meet the public purposes of the plan without taking away land from those who do not want to sell.

A final speaker, Mr. Alvin Rhodes suggested the following solution:

- Rather than asking landowners to sell their land at an unreasonable price (now that the land value has decreased due to the regulations imposed), the government could trade government owned land (not in wetlands) with the property owners.

Lake Belt Phase II Master Plan

Alternative Concepts

Summary of Comments received at the Public Meeting #2, 9/28/00

Paul Bell Middle School, Miami-Dade County, FL

Introduction

Gerardo Fernandez and Jim Jackson of South Florida Water Management District (SFWMD) provided welcoming and opening remarks, and David Sacks of Wallace Roberts & Todd provided a brief description of the three Alternative Concept Plans ("A," "B" and "C") being considered at this time by the Lake Belt Committee. Commissioner Alonso's representative and Sen. Diaz-Balart also made brief statements.

Comments

Note: these comments are not necessarily in sequence and constitute a summary of the points presented and items discussed. This is not a transcript

Mr. A. Tamayo

(Copy of statement attached)

Expressed thanks to public officials who have supported the "non-mining relief package" for the northern Lake Belt and to the Lake Belt Committee members for recognizing the existing community in this area (the "stairstep").

Note that this community includes a variety of residential and vbusinesses, ranging from trailer parks to *fincas* to nice homes, and from nurseries to cemeteries and commercial and industrial uses.

Endorses Option "A" as best reflecting the "relief package" and able to provide a consensus regarding the stairstep.

Requests the SFWMD, Corps of Engineers and CERP team [Comprehensive Everglades Restoration Plan] adjust project boundaries to accommodate private landowners in the stairstep, just as has been done for the mining industry and environmental groups.

A reverter clause must be put in effect for environmental land purchases, so that government cannot acquire people's lands for one purpose, then turn around and sell it to a third party if no longer needed.

Issues of mitigation for non-mining land owners still need to be addressed. Other issues in other parts of the Lake Belt still need to be addressed. Adopting the "relief package" will allow other issues to be focused on and resolved.

Mr. V. Rodriguez

Does not want to see all 4 square miles of land [just south of Tamiami Trail & east of Krome Ave] taken for environmental purposes as shown. This is an excessive amount of environmental land and is not all necessary for protection of the adjacent wellfield [west wellfield].

The plans should recognize the existing development in that area – such as, the service station on the southeast corner of Krome and Tamiami, and the Post Office south of Tamiami near 137th – and should allow more development, in a similar way as Mr Tamayo's proposal addresses the northern Lake Belt

Mr. J. Varela

The authorities have greatly favored the mining companies in this area to the detriment of the private landowners. What has been done to protect the private landowner?

Ms. H. Zubieta

Concerned if zoning should change to 1 unit per acre, after she has already paid all manner of permit fees, fees for infrastructure she'll never use, etc., in order to get permits and approvals for her present rural/ agricultural uses. If the area's zoning changes will the County reimburse her for these costs?

If all the land around her property changes to 1 unit per acre she will likely be forced out of the area.

If she is bought out she wants to get what she knows her property is worth and what she's put into it, not just what the government is willing to pay.

Blasting still presents a conflict.

Mr. J. Quitero

Wants to know the future of properties shown in these "recharge areas." If purchased by the government will the owner be repaid for 20 years of paying taxes? The proposal is unjust.

Mr. M. Garande

Some of these properties were platted and subdivided when originally purchased, then the areas subsequently went "under study" which has prevented the owner from using them or realizing the benefit of their value.

Mr. D. Rodriguez

Has owned an acre for about 10 years in the stair-step area. Has not been able to do anything with it. (Apparently was illegally divided in 1984.) Has bought some additional property with plans to be able to live in the area – has been their dream to live out in a country area like this. Supports Plan “A.”

Mr. J. Jones

Co-owner of the trailer park at Krome and Okeechobee, established by his grandfather in the 1940s. Endorses Plan “A” – it’s the only one that allows him and his tenants to stay.

Lives in the country, *not* the city, by choice. Plans to stay, does *not* want to go anywhere. Wants to be able to remain and live where he chooses.

Mr. M. Jones

Does not live within the area depicted in these Plans but is affected by the Plan. Also strongly endorses Plan “A.”

Mr. Tamayo – Clarification:

He endorses Plan “A” only as it applies to the northern Lake Belt; the remainder of the area still has issues to be worked out.

Ms. H. Diaz

Has never before been notified of any meetings regarding the Lake Belt. There are many ‘interests’ in the Lake Belt but private citizens are not being paid attention. They are a large, but not a powerful, group and the elected officials are not looking after the citizens needs – are concerned with environmental protection, and with water, but not with people and their future.

Mr. T. Gomez

Has been paying taxes and paying interest on a mortgage for 20 years. Most people who own property out here own 2 or 3 lots and can’t do anything with them, just waiting to get bought out, and will not get a fair price for their land.

Mr. J. Podgor

Hopes every one who *wants* to sell their property gets the highest possible price.

Notes three main purposes for the Lake Belt: protecting the water supply for the people of the region; protecting wetlands and habitats; and protecting the social and economic welfare of the community. Notes water supply as the most important concern: the one thing that government provides, that we cannot live without.

This area has the last clean wellfields in town – the ones to the east are contaminated; these also are in jeopardy. West wellfield is too small, production is OK if the area around it is sufficiently protected. Further west from here the aquifer becomes much thinner. This source [northwest wellfield] is “it” for one million people.

Note that other cities (New York, Boston, etc.) protect the big lakes that are their reservoirs, whereas here, we allow dumps and factories to be built around our reservoir.

We need to understand this is our underground reservoir. The Miami Springs wellfield had to be closed because houses, businesses and an airport were built over it. The original idea of the Lake Belt was to show people the reservoir so it is understood where our water comes from.

Alternatives “A” to “C” do not meet the Legislature’s charge to the Committee – they do not provide sufficient wellfield protection (note that the “Audubon Plan” proposes safety perimeters around the area) and they do not include seepage control to protect the wetlands to the west.

Mr. R. Jordan

Owns property in Sections 24 and 25. Notes that the “Wellfield Boundary” has been arbitrarily collapsed.

This Plan affects all of us. Does not understand how the Everglades are protected by digging them up – nevertheless believes we need to work together to address these problems.

Mr. A. Pulido

Plan “A” is the only one that is good for evryone.

Ms. M. Sanchez

Government should address the water problem through some other means than by taking away citizens’ land. Government is quick to take from the people (just like with the Citrus tree removals). Notes there are special interests behind this Plan and suggests a class action suit to fight it.

Mr. J. Sullivan

Owns land in Sections 11 and 13. Has never before heard of the “Lake Belt.” Believes this is not government in the sunshine. Government deleted two areas in the stairstep from Lake Belt just to avoid paying the costs for land where people live. They are making it impossible to sell land.

Mitigation is not a valid requirement. Why can they build all the way to Okeechobee Road in Broward, but in Dade County it’s considered wetlands and you can’t build? The

state passed a wetlands law that says water must be allowed to flow naturally, yet they've got a levee running north to south the entire way.

A good lawyer will win that class action suit.

Mr. A. Gonzalez

Has a commercial nursery in the northern Lake Belt. Mistakenly thought he could help address problems there by serving on the Lake Belt Committee, but feels he would now like to more broadly serve all citizens in all parts of the Lake Belt. Is interested in hearing from anyone with a problem or concern. Interested in the issue of a class action suit and wants to hear from people their position on the matter.

Mr. D. Rodriguez

Owns property just north of Tamiami Trail – here as both a landowner and a Committee member. Thanks Mr. Tamayo for his years of effort on the project.

Believes the rights of property owners have eroded during the process. Others with vast resources are working to realize their own goals and interests in the Lake Belt, while the citizens go about their daily business unaware. Urges everyone to unite to protect their interests against these larger forces.

Closing

Mr. Fernandez encouraged all interested parties to contact SFWMD staff for further information and provided names and numbers (Jim Jackson, Maribel Balbin, etc.)

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09-28-00

PAUL BELL MIDDLE SCHOOL
PUBLIC MEETING FOR LAKE BELT

I WOULD LIKE TO THANK ALL THE NON-MINING LAND OWNERS, FOR MAKING THE EFFORT TO BE HERE TONIGHT. THE PUBLIC ELECTED OFFICIALS WHO HAVE GIVEN US SUPPORT FOR "THE NON-MINING RELIEF PACKAGE" AND WHO HAVE RECOGNIZED THE ISSUES THAT DEEPLY AFFECT US.

I WOULD ALSO LIKE TO ACKNOWLEDGE THAT THE LAKE BELT COMMITTEE IS RECOGNIZING OUR COMMUNITY IN THE NORTHERN PART OF THE LAKE BELT OFTEN CALLED "THE STAIR STEP". THIS AREA IS WHERE PEOPLE LIVE IN, HAVE BUSINESSES IN, THEIR IS A BROAD OF USES FROM NICE HOMES, TRAILER PARK, RANCHETS, FINCAS, BARNS, STABLES, NURSERIES TO COMMERCIAL AND INDUSTRIAL USES AS A CEMETERY, ASPHALT PLANTS, CONCRETE PLANTS, PAINT TESTING FACILITY, CABRERA SLAUGHTER HOUSE AND OTHER USES.

I WILL ENDORSE OPTION (A) FOR THE NORTHERN PART OF THE LAKE BELT, IT IS THE ALTERNATIVE THAT CLOSES REFLECTS THE CONTENTS OF THE NON-MINING RELIEF PACKAGE WHICH WAS DEVELOPED AND PROPOSED IN 1998 AND HAS FURTHER BEEN ENDORSE BY OVER 15 PUBLIC ELECTED OFFICIALS.

I BELIEF OPTION (A) BRINGS A CONSENSUS FOR THE NORTHERN LAKE BELT AREA. WE REQUEST THAT THE S.F.W.M.D. AS WELL AS THE C.E.R.P. ADJUST THEIR PROJECT BOUNDARIES TO ACCOMMODATE THE STAIR STEP COMMUNITY AS SHOWN IN ALTERNATIVE (A) AS THEY HAVE ALREADY DONE TO PROTECT THE MINING INDUSTRY AND THE ENVIRONMENTAL ASSOCIATION.

THE LAKE BELT COMMITTEE MUST MOVE TO ADOPT THE NON-MINING RELIEF PACKAGE WHICH CONTAINS, LAND USE, PROPERTY RIGHTS, REVERTER CLAUSE (THAT GUARANTEES LANDS THAT ARE TAKEN FROM LANDOWNERS WILL NOT BE SOLD TO A THIRD PARTY IN THE FUTURE THAT MAY PROFIT FROM OUR LOSSES), AND LAST BUT VERY IMPORTANT THE NON-MINING MITIGATION, BY ADOPTING THE RELIEF PACKAGE WE CAN MOVE FORWARD AN ADDRESS OTHER ISSUES IN THE LAKE BELT THAT IN MY OPINION, STILL NEED TO BE WORKED ON.

ALBERTO TAMAYO JR.
NON-MINING LAND OWNER
TEL.# (305) 592-7225

09-28-00

REUNIÓN PUBLICA DEL LAKE BELT
EN EL COLEGIO PAUL BELL MIDDLE

QUISIERA DARLE LAS GRACIAS A TODOS LOS PROPIETARIOS NO-MINEROS, POR HABER HECHO EL ESFUERZO DE ESTAR PRESENTE EN ESTA REUNIÓN TAN IMPORTANTE.

TAMBIÉN, A TODOS LOS OFICIALES ELECTOS QUE NOS HAN DADO EL APOYO ENDOSANDO "EL PAQUETE DE AYUDA PARA EL PROPIETARIO NO MINERO" Y QUE HAN RECONOCIDO LOS PROBLEMAS QUE PROFUNDAMENTE NOS AFECTAN.

QUISIERA RECONOCER AL COMITE DEL LAKE BELT, ÉL CUAL ESTÁ RECONOCIENDO NUESTRA COMUNIDAD EN LA PARTE NORTE DEL LAKE BELT CONOCIDA COMO EL "STAIR STEP". EN ESTÁ AREA ES DONDE VIVEN MUCHAS PERSONAS Y TIENEN NEGOCIOS. EXISTEN TIPOS DE USOS MUY EXTENSOS DESDE BUENAS CASAS, PARQUE DE TRAILERS, RANCHOS, FINCAS, ESTABLOS, NURSERIES, AL IGUAL QUE USOS COMERCIALES E INDUSTRIALES COMO: EL CEMENTERIO, PLANTAS DE ASFALTO, PLANTAS DE CONCRETO, PLANTA QUE EXPERIMENTA LA PINTURA, EL MATADERO CABRERA Y OTROS MÁS.

YO ENDOSO LA OPCIÓN (A) POR LA PARTE NORTE DEL LAKE BELT. ES LA ALTERNATIVA QUE MAS REFLEJA EL CONTENIDO DEL PAQUETE DE AYUDA AL PROPIETARIO NO-MINERO, QUE FUÉ DESARROLLADO Y PROPUESTO EN EL AÑO 1998 Y EL CUAL HA SIDO ENDOSADO POR MÁS DE 15 OFICIALES ELECTOS PUBLICO.

YO PIENSO QUE LA OPCIÓN (A) TRAE UN CONSENSO PARA LA PARTE NORTE DEL LAKE BELT. NOSOTROS LOS PROPIETARIOS NO-MINEROS LE PEDIMOS AL S.F.W.M.D. TANTO COMO AL C.E.R.P. QUE AJUSTE LAS LINIAS DE SU PROYECTO PARA ACOMODAR A LA COMUNIDAD STAIR STEP EN LA ALTERNATIVA (A) COMO ELLOS YA LO HAN HECHO PARA PROTEGER LAS INDUSTRIAS MINERA Y LAS ASOCIACIONES AMBIENTALISTAS.

EL COMITE DEL LAKE BELT TIENE QUE ABANZAR Y ENDOSAR EL PAQUETE DE AYUDA PARA LOS PROPIETARIOS NO-MINEROS QUE CONTIENE LO SIGUIENTE: USO DE NUESTRAS PROPIEDADES, DERECHOS PARA LOS PROPIETARIOS, CLAUSULA LEGAL DE REVERTIR (QUE GARANTIZA LAS PROPIEDADES QUE LES SEAN QUITADAS A LOS PROPIETARIOS ESFORZOSAMENTE O COMPRADAS NO SEAN RE-VENDIDAS A UNA TERCERA PERSONA EN EL FUTURO QUE PUDIERA BENEFICIARSE DE NUESTRA PERDIDAS). Y POR ULTIMO PERO MUY IMPORTANTE, LA MITIGACIÓN PARA EL PROPIETARIO NO-MINERO.

ADOPTANDO EL PAQUETE DE AYUDA NOS FACILITARA AVANZAR Y PODER RESOLVER OTROS CONFLICTOS QUE EN MI OPINIÓN TODAVIA NO SE HAN RESUELTO.

ALBERTO TAMAYO JR.
PROPIETARIO NO-MINERO
TEL.# (305) 592-7225

3. Correspondence & Additional Comments Received

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HICKS REALTY

REALTORS

10742 Coral Way
Miami, Florida 33165-2456
Tel. (305) 221-3116

February 28, 2000.

Hon. Senator Mario Diaz-Balart
8890 Coral Way, Ste. 214
Miami, Fl. 33165

Attention: Mr. Rey Castellanos, Aide.

Dear Mr. Castellanos:

I look forward to my appointment with you on Thurs. Mar. 2, 2000. to discuss deletion of the sections of land that have been in the URBAN EXPANSION BOUNDARY for over 25 years, from the LAKE BELT MASTER PLAN.

LOCATION: N.side Trail to NW 12th St--137th Ave.to 157th Ave.
SECTIONS 3 & 4-54-39 and Gov't lots 3 and 4 to the north.

1. Some of these lands were downzoned from IU2 (Heavy Industry) and IU-1 (Light Industry) in 1981 but have remained in the UEB all these years. Naturally these owners want to be included in the developable area.
2. A portion of Sect. 3 and Gov't. Lot 3 are included in the Master Plan and designated for office and industrial use.
3. Presently land is being acquired and plans finalized for the extension of the #836 Expressway. This project is now funded and will commence at the Tamiami Trail at 137th Ave. and extend north to N.W.12th St. (this is the east border of Section 3 and Gov't Lot 3) This long awaited project is now in sight and the owners of lands at this location are disappointed that their lands are designated by the LAKEBELT INFRINGEMENT on their properties which they have paid taxes and invested their savings for so many years believing that they can sell or use their investment usefully.
4. The Tamiami Trail is planned to be widened to 6 lanes from 127th Ave. to 152nd Ave. including drainage , lighting etc.
Lands on the South side of the Trail are already in the Masterplan with zoning and development planned to 157th Ave.

5. Evidence of the impractical designation of the named four sections is "Of the 89 sections of land in the Lakebelt the only sections within the URBAN EXPANSION BOUNDARY are the named sections 3 & 4-54-39 and Gov't. Lots 3 & 4 to the north." They should be deleted as promised before report went to Congress.
6. The various agencies studying this area have designated it as environmentally sensitive or inside the North Trail Wetlands Basin. In past years the lands south of the Trail was designated likewise, only it was called the Bird Drive Basin. It was studied and restudied and now all the sections are declared buildable and pay a mitigation fee and life and development goes merrily along.
7. The land adjoining subject sections east of 137th Ave. are already developed with residential properties solid up to N.W. 12th St. (Sections 35 and 36 immediately north of these homes was deleted before the legislation, even though these lands are designated as open space.)

Since everything south of the Trail from the Turnpike to 144 Ave. is developed with both residential and commercial projects, and zoning is in place for residential development all the way to 157th Ave., it is imperative that these four sections be deleted from the Lakebelt so that mining will not impact these lands negatively. At the same time the owners of the four sections will not be hampered by the Lakebelt designation.

Governor Bush received a copy of my letter of January 24th this year and I received the enclosed letter yesterday from Mr. J. Thomas Beck, Director of the Division of Community Planning on behalf of the governor which again referred me to Sen Diaz-Balart and Jim Jackson of the SFWMD for the relief I am requesting on behalf of not only the owners of the four sections, but also on behalf of the coming projects south of the Trail.

Again I urge that you and the Senator give this matter your concerted attention and effort as soon as possible in the new session of the Legislature. You will be doing a great service to the thousands of citizens that depend on your office to protect their bundle of rights that so often are snatched from them when legislation inadvertantly causes the inequity that the little man suffers when big business "rock miners" run roughshod over thousands of citizens who save and invest in land for the future. Lands in the Urban Expansion Boundary are just that. THE FUTURE plans and dreams of hard-working Americans. I commend you on your efforts and trust you can relieve in a timely manner, the threat and discomfort caused by the Lakebelt in this particular situation.

Very sincerely,

Dorothy M. Woods



rec'd
2-27-00

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

February 24, 2000

Dorothy M. Woods, LIC. R.E. Broker
Hicks Realty
10742 Coral Way
Miami, FL 33165-2456

Dear Ms. Woods:

A copy of your letter of January 24, 2000, to Senator Diaz-Balart was faxed to Governor Bush, and he has asked me to respond on his behalf. In your letter you ask for help in refining the boundaries of the Lake Belt area to exclude certain properties. The boundaries of the Miami-Dade County Lake Belt Area have been specifically described by the Legislature at Section 373.4149, Florida Statutes. Modifications to the boundaries would therefore require action by the Florida Legislature. The most appropriate avenue to explore changes to these boundaries is through Senator Diaz-Balart. Jim Jackson of the South Florida Water Management District has been intimately involved in Lake Belt issues and provides staff support to the Miami-Dade County Lake Belt Committee. He is the best person to contact if you have further questions about this issue. He may be reached at 561-686-8800, extension 6334.

Sincerely

J. Thomas Beck, Director
Division of Community Planning

cc: Senator Mario Diaz-Balart
Jim Jackson

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.408.0466/Suncom 278.8466 FAX: 850.923.0781/Suncom 291.0781
Internet Address: <http://www.doc.state.fl.us>

FLORIDA KEYS
Area of Critical State Concern Field Office
2796 Overseas Highway, Suite 212
Key West, Florida 33050-2227

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HICKS REALTY REALTORS

10742 CORN WAY
Miami, Florida 33165-2456
Tel. (305) 221-3116

March 20, 2000.

Senator Maria Diaz-Holguin
Via Fax: (850) 487-5415

HELP! HELP! PLEASE TAKE US OUT!

RE: DELETION OF LAND FROM THE LAKE BELT AREA;
NAMELY SECTIONS 3 & 4-54, 39 & COV'T LOTS 3 &
4 between TOWNSHIP 53 & 54 (ALL LYING NORTH
OF THE MOUNTAIN POINT) & LINDEN IN MIAMI HORDON TOWNSHIP
INCLUDING PROPERTY OF ALBERTO TAMAYO & SECTIONS
CONCERNING CITIZENS OF NORTH DADE AND SOUTH
BROWARD (JANE GENTILE & "BILL" VALDEZ.)

YOU KNOW THE AREAS.

Dear Senator:

Please take us out. Make the Lake Belt equitable to all citizens, not just rock mining interests. You can easily do this, if you will--by simply deleting the above captioned sections from the Legal Description of your Lake Belt Legislation.

I, and others have visited and communicated with your office in the past six weeks asking that you amend your most insidious, sneak-thru Lake Belt Legislation of 1999, that is doubly depriving and eroding the "property rights" of thousands of tax-paying citizens of Miami-Dade and south Broward Counties:

1. Those who have invested hard-earned savings in land that was quietly, ever so quietly included in the monstrous 89 Section Lake Belt (57,000 acres, more or less.)
2. Present and future homeowners as well as business sites, being unfairly jeopardized by possible damages from blasting, compounded by and penalized by decreased market value for resales.

ALL DUE TO THE IMMENSE SIZE OF THE LAKE BELT

March 20, 2000.

Sen. Diaz-Balart from Hicks Realty.

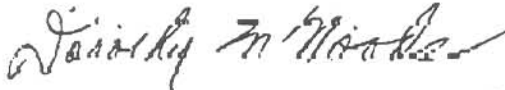
Surely Senator, you are aware that land on the south side of the Tamiami Trail from 137th to 157th Avenues are in the Dade County Masterplan for development; some with zoning already in place. The four sections north of the Trail desperately need relief from rock mining blasting activities, which is what the present boundary allows.

Thank you for your astute attention and action to remedy the boundary lines of the Lake Belt. I know it was no ones intention to create an unfair situation when the boundaries were established. As a matter of fact, I consulted with the Lead Planner of South Florida Water Management District over a year prior to the legislation and was assured the District had no interest in the lands that were designated as "Urban Expansion Boundary UEB".

Kindly advise me of your plans and progress on SB 2220. As yet I have no copy of same.

Very sincerely,

HICKS REALTY



Dorothy M. Woods, Lic. R.E. Broker

CC: Gov. Jeb Bush
J. Alex Villalobos
Luis E. Rojas
Alex Diaz de la Portilla
David Luchs, Wallace, Roberts & Todd
Edward A. Swakon, EAS Eng.
Julio E. Mendez, JGR Assoc.
Carlos A Gonzalez, SFRPC
Jim Jackson SFWMD
Frank Barnardino SFWMD
Miriam Alonso
Alberto Tamayo
Jane Gentile-Youd
William Valdez
J. Thomas Beck, Dir. Div. Community Planning
Gerardo Fernandez, SFWMD
Howard Forman



SIERRA
CLUB
FOUNDED 1892

SOUTH FLORIDA / EVERGLADES OFFICE:
2937 S.W. 27th Avenue, Suite 101, Miami, FL 33133
Phone: 305-476-9898 Fax: 305-476-9414

31 March 00

Jim Jackson Jr.
Lead Planner
South Florida Water Management District
PO Box 24680
West Palm Beach, FL 33416-4680

Dear Mr. Jackson,

As a member of the Miami-Dade County Lake Belt Plan Implementation Committee I would like to stay current with rules regulations that govern the committee. Would you be so kind as to send me a copy of any procedures and or provisions that govern the committee. For example, I would like to know the procedure for scheduling a committee meetings; how the agenda for the meetings is established, what procedure exists for the committee to reach a decision regarding a particular issue and what procedures exist if a minority opinion exists and how that minority opinion is represented in the "Progress Reports" to the Florida Legislature.

Sincerely



Barbara J Lange
Everglades Chair



SIERRA CLUB

FOUNDED 1892

SOUTH FLORIDA / EVERGLADES OFFICE:
2937 S.W. 27th Avenue, Suite 101, Miami, FL 33133
Phone: 305-476-9898 Fax: 305-476-9414

Jim Jackson Jr.
South Florida Water Management District
PO Box 24680
West Palm Beach, FL 33416-4680

April 21, 2000

Dear Mr. Jackson:

The Sierra Club is concerned that the Dade County Lake Belt Plan Implementation Committee ("Committee") is not adequately protecting the environment, and unduly focusing on maximizing the recovery of limestone. Accordingly, we object to the euphemism of a so-called "Lake Belt Plan." When what is actually being evaluated is an immense system of quarry pits that cause considerable adverse ecological effects and provide minimal, if any, ecological values. We request a vote by the Committee to change its name to the Miami-Dade County Mining Belt Plan Implementation Committee at the May 17 2000 meeting.

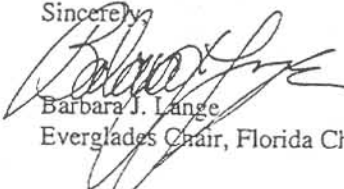
Studies included in the U.S. Army Corps of Engineers Draft Programmatic Environmental Impact Statement, Rock Mining-Freshwater Lake Belt Plan (DEIS) demonstrate that there are no naturally occurring lakes anywhere in the state of Florida that even remotely resemble anything like these massive pits. Natural Lakes are absent from southern Florida below Lake Okeechobee, with the exception of Lake Trafford, near Immokalee (DEIS at D-39). Of the 3,191 named, natural Florida lakes, 88.6% are less than 200 acres. 8.2% are between 200 and 1000 acres, and 3.2% are greater than 1000 acres. Many of the existing rock-mined lakes are 200 to 300 acres, with the largest lake approximately 580 acres. Most of the lakes proposed in the South Florida Limestone Mining Coalition Lake Belt Plan are greater than 1000 acres. (DEIS at D-39)

There are other significant differences between these massive pits and natural lakes, including factors such as mean depth, shoreline shape, and littoral zone slope. For example, shallow vegetated areas of natural lake systems are extremely important for the production of sport and forage fishes by serving as breeding, nursery, and refuge habitat (DEIS at D-41). Likewise, edges of natural lakes include variation - with coves and peninsulas - that increase the amount of ecotonal habitat (DEIS at D-41, 44-45), and interfaces to upland habitats that wetland seasonal, semi-aquatic, and upland species can utilize. In contrast, the pits are massive rectangles, many of which are over 60 feet in depth, with no littoral zones, and an interface to barren roadway levees or melaleuca invaded areas.

Florida should never have allowed these massive pits to destroy Everglades wetlands. However, not only have the pits been allowed, but they also have not been designed to somewhat ameliorate their adverse ecological effects (DEIS at 44-48). Thus, it appears that maximizing limestone removal - and therefore private profit - has won out over the health of the Everglades, And requiring even the most minimal steps to make the pits more suitable for fish and wildlife.

The Committee is required to educate the public about the benefits of the Lake Belt Plan (Section 373.4149(4), Florida Statutes). However, the massive, barren quarry pits are not even remotely close to approximating the functions and values provided by natural lakes, much less historical Everglades. Surely good education starts with having a Committee name that is not deceptive. Accordingly, we request that the Committee vote to change its name to the Miami-Dade County Mining Belt Plan Implementation Committee.

Sincerely,



Barbara J. Lange
Everglades Chair, Florida Chapter



SERVE • CONSERVE

June 19, 2000

Mr. Gerardo B. Fernandez, Chairman
Miami-Dade County Lake Belt Plan Implementation Committee
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Fl. 33406

Re: Miami-Dade Lake Belt Plan

Dear Mr. Fernandez:

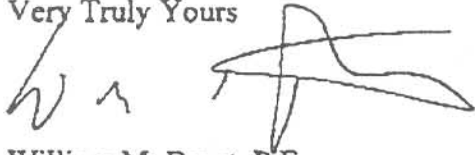
At the last Lake Belt Committee meeting, there was a discussion about the legislative mandate for the committee to develop a plan which enhances the water supply for Miami-Dade County. At the time, I asked how the plan was meeting this mandate. One of the committee member indicated that this had been addressed by a study conducted by the U.S. Environmental Protection Agency (EPA), which is part of the Programmatic Environmental Impact Statement (PEIS). I have reviewed the Final PEIS and have confirmed that the Final, like the draft, does not address enhancement of the water supply.

The Final PEIS does not provide reasonable assurance that the Plan will protect the wellfield from contamination from surface water influences. The Water quality evaluation included in Appendix B of the Final PEIS only evaluated present water quality in the area, but did not attempt to project what water quality changes could be expected when the lakes are all excavated. In addition, the evaluation did not include microorganisms such as coliform bacteria, Giardia, and Cryptosporidium, which are of great concern to the water supply. Attached is a copy of my letter of May 28, 1999, with similar comments on the draft PEIS and that were not addressed in the Final PEIS.

The committee needs to ensure that enhancement of the water supply and wellfield protection is given the highest priority and that the Master Plan includes all the features necessary for protection and enhancement. I request that the consultant give us a presentation as to how the Plan is going to enhance the water supply and protect the wellfield.

I look forward to working with you and the Committee to ensure that the Master Plan enhances the water supply for Miami-Dade County. Should you have any questions, please call me at (305) 669-7611.

Very Truly Yours

A handwritten signature in black ink, appearing to read 'W M Brant', written over a horizontal line.

William M. Brant, P.E.
Director

Enc.

C: Jim Jackson, SFWMD
John Renfrow, DERM



SERVE • CONSERVE

May 28, 1999

Mr. James C. Duck
Chief, Planning Division
Department of the Army
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Re: Draft Programmatic Environmental Impact Statement (PEIS)
Rock-Mining-Freshwater Lakebelt Plan

Dear Mr. Duck:

The Miami-Dade Water and Sewer Department (MDWASD) has reviewed the referenced PEIS and is providing comments for your consideration. The MDWASD has supported the development of a Lakebelt Plan, because, according to the Florida Legislation, the Plan shall enhance the water supply for Miami-Dade County and the Everglades. In addition, Phase II of the Plan shall provide for additional wellfield protection and measures to prevent the reclassification of the Northwest Miami-Dade County wells as groundwater under the direct influence (GWUDI) of surface water. In the development of the PEIS, the impact of mining on the public water supply was identified as one of the questions that must be answered before the PEIS could be completed. Review of the draft document reflects that the data provided do not fully answer this question, which is essential for the protection of public health.

The MDWASD owns and operates wellfields in the northwestern and western area of Miami-Dade County. These wellfields provide public water supply for about one million people. The Northwest wellfield is within the Lakebelt area and the West wellfield is outside the area; however, part of its cone of influence is within the Lakebelt area. These wellfields are currently classified as "groundwater" sources. In 1997, the State of Florida determined that well #10 in the Northwest wellfield was GWUDI, based on the results of microparticulate analysis (MPA) conducted by the State. Following this determination, the MDWASD conducted an extensive investigation of this well and concluded that the well lacked proper grouting. The well has been rehabilitated and it has shown, on subsequent MPAs, not to be GWUDI. On May 20, 1999, the State of Florida cleared this well from the GWUDI designation. In addition, the MDWASD is in the process of rehabilitating wells #15, 14, and 13 as a result of slightly high MPAs. The MDWASD rehabilitation program will provide additional protection from surface water influences under current conditions.

The MDWASD is concerned that based on the information provided, the draft PEIS does not provide reasonable assurance that the Plan will protect the wells from contamination by surface water influence and prevent the reclassification of the wells in both wellfields. Either case will result in two adverse impacts:

Mr. James C. Duck

May 28, 1999

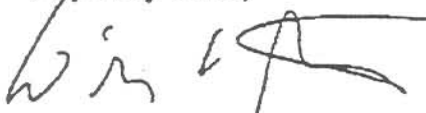
Page 2

1. Public health risk - the influence from surface water increases the risk of introducing disease-causing microbial contaminants (i.e., bacteria, protozoa, and viruses) in the water supply. The microorganisms of higher concerns are Giardia and Cryptosporidium. The Center for Disease Control has stated that between 1980 and 1996, 401 waterborne disease outbreaks were reported nationwide, with over 750,000 associated cases. Most of these cases were associated with surface water. The Water Quality Evaluation included in Appendix B of the PEIS contains analyses for organic and inorganic compounds from the borrow pits, canals, groundwater, and sediments. The evaluation did not include microorganisms. At a minimum, this evaluation needs to include coliform bacteria, Giardia, and Cryptosporidium.
2. Economic - the water treatment plants' process will have to be modified to provide additional filtration and disinfection which is required for surface water sources. The estimated cost of these improvements is \$235 million.

In addition to the microbiological water quality, the PEIS needs to address the hydrologic conditions in the vicinity of the wellfields and appropriate setback distance from the wells to provide protection from harmful microorganisms and other contaminants. The Lakebelt Committee is in the process of addressing the buffer issue at the Northwest wellfield. In summary, the MDWASD cannot support the issuance of a final PEIS until the microbiological water quality and appropriate buffer is fully addressed.

Thank you for the opportunity to provide comments. Should you have any questions, please call me at (305) 669-7611 or Jorge S. Rodriguez, P.E. at (305) 669-7602.

Very Truly Yours,



William M. Brant, P.E.

Director

WMB/BMG/c

cc: Jim Jackson, SFWMD
John Renfrow, DERM



THE EVERGLADES COALITION

June 21, 2000

1000 Friends of Florida
Arthur R. Marshall Foundation and
Florida Environmental Institute, Inc.
Audubon Society of the Everglades
Biscayne Bay Foundation
Broward County Audubon Society
Broward County Sierra Club
Center for Marine Conservation
Clean Water Action
Clean Water Network-Florida
Campaign
Collier County Audubon Society
The Conservancy of Southwest
Florida
Defenders of Wildlife
Earthjustice Legal Defense Fund
Environmental and Land Use Law
Center
The Environmental Coalition
Environmental Defense Fund
Everglades Coordinating Council
Florida Audubon Society
Florida Defenders of the Environment
Florida Keys Chapter of the Izaak
Walton League of America
Florida Keys Environmental Fund
Florida PIRG
Florida Sierra Club
Florida Wildlife Federation
Friends of the Everglades
Izaak Walton League of America
League of Women Voters of Florida
Loxahatchee Sierra Club
Martin County Conservation Alliance
National Audubon Society
National Parks and Conservation
Association
National Wildlife Federation
Natural Resources Defense Council
Outward Bound
The Pegasus Foundation
Redland Conservancy
Sierra Club
Sierra Club Miami Group
Tropical Audubon Society
Wilderness Society
World Wildlife Fund

Mr. Jerry Fernandez
Chairman
Miami -Dade County Lakebelt Committee
Dade County Lake Belt Plan Implementation Committee
3301 Gun Club Road
PO Box 24680
West Palm Beach, Fla. 33416-4680

Re: Dade County Lake Belt Plan Implementation Committee (Mitigation
and Use Conflicts)

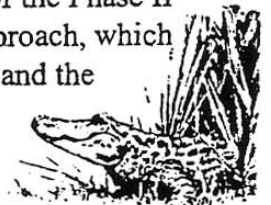
Dear Chairman Fernandez and members of the Committee,

The Everglades Coalition is a coalition of 42 local, state and national environmental groups working to restore and protect the Everglades. The Coalition strongly believes that the projected loss of 21,000 acres of historic Everglades wetlands (the figure identified in the Army Corps of Engineers Programmatic Environmental Impact Statement (PEIS) itself) as a result of mining activity in the Miami- Dade County "Lakebelt" area creates the potential for an irreversible adverse environmental impact.

For this reason, the Everglades Coalition strongly urges the Miami-Dade County Lake Belt Plan Implementation Committee ("Committee") to resolve immediately the issues of biological and hydrological mitigation for limestone mining impacts, and of future land and water uses within the study area. We believe strongly that the Committee has failed to deal effectively with the impact of the proposed mining on Everglades restoration and on water supply planning. A complete and frank evaluation of these issues must be undertaken at once. Before it is allowed, mining must be required to be consistent with both of these paramount public purposes.

Wetland Mitigation

As a matter of environmental protection, the location, nature and scale of the proposed mining requires the highest level of wetland and water resource protection. The Mining Belt should not result in a net loss of either wetland acreage or wetland values. The Everglades Coalition requests the Committee to recommend a specific and comprehensive mitigation plan as part of the Phase II Lake Belt Master Plan process. The current wetland mitigation approach, which allows the mining to occur prior to the payment of a mitigation fee and the



implementation of actual mitigation, is unacceptable. The Everglades Coalition urges, at a minimum, a 2.5:1 mitigation ratio on a wetlands acreage basis.

This acreage ratio, not the proposed fee per ton of mined rock, must be a requirement of any permits. In addition to the acreage requirement, the mitigation must be type for type, on-site to the maximum extent possible, and, in any event, within the same hydrologic system. Given the need to maximize the spatial extent of the Everglades wetlands, it would be completely inappropriate to allow the loss and degradation of these wetlands to be compensated for in areas that are not part of this particular component of the Everglades ecosystem.

The Everglades Coalition is concerned that the mitigation proposed in the Pennsuco Wetlands could be compromised or lost if the results of the Comprehensive Everglades Restoration Plan (CERP) cause these wetlands to be subject to high water levels. The Committee should specifically coordinate this mitigation plan with the CERP team(s) and modify it as required to ensure that mitigation values exist in perpetuity.

We urge the Committee to remedy those deficiencies which are within its discretion under the existing law, and to make a specific set of recommendations for legislative amendments for those which are not.

Hydrologic Mitigation

On the issue of hydrologic impacts and mitigation, the Committee must recommend a specific and detailed plan. See Section 373.4149(7)(h), Fla. Stat. Part of this hydrologic mitigation must include, at no cost to the public, deeding to the public all lands within the quarry pits planning area. The public should not be burdened with purchasing quarry pits that have already caused significant environmental and hydrologic impacts. The quarry pit modeling must also be closely coordinated with the CERP and with the Water Preserve Area and the Lower East Coast planning efforts. Without appreciable information sharing, there is the likelihood for potential conflicts in operational guidelines and structural changes that would impact hydrological conditions in the quarry pit region. We request that a presentation be made at the next available Committee meeting on the hydrologic modeling, including the restoration of Natural Systems Model hydrology to the Pennsuco wetlands and the prevention of excessive seepage out of conservation area 3B after NSM water levels have been restored in the conservation area.

Land and Water Use Conflicts

Section 373.4149(7)(c), Fla. Stat. requires the Committee to address compatible land uses, opportunities, and potential conflicts. It is not part of the charge to provide development or financial opportunities to non-mining interests. Indeed, the Committee must strongly recommend measures, akin to those within an Area of Critical State Concern, to protect this area from the potential adverse impacts of development, as well as from mining.

Relative to non-mining landowners, the Committee should recommend the granting of transferrable development rights to those owners - at increased densities if necessary - which can be transferred to the County's urban core consistent with the County's land development regulations. Creating additional development areas here would create additional incompatibilities and conflicts, and more environmental harm, and would serve no valid planning purpose. Non-mining areas should be prevented from other development, but compensated through transferrable development rights or acquisition (this would be a beneficial use of mitigation funds). Again, as the County has said, the Committee must prioritize water management objectives over creating additional development opportunities.

The Committee's priorities should be wetland protection relative to the Everglades, and the protection of the public well field. By law, this Committee's work is to provide for "additional well field protection." Section 373.4149(7)(d), Fla. Stat. The Committee should resist efforts to increase non-mining development rights in the area or to allow uses of the area that could adversely affect the County's drinking water source. Post - mining, public use and access should be allowed only *to the extent that they are clearly compatible with protection of the drinking water source*. Planning should include management for multiple types and levels of recreational opportunities that are based on relative location, water quality protection, and suitability to design features. Hiking trails, zones for motorless boating, motorized boating, and zones for seasonal quota or limited fishing and hunting should be established if and where appropriate.

The "Preliminary Draft Alternative Concepts Memorandum for the Lake Belt Phase II Detailed Master Plan" prepared by Wallace, Roberts & Todd, Inc. does not present an alternative the Everglades Coalition can remotely accept. The Committee should direct Wallace Roberts & Todd, Inc. to prepare a plan that incorporates the wetland mitigation reflected above.

We specifically recommend and request the Committee place each of these issues on its agenda, devoting sufficient time to each, and create a specific mitigation, restoration, water management, and mining plan as we describe generally above.

Sincerely,



Don Chiquina
Florida Co - Chair



Shannon A. Estenoz
National Co-Chair

cc: Governor Jeb Bush
Governing Board Members, SFWMD
Frank Finch, SFWMD
Benji Brumberg, FDEP
Janet Llewellyn, FDEP

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FPL

August 23, 2000

Mr. Gerardo B. Fernandez
Chair, Miami-Dade County Lake Belt Plan Implementation Committee
South Florida Water Management District
P.O. Box 24680
West Palm Beach, FL 33416-4680

RE Lake Belt Alternatives and FPL Right-of-Way (ROW)

Dear Mr. Fernandez:

We would like first to express our appreciation for the continued attention of the committee to the location of the FPL facilities in the Lake Belt Area and to the efforts that have been made to coordinate with us and understand our issues. We recognize the challenges that are being faced to find compatible solutions to the land use issues in the area. While we remain supportive of the process and committed to cooperatively working with the committee on an agreeable alternative, we want to take this opportunity to express to the Lake Belt Committee some of the remaining FPL concerns associated with the Alternatives under consideration.

Mining Activity

As we have previously noted to the Lake Belt Committee, one of FPL's primary concerns relates to the compatibility of mining operations with our existing and future facilities in the area. While there are many positive features of the Plan, we are concerned that as a result of the Plan, mining companies will be inclined to make greater use of the areas that remain to them, sacrificing buffers and setbacks from other land uses. Mining in proximity to FPL ROWs raises a number of safety and reliability concerns for us. The FPL lines in this area are major bulk transmission facilities and damage to any of these would have serious consequences to the electricity supply to Dade County.

Blasting. We are particularly concerned with the potential for damage from blasting activities associated with mining operations. This relates both to flying debris from charge explosions, and to damage to foundations and structure from the vibrations associated with the blast impact. We have recently experienced line damage from blasting activity several hundred feet from our facilities in the STA 2 area.

Equipment movement. The potential need to move large mining equipment across the FPL ROWs poses safety concerns to both the equipment and its operators, and to the FPL facilities. In addition, dust contamination from mining operations raises maintenance and reliability concerns.

Slope stability. We have not been privy to details of the proposed mining plans, however the potential for deep mine pits directly adjacent to the FPL ROW raised concerns about the stability of the ROW if it were to remain as a narrow "plateau" between mine pits, and later lakes.

We would request that any mining in the Lake Belt area adjacent to FPL ROWs be coordinated with FPL to ensure that there is an opportunity to discuss the minimization of potential impacts to both the miners and FPL.



Water bodies.

As we have previously expressed, the future impoundments, which are generically proposed within the FPL ROW in all the alternatives, raise a number of concerns for FPL. We note that Alternative 2 appears to minimize the location of large impoundments in the areas of the FPL ROWs.

Greenways/multiple use/public access

While we would like to be as cooperative as possible regarding passive public use of areas of interest to FPL, the opportunity for multiple use of FPL ROWs will need to be considered on a case by case basis when details of the proposed activity are ready to be discussed. We are concerned that there must be no sail boating under the lines, and would prefer to minimize any public access within our ROWs - we have experienced vandalism and other problems on the 500 kV lines in the past. Alternatives with higher use of the FPL ROW are less preferable. For example, Alternative 2 appears to propose the least recreation in the FPL areas and would therefore be preferable from this perspective, whereas Alternative 3 suggests that large publicly accessible lakes for passive recreation would be planned for under the power lines, which could raise issues of concern.

We specifically request that there be close coordination with FPL before any plans are finalized regarding any multiple use of the FPL ROW. There are right-of-way use agreements and other documents that will need to be addressed.

We appreciate the opportunity to comment on these alternatives. We look forward to your attention to our concerns and to discussing the details of the selected alternative with you further.

If you have any questions or would like further details or clarifications please feel free to contact me at 561-691-7059, or via e-mail at florette-braun@fpl.com.

Sincerely



Florette Braun
Principal Environmental Specialist
Environmental Services

**Kendall Properties and Investments
C/O Blackwater Partners Inc.
4300 North University Drive
Suite D-103
Lauderhill, Fl 33351
(954) 746-2221 Office (954) 746-1861 Fax**

October 13th, 2000

Jim Jackson, AICP
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

David Sacks, ASLA
Wallace, Roberts & Todd, LLC
191 Giralda Avenue, PH
Coral Gables, FL 33134

Re: Lake Belt Phase II Detailed Master Plan
Alternative Concept Plans A, B, & C
Review Comments by Kendall Properties

Dear Gentlemen,

As referred to in Toby Brigham's letter of 9/26/00 to you, enclosed please find the study undertaken by Tom Mac Vicar on our behalf to delineate what the 60 day and 30 day travel times for the West Dade Wellfield would look like for a well that pumps 40 Million gallons per day. We would like to modify the West Dade Interim Protection Zone to reflect this data, as the current zone is unrealistic.

The 140 Million GPD basis is inaccurate and results in rules and restrictions which constitute a taking of our private property in terms of reasonable uses allowed under the current zoning or could create a claim for compensation under the Bert J. Harris Property Rights Protection Act of Florida.

Very truly yours,



William M. Murphy, President
By Blackpool Associates Inc., G.P.
By Blackwater Partners, Ltd., G.P. for
Kendall Properties and Investments

CC: M.A. Forman/ R.M. Bergeron/T. Brigham, Esq./ T. MacVicar/ J. Renfrow

MEMO

To: Bill Murphy
From : Tom MacVicar
Date: October 5, 2000

Subject: Groundwater Travel Time Estimates Related to the West Wellfield

Background

The hydrologic issues associated with the wellfield protection zones around the West Wellfield have not been reviewed since the original work to support the ordinance was produced by the County. The analysis done more than ten years ago assumed a pumpage rate of 140 million gallons per day and does not reflect other changes, such as the actual locations of the wells being used. To provide a preliminary estimate of groundwater travel time distances under more realistic circumstances, a refined version of the Modflow model utilized in the Lake Belt planning process in 1997 has been used to simulate the area around the wellfield.

Approach

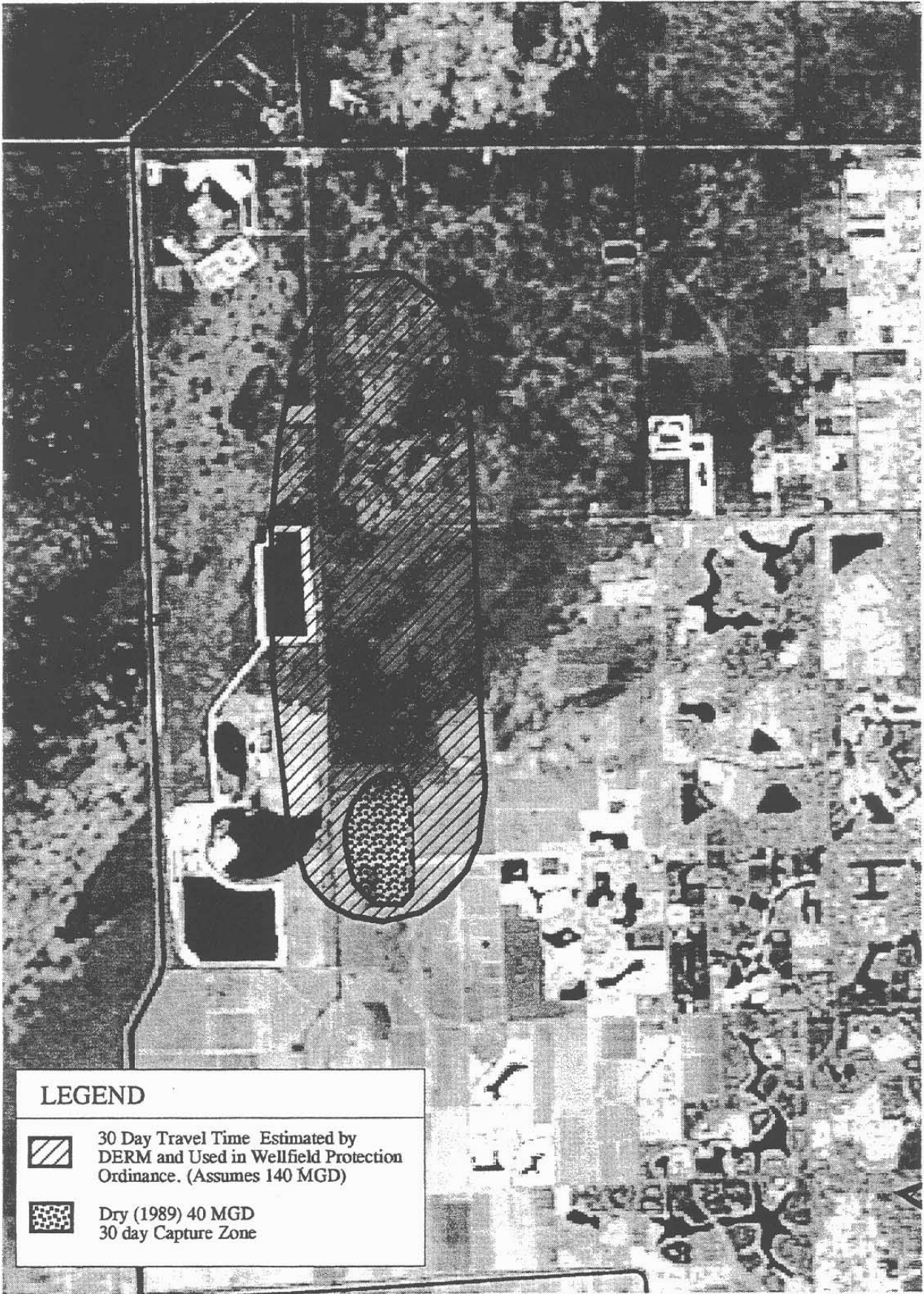
The Modpath computer program allows the computation of groundwater travel times using a particle-tracking feature in conjunction with output from steady state groundwater simulations using Modflow. Simulations of the area surrounding the West Wellfield and the Kendall Quarry were performed to estimate the 30-day and 60-day groundwater travel time distances around the wells. The simulations utilized dry weather conditions defined by the 1989 drought to show the worst case (largest distance) for travel times.

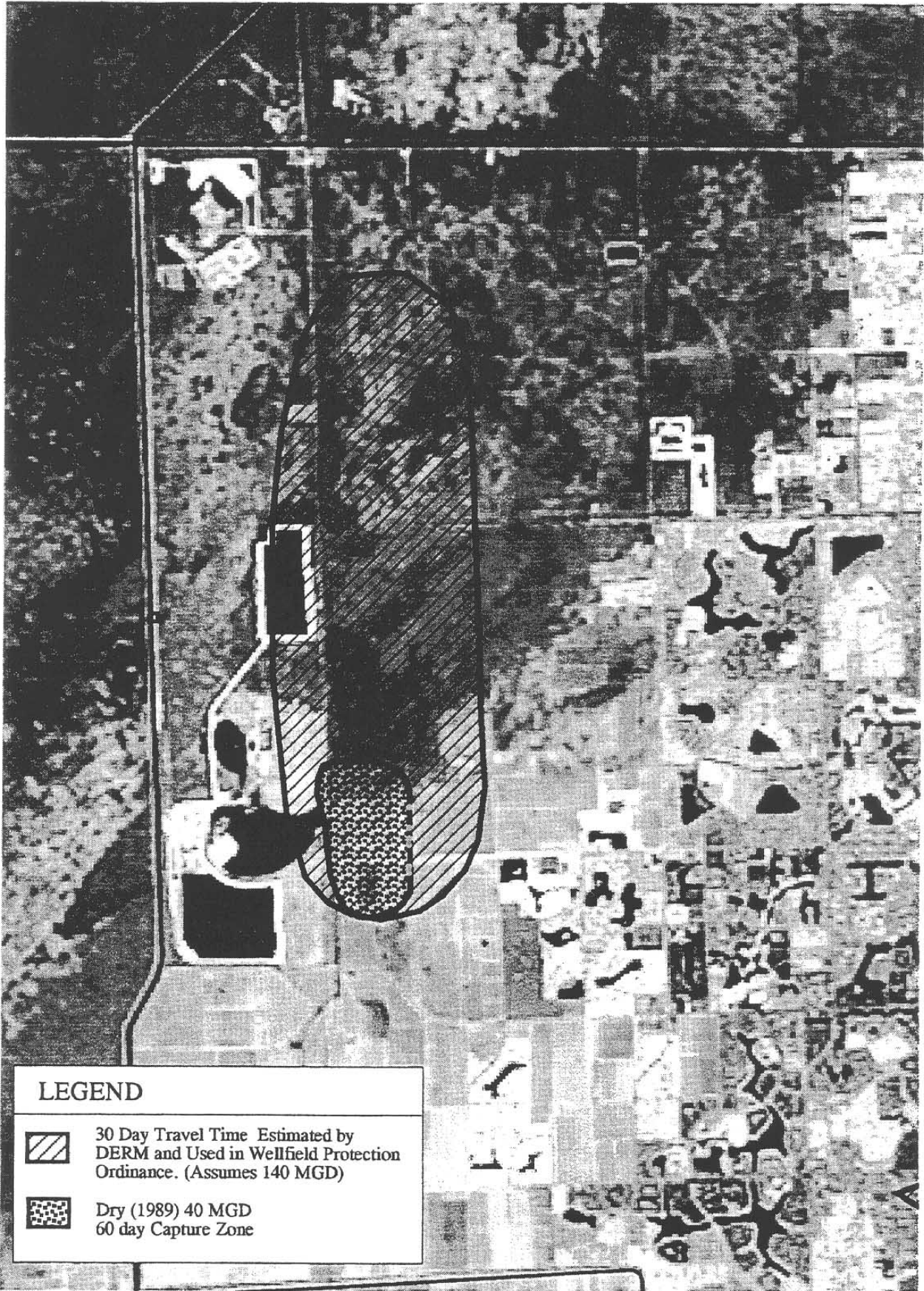
Two wellfield pumpage rates were simulated. A rate of 25 million gallons per day (MGD) was used to roughly approximate current conditions. Simulations were also made using a pumpage rate of 40 MGD. Although this is beyond the current permitted capacity of the wells it is reasonable to expect that an expansion to this rate would eventually be approved.

Results

Two plots are attached showing the results of this analysis. Travel time distances estimated with dry hydrologic conditions and a wellfield pumpage rate of 40 MGD are superimposed on an image of the area which includes the existing 30-day travel time line from the Wellfield protection ordinance. The figures show the estimated 30-day and 60-day travel time boundaries. As expected, the area within the 30-day travel time zone is significantly smaller due to the reduction in the pumping rate. The location of the wells actually being used also affects the location and shape of the cone of influence of the wellfield.

The 30-day zone, even with 40 MGD being pumped is entirely east of Krome Avenue. A small portion of the 60-day zone appears to encroach slightly west of Krome Avenue in this simulation.





Jim Jackson
Project Manager,
Lake Belt Implementation Committee
SFWMD

November 27, 2000

Dear Mr. Jackson,

Thank you for emailing me the 'First Draft of the Miami-Dade County Lake Belt Phase II Plan' and the relevant map.

My review focuses on the general water issues and wellfield protection issue. The following comments are generated for your reference.

1. According to the map, the water surface will eventually become the dominant feature of Lake Belt area. Whether designated for reservoir, storage, recreation or buffering purposes, the exposed water surface will change the water balance. As a general rule in south Florida, lake surfaces receive about the same amount of water from precipitation as the amount of water lost through evaporation. Under undisturbed conditions, the water surface may form sheet flow through the area for some months every year, while in the rest of the year, the water exists in a high water table but not exposed. This scenario is different from areas infested with *Melaleuca* trees. Therefore, net loss or gain of water with the future configuration should be carefully studied and estimated, because regional water quantity is crucial for Everglades restoration and future water supply to the region.

2. Another factor influencing water storage and water balance is the large scale excavation of rock material. Assuming that the aquifer porosity is 20-30%. After excavation, the same space previously occupied by the rock mass will be occupied by water. In order to keep the present day level of water table, the amount of fresh water needed to fill up the space will be 70/20 to 70/30, i.e., around 3.5 - 2.33 times that was needed for undisturbed condition. Where will this water should come from and how much water does this represent, especially given the possibly reduced local recharge mentioned in comment 1? If the water quantity input to the area does not change in the future, then the water level will be lowered. How much impact will it pose to the regional water balance and water flow dynamics (water level, flow amount and direction change with season, time and storm events)? With the lowered fresh water level, what will be the potential impact of salt water intrusion from the bottom of the aquifer?

3. The Phase II Plan does not provide an analysis and comparison in terms of environmental, economical, management, recreational and utility value, plus the advantages and disadvantages of different lake configurations and littoral designs. I believe, such a design analysis is the most important part of planning.

4. Well head protection, page 11 of the draft. The action steps seem reversed to me. If the wellfield protection boundaries are to be determined before any risk assessment study, it will be very subjective and non-defensible. Since it is already a correct decision, any risk assessment will be self-justified or simply a formality to re-prove that the determination is correct. While keeping the current wellfield protection boundaries active, the Action Steps may be more reasonably designed as:

Action 1: Assessment of Present Risks

Action 2: Assessment of Future, Foreseeable Risks

Action 3: Re-define Wellfield Protection Boundaries

Action 4: Amend Miami-Dade County Code

5. Please see the attached letter to DERM for my comments on their wellfield protection study contract.

Please feel free to call me at 850 921 9484 for further discussion.

Thank you for the review opportunity.

Paul Lee, Ph.D., P.G.
Ground Water Protection Section

Attachment:

October 16, 2000

To: Ms. Julie Baker,
Special Project Administrator, DERM
33 Southwest 2nd Ave.
Miami FL 33130

Dear Ms. Baker:

I have received your mail with CH2M Hill's comments on the Full Scale Tracer Study, CH2M Hill's 8/16/2000 meeting summary, and CH2M Hill's Proposed Risk Analysis Approach and Scope of Work (for NW Wellfield Protection Plan). Thank you also for sharing DERM's comment on the CH2M Hill's Proposal.

These documents generate a more accurate concept on DERM's objectives and how CH2M Hill plans to accomplish them with their proposal.

Overall understanding on the intent of DERM:

1. DERM intends, through the study, at least to keep the present level of protection, and to expand it to provide the necessary protection if the present protection level is not sufficient.
2. DERM intends, through the study, to understand the migration of some given microbes in the aquifer, and how much protection the aquifer can provide to the wellfield under a number of given mechanisms. These mechanisms include filtration and particulate settling (the straining process) and travel time/die-off time relationship.
3. DERM may need some advice, for example, if the present day rules and practice cannot provide the needed appropriate protection, how will the rules and practice need to be modified.
4. The main and key target microbe is Cryptosporidium, because of its long endurance, its smaller size among the long lived microbes (Giardia is larger and less enduring) and health hazard (precedents of epidemic harmful influence in other areas).

The reality check, what are the present and future threats:

Two present threats have been identified as:

- A. The microbes and UDI indicators in the ponding water around the wells may enter the well
 - i. through compromised grouting of the water wells, and
 - ii. through the seepage around the pad of wells, reaching the aquifer and being pumped by the wells.
- B. The microbes in the nearest lake (~400 ft) may migrate into the closest water well, Well #15.

The potential future threats are:

- A. the ponding water around the wells.
- B. the encroaching rock mining operation, with its potential dynamite blasting impact.
- C. the future lake use and land use in Lake Belt area.

Therefore, the obvious logic of any action or any study should be: first, to optimize the current conditions, then make a statement that the DERM intends to maintain the present level of protection with no net increase in risk in the future.

Comments on CH2M-Hill suggested method and processes to meet the DERM intent:

1. The proposal accepts the present situation as the optimum. In reality, the present situation has demonstrated the existing high level of risk, which is not necessarily related to the travel distance of cryptosporium in the aquifer from a lake.

If the above situation is also the acceptable assumption of DERM, then the criterion of 'no net increase of risk in the future' will be easily met with two recommendations:

- a. Repair and maintain the well grouting integrity, and extend the well casing.
- b. Restrict future mining excavation no less than 400 ft. from the nearest production well.

I will reasonably assume these criteria do not meet the intent of DERM. Therefore, the first step of the proposal should be to study and evaluate the present risks, to suggest the elimination of the risks and optimize the protection, then make statement on the future criteria.

2. The proposal does not provide a stringent logic how the literature search, expert consultation and ground water modeling with MODFLOW and MODPATH can solve the problem of cryptosporidium travel distance.
3. The proposal does not provide a stringent method how the parameters and constants in Dr. Chen's model will be selected, verified and calibrated.
4. The proposal does not include a possible scénario, that if the research demonstrates that the maximum travel distance of cryptosporidium turns out to be quite short (for example, shorter than 30 days water (only) travel distance in this given aquifer), what protection zone should be recommended to DERM by the study.
5. In Mr. Kottke's original study plan, there was a particle tracing test following the full scale dye test. It seems that this rather straight forward proposal has been reconsidered and postponed or deleted due to many technical difficulties. However, it may be necessary to carry on some small scale experiment outside of the well field, but in the same aquifer. Such experiment may benefit to better estimate on some of the parameters in Dr. Chen's model.

It is our pleasure to be working with DERM on this important project. Please do not hesitate to call me at 850 921 9484 to discuss any suggestions and questions. Your pioneering effort on wellhead protection and on source water assessment and protection is a great learning experience for us all.

Best regards,

Sincerely,

Paul Z. Lee, Ph.D., P.G.
Ground Water Protection Section

Cc: Janet Llewellyn
Jim McNeal
Rick Copeland
Mike LeRoy
Marian Fugitt

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November 29, 2000

By Facsimile and Regular Mail

Mr. Gerardo Fernandez
Lakebelt Committee Chairman
South Florida Water Management District
P. O. Box 24680
West Palm Beach, FL 33416

Dear Mr. Fernandez:

I am writing to convey the Sierra Club's grave concerns about the draft Phase II Plan circulated by the Lakebelt Committee on November 17, 2000, and to reiterate my request that any and all references to the Sierra Club in the final plan be accompanied by the clear notation "dissenting member" to ensure that the organization's views on the Phase II Plan are not misrepresented to the public and the Florida legislature. I also want to reiterate my request that the Sierra Club be permitted to include a brief separate statement in the final Phase II Plan outlining the organization's concerns over the Phase II Plan's failure to resolve any of the critical environmental and legal issues that continue to plague the Lakebelt mining project.

As you know, on September 25, 2000, Sierra Club and other organizations notified the Army Corps of Engineers that the Lakebelt mining project violates numerous environmental laws and regulations, including the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act. As you also know, the Corps' position has always been that each of the unresolved scientific and legal deficiencies with this project would be fully addressed and resolved in the Phase II Plan. Unfortunately, however, rather than addressing any of the significant environmental issues associated with the conversion of Everglades wetlands to open mining pits, the Phase II Plan merely reiterates previous promises by the Committee and the Corps to address and resolve critical environmental details – including the lack of a concrete mitigation plan, the potential hydrological damage to Everglades National Park, the contamination of local groundwater supplies, the destruction of irreplaceable wildlife habitat, and the loss of significant cultural and historic resources – at some unspecified point in the future.

In essence, it appears that the Corps and the Lakebelt Committee are playing "hide-the peanut" with the public – with each organization arguing that it is acceptable to press ahead with wide-spread rock mining in the Everglades because the other organization will

take responsibility for tackling and resolving environmental problems at some point down the road. Accordingly, until both the Lakebelt Committee and the Corps take full responsibility for addressing the serious environmental problems associated with converting tens of thousands of acres of Everglades wetlands into rock quarries, the Sierra Club cannot accept the draft Phase II Plan as currently written, nor can the Sierra Club allow the organization's name to appear on the final report in any way that might suggest that the Sierra Club somehow endorses this fatally flawed plan.

In closing, I want to again make perfectly clear that, unless any and all mention of the Sierra Club's name in the final report is accompanied by the clear notation "dissenting member", the Sierra Club will have no choice but to withdraw from the Committee to ensure that the organization's name is not used in the final report in any way that does not accurately reflect the Sierra Club's actual position on the Phase II Plan. As we discussed on the telephone with Mr. Jackson, the Sierra Club intends to prepare a separate statement outlining the organization's concerns for inclusion in the final Phase II Plan. I will provide you with the separate statement on or before December 15, 2000. Thank you in advance for honoring the Sierra Club's request on this matter and for agreeing to include the Sierra Club's separate statement in the final Phase II Plan that is transmitted to the State legislature. Please call if you have any questions.

Sincerely,



Barbara J. Lange
Everglades Chair

cc: Mr. Jonathan R. Lovvorn
Meyer & Glitzenstein

South Florida Water Management District
Governing Board

Note: This text was originally sent via e mail to Jim Jackson, SFWMD, 11/29/00

Dear Jim,

The following is a short summary of my comments made at the last LakeBelt meeting. This is intended to be a reminder of those points and to put myself on record as having made them. Please share these with David Saks, LakeBelt consultant:

1. This Master Plan is not ready for submission and we should be asking for an extension of one year from the Legislature. Since two out of the three seats prescribed by the legislature for environmental representatives have been vacant for most of the past year and more, the Committee's report should recommend that the Legislature authorize the opening of those seats to other applicants qualified to represent the environmental community's point of view. These new members would be appointed by a vote of the committee.

2. Many recommendations depend on work not yet completed, but expected in this coming year. These recommendations may need to be changed based on the outcome of those studies and it is premature to make such recommendations now.

3. Any new urban development, especially the "Industry and Commercial" indicated in the draft for the North Trail Basin, is completely incompatible in the long term with the other uses of the area as preserves and water management areas. This LakeBelt is Dade's Watershed and Reservoir for all future growth and sustainance of the community. It must be treated accordingly. No community with a successful reservoir/ watershed system allows such development within the area.

4. Wellfield protection should include a ban on the use of hazardous and toxic materials in the watershed, including a ban on transport of such materials along roads that drain into waters that feed the cones of depression. Limited exceptions would be made for fuels used onboard mining equipment, but not extended to onsite storage of fuels or other hazardous materials. Such equipment can be fueled from sources stored outside the watershed.

5. The plan fails to control access to the LakeBelt area, allowing surreptitious dumping of hazardous materials and toxic substances to occur. There must be a safety perimeter established around the entire LakeBelt and there must be provisions for obtaining the right-of-way for it. Even access to the recreational nodes should be controlled, just like in a park, for the protection of the resources.

6. The only environmental enhancement spoken of in the Plan draft is the goal of "no net loss of wetlands." Other environmental enhancement goals are not addressed, and the one addressed is not achieved.

7. There should be a programmatic phasing of mining, keyed to the availability of information already in the process of being developed. Mining should not occur in areas of question until seepage studies determine the real risks of mining vis-a-vis seepage, until wellfield protection studies determine the real risks of mining as it concerns the

use of the wellfields, etc..

8. Opportunities for onsite mitigation and adjacent site mitigation of wetlands are being ignored by this plan. Opportunities to remove hazards to the watershed and virtual reservoir systems surrounding the Northwest Wellfield and the West Dade Wellfield are being declined by this plan. State and national policies to protect wetlands, prevent net loss of wetlands, and to protect the public's health, safety and welfare, are being abandoned by this draft and it stands as a fatal flaw in the plan.

9. There is absolutely no mention of the consolidation into public ownership and management of mined lands and other properties within the LakeBelt. This means that the most important component of the public water supply, the Everglades Restoration, and the valuable resources of the mitigated wetlands of the area will be in private hands, ripe for inappropriate development. With all the lip service given over the years to a final consolidation, paid by every party on the committee, this Master Plan is now mute on the issue. It must be revived or the program is a failure.

I request that these comments be appended to the final Master Plan document as part of the public comment recieved on the draft and that this appendix be distributed, as part of the overall report, to the members of the Legislature.

Sincerely,

Joe Podgor
podgor@earthlink.net



December 13, 2000

Mr. Gerardo B. Fernandez, Chairman
Miami-Dade County Lake Belt Committee
c/o Fernandez Consulting Group, Inc.
14201 SW 248th Street
Redlands, FL 33032

Dear Mr. Fernandez:

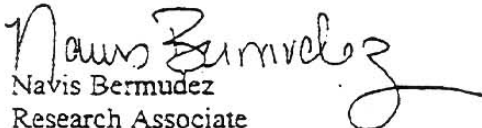
The Natural Resources Defense Council (NRDC) is submitting the following comments on the Draft Miami-Dade County Lake Belt Phase II Plan. NRDC is strongly opposed to the adoption of the Draft Phase II Plan because it fails to address the environmental problems associated with the proposed mining in the Lake Belt region. In addition, specific planning elements mandated by the Florida Legislature are not included.

Specifically, the Draft Phase II Plan is lacking, among other things:

- A mitigation plan that identifies the property, in addition to the Pennsuco wetlands, that will be acquired for mitigation.
- A mitigation plan that includes a management plan for the mitigated and enhanced wetlands and design criteria for the lake littoral areas.
- A mining plan that includes a remedy for potential contamination of the Northwest wellfield, including no mining if the hydrologic studies conclude that the mining program will result in contamination of the wellfield.
- Detailed information as to how CERP will be implemented in the Lake Belt region, given the massive change in the physical, hydrologic and ecologic nature of the area due to the proposed mining.

For these reasons, NRDC is opposed to the adoption of the Draft Miami-Dade County Lake Belt Phase II Plan. As we have said numerous times before, including in our Sixty Day Notice of Intent to Sue letter, dated September 25, 2000, the proposed project will convert over 10,000 acres of Everglades wetlands into open mining pits and there is no detailed mitigation and implementation plan to counter the devastating effects this project will have on the ecosystem and hydrology of the region.

Respectfully submitted,


Navis Bermudez
Research Associate

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Note: this document shows comments received regarding the Lake Belt Phase II Plan Report in strikethrough / underline format. The underlying (original) text is from a draft of the report circulated in December 2000. Additions proposed by the commenter are shown underlined, while proposed deletions from the original draft are ~~struck through~~.

MIAMI-DADE COUNTY LAKE BELT PHASE II PLAN

EXECUTIVE SUMMARY

This is a Phase II report which provides the recommendation of the Lake Belt Committee to the Legislature.

The Lake Belt Plan is first and foremost a mining plan. This area supplies more than 1/2 of all the crushed stone used in the State. Three of the 10 largest quarries in the entire United States are located in the Lake Belt. In addition to the Miami-Dade and Broward County local truck market, Lake Belt Rock is shipped by rail throughout the State to Jacksonville, Orlando and Tampa. There is no practicable alternative to supply the limestone necessary for building and maintaining the State's roads and highways, airports, schools, churches, hospitals, office buildings, stores and private homes. Lake Belt legislation passed in 1992 states:

FS. 373.4149(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.

FS. 373.4149(2)(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.

The Legislature also recognized that mining in the Lake Belt Area must mesh with regional and local concerns such as Everglades restoration, wellfield protection, water management, and non-mining interests, and therefore created a Committee to recommend the proper balance between mining and other factors.

The Lake Belt area extends 20 miles from the Broward County border on the North to Kendall Drive on the South, and generally 6 miles from Krome Avenue on the West to the Florida Turnpike on the East. Unlike similar lands to the North, East and South; the area has not been urbanized. This is because approximately 40 of 78 square miles were purchased in the 50s – 80s by mining companies for limestone reserves, and because the Miami-Dade County commission adopted a Comprehensive plan and Urban Development Boundary that restricted urbanization and encouraged rock mining. In addition, various government agencies own approximately XXX square miles. Together the mining companies and the government own approximately XXX of 78 square miles. This XXX percentage ownership by industry and the government provides the basis for the public-private Lake Belt partnership envisioned by the Legislature.

At present, the Lake Belt provides an open space buffer strip between the westward creep of Miami-Dade County subdivisions and the Everglades areas located west of Krome Avenue and the East Coast Protective Levee. The Lake Belt comprises more than 2/3 of the Palm Beach/Broward/Miami-Dade County East Coast Buffer identified as crucial for Everglades restoration.

The Lake Belt Area was once part of the Everglades Flowway but since 1950 this area has been cut out of the Everglades by the East Coast Protective Levee, which is one of the primary components of the Central and South Florida Flood Control System (C&SF System). Urban drainage lowers water levels in all areas east of the Levee creating an artificial west to east groundwater gradient which causes large volumes of water to seep through extraordinarily porous rock under the levee. It is then collected by the lattice work of drainage canals, and is largely wasted to the ocean, especially during the wet season. In the dry season this seepage out of the Everglades serves to supply municipal wellfields.

As a consequence of drainage, the Lake Belt Area has become extremely infested with the exotic Melaleuca such that 77% of the area east of the Dade-Broward levee (the mining area) and 35% of the areas to the west (the Pennsuco enhancement area) are already more than 50% infested. In the absence of remediation, the entire area will be 100% infested within 20 years. While areas 100% infested with dense 50-60 foot tall Melaleuca forest technically remain wetlands, the nature and function of these lands is vastly different than the sawgrass prairies they replace.

The Lake Area has become the site of the Northwest wellfield, which supplies about 40% of Miami-Dade County's potable water. Protection of this supply is an essential requirement of the Plan. The area has also become the location for prisons, power transmission lines which supply the metropolitan area, highways, canals, a cemetery, light industrial operations, agriculture, low density residential, and a cement mill.

~~Future land use and resource management in the 77.5 square mile Lake Belt Area of Metro-Dade County is critical to the State of Florida. A number of complimentary yet often competing interests require careful balance to best respond to the economic, environmental, and social opportunities that the Lake Belt Area offers. The limestone resources of the Lake Belt are among the largest deposits of accessible high quality rock remaining in the State outside of the Everglades that are not constrained by urbanization. Public water supply wells in the Lake Belt Area draw water from the Biscayne Aquifer to supply drinking water to most of the residents of Miami-Dade County. Movement of water through the Lake Belt Area — part of the larger Shark River Slough — is critical to maintaining the hydrologic regime of the Everglades Ecosystem.~~

Over the next 50 years, significant change will come to the Lake Belt Area through major public and private investments. Mining interests will excavate limestone in accordance with a federal permit, creating the largest network of freshwater lakes in South Florida. Miami-Dade County will implement more stringent wellfield protection regulations to protect the public water supply. The South Florida Water Management District (SFWMD) will acquire and restore the Pennsuco wetlands. The SFWMD and US Army Corps of Engineers (USACE) will implement the Comprehensive Everglades Restoration Plan (CERP), including several major components which may be located within the Lake Belt Area. These future investments together compose comprise an enormous opportunity to accomplish a number of public benefits related to Everglades restoration, water supply protection, public recreation, and the supply of building materials critical to the Florida economy.

~~The Florida Legislature recognizes the importance of the Lake Belt Area to the citizens of Florida and has mandated that a plan be prepared to address a number of concerns critical to the State (Chapter 373.4139, F.S.). The Legislature established the Lake Belt Committee and assigned it the task of developing a long term plan for the Lake Belt Area. Through a cooperative process involving government agencies, mining interests non-mining interests, and~~

~~environmental groups the Lake Belt Committee has completed the Miami-Dade County Lake Belt Plan – Phase I and Phase II.~~

The *Lake Belt Phase I Plan* – completed in 1997 – focused upon balancing rock mining interests and environmental concerns related to water supply protection and water management needed for Everglades restoration. It established the footprint for future mining, and distinguished areas suitable for mining, areas suitable for environmental mitigation, and areas where further analysis is needed to determine mining suitability. It provided the basis for the Mitigation Fee, subsequently established in 1999, to fund the purchase and restoration of wetlands, including the Pennsuco wetlands, as mitigation for limestone mining.

The *Lake Belt Phase II Plan* expands upon the Phase I Plan by providing a more detailed master plan to further implementation and specifically addresses a number of additional legislative mandates. The key elements that compose the Plan include:

- ✓ The 2050 Vision for the Lake Belt envisions that public and private investments in the Lake Belt Area over the next fifty years will be coordinated and planned in a mutually supportive and compatible fashion. It recognizes the need for balance among priorities for protecting water supply, for Everglades restoration, for protecting mining and non-mining interests, and for realizing recreation opportunities.
- ✓ A set of Guiding Principles direct the location, intensity and phasing of land uses related to wellfield protection, water management, Everglades restoration, limestone mining, non-mining interests land use, environmental enhancements, and recreation opportunities.
- ✓ Issues and the actions needed to address the issues – with timeframes and assigned responsibilities – are identified under a series of key headings:
 - Wellfield Protection
 - Water Management
 - Mining Interests
 - Non-Mining Interests
 - Environmental Enhancements
 - Recreation
 - Land Ownership
- ✓ Specific actions are identified pertaining to Funding, Implementation, and Legislative and Regulatory Revisions

The opportunity for long-term public benefit in the Lake Belt Area is unprecedented. Recommendations of the Phase I Plan have been largely implemented through collaboration and consensus building. Recommendations of the Phase II Plan will require a similarly concentrated and coordinated effort in years to come.

INTRODUCTION BACKGROUND AND CONTEXT

Environmental and Social Setting 1900 to 1950

Soon after 1900, community leaders stood on the Coastal Ridge at 27th Avenue in Miami and surveyed the enormous expanse of the Everglades stretching to the West. At that time Everglades sheet flow tumbled over the Miami River Rapids and flowed four miles to the ocean in the Miami River. In their wisdom, they blasted the rapids and began the systematic process of draining the Everglades. Soon, canals angled to the Northwest and connected the Lower East coast to Lake Okeechobee. Steamboats delivered people and freight. The rich muck wetlands would be transformed into farms. The State allowed a series of individual drainage districts to build and maintain a largely uncoordinated drainage works.

It didn't work. In dry times the canals kept on draining and overdried the muck leading to "hot" fires that in places burned the muck, itself, down to the underlying rock. The overdried muck subsided and shrank leaving a "subsidence valley" through the historical Everglades flowway. Freshwater flows across Tamiami Trail diminished. Wading bird populations in the Everglades plummeted.

In wet times, the canals were not adequate and suburbs and farms that had crept west from the Coastal Ridge were inundated. In 1947, two back-to-back wet hurricanes left large parts of the City of Miami under water for weeks.

With essentially unanimous local support, community leaders trekked to Washington where in 1948, Congress and President Truman authorized a new plan directing the Corps of Engineers and a new State agency, the Water Management District, to implement a regional approach called the Central and South Florida Flood Control Plan.

Construction began in 1950. There were two key features to the plan as it applied to the Lower East Coast: (1) The East Coast Protective Levee would allow the Everglades to flood and to stay flooded, while a lattice work of drainage canals would drain the long, narrow strip of land east of the levee. (2) A series of flood control gates at the east end of the canal system could be closed at times of low flow to keep salt water from migrating up the drainage canals to ruin the community's wellfields.

In addition, naturalists of the day recognized that the plan would reduce the overdrying and overdrainage and consequent muck fires that were causing immense damage to the Everglades ecosystem.

When the Corps designed this regional system the combined population of Dade, Broward, and Palm Beach Counties, was about half a million. Most of the drained land east of the Levee was intended to be for winter agriculture when dry season water levels were at their natural low.

During this half century, there were always quarries west of town to supply the limestone needed to build the Community. Now many of these quarries are real estate lakes or have been filled back in with demolition debris to recreate realestate.

Environmental and Social Setting 1950 to 2000

The planners of the C&SF Project had no way of knowing the population of the Lower East Coast would increase by a factor of ten over the next 50 years to more than 5 million people. Instead of seasonal agricultural, the drained lands had to support year-round subdivisions. This has led to demands on the system never anticipated in 1950. Environmental decline has been documented in all the natural areas that remain. Now, the population is expected to "only" double in the next 50 years to ten million people.

Starting in the 1950s, limestone companies began to mine in the drained area just east of the levees, now known as the Lake Belt. They also began to acquire Lake Belt land as limestone reserves. Between the 50s and 80s, these companies acquired approximately 25,000 acres (about 40 square miles) of land. They received zoning for mining and built cement mills and processing plants for the rock. Railroads were extended into the area so the rock could be delivered to the State's northern counties. Now, three of the ten largest crushed stone quarries in the entire United States are located within a few miles of each other in the Lake Belt. The Lake Belt supplies more than 50% of all the crushed stone used in the entire State. There is no practicable alternative source of supply.

Since 1950, about 10 square miles of quarry lakes have been dug. Now, mining occurs at the rate of a little less than 1/2 square mile per year. The Lake Belt Plan envisions mining an additional 23 square miles of lakes over the next fifty years, until 2050

The Lake Belt now supplies about 40 million tons of limestone every year. That's enough to fill 1,100 rail cars every day, 365 days per year. The miners actually deliver about 3,200 trucks per day to local markets and about 400 rail cars further north. More than 1/2 of the rock is sold for infrastructure projects funded by the government and paid for by the public. Vigorous competition among ten limestone companies in the Lake Belt keeps the cost low

The unmined portion of the Lake Belt has suffered, like the rest of the Everglades, over the last 50 years. Drainage has caused the accelerated advance of the exotic Melaleuca tree so that only 65% of the Pennsuco Area and only 23% of the rest of the Lake Belt is wetland prairie with less than 50% Melaleuca infestation. In addition, the Lake Belt is the site of high voltage electric Transmission lines, a cemetery, at least four prisons, several major conveyance canals, and major highways.

This once remote area is now surrounded on the North, East and South by adjacent subdivisions and industrial areas. The neighbors complain that blasting vibrations from mining damage their houses. These new neighbors complain about traffic caused by trucks delivering limestone. In addition, there is very little vacant land remaining in Miami-Dade County for the construction of housing, shopping, and businesses for the expected doubled population by 2050. Developers and politicians look longingly at the mining lands just west of the Turnpike. In fact, one of the City's premier developers, has just announced a two square mile development west of the Turnpike, in lands that were removed from the original Lake Belt Area.

And lastly, the Corps of Engineers and the South Florida Water Management District have developed a new plan to restore the damaged remainder of the Everglades. The Plan recognizes that half of this "water" system has been drained for urban and agricultural purposes, that urban populations require large quantities of potable water, and that the structure and operation of the water management system needs to be modified so that the half of the Everglades that remains, will operate more or less like the full Everglades of 1900. The predrainage Everglades functioned in concert with the Summer Wet Season and the Winter Dry Season. The system had the ability to store huge volumes of water from the wet season when rainfall greatly exceeded evapotranspiration, and to make use of the stored water in the dry season when evapotranspiration greatly exceed rainfall. The ecosystem and wildlife feeding cycles adapted to and depended on the rising summer water levels and declining fall and winter and spring water levels. Approximately 6 million-acre feet of storage has been removed from the overall Everglades ecosystem. That volume of water would stand on 5,000 square miles to a depth of two feet. The Corps of Engineers plans to use a portion of the Lake Belt Quarry Lakes

for huge reservoirs that will replace some of the lost storage. These plans are still being developed.

But one of the key factors that will influence the overall Everglades restoration plan, now estimated to cost almost 8 billion dollars, is a geological anomaly that occurs in-along both sides of the East Coast Protective levee in Miami-Dade and southern Broward County. This geological anomaly also extends to the east into the Lake Belt Area and into the highly developed urban areas of Miami-Dade and Broward Counties. The limestone that starts just below land surface and extends to a general depth of about 100 feet is very porous. It is known as one of the most transmissive aquifers in the world. Canals dug through this unique rock have a very large effect on the level of ground water in adjacent land. Groundwater moves toward lower canal levels and vice versa. As a result, huge volumes of water leak from the Everglades under the East Coast Protective levee toward the managed lower water levels in urban areas. It is estimated that each year one million acre feet of water seeps under the protective levee, especially in the wet season, and is just discharged and wasted to the ocean in order to prevent flooding in the urban areas. Some people have expressed concern that the proposed quarries will tend to exacerbate this problem by removing more of the porous rock. This possibility is being reviewed in hydrologic models still under development; however, a quarry is just a hole in the ground, not connected to anything. The effect of a lake on seepage is negligible compared to the effect of a canal that drains to sea level at the ocean.

In 1984, the Florida Legislature recognized the importance of mining by exempting Lake Belt mining from the State's new Henderson wetlands jurisdiction.

In 1992, the Florida Legislature recognized the importance of the Lake Belt Area's limestone resources to the State as well as the need to sensitively plan for protection of the public drinking water supply (Chapter 373.4149, F.S.). The Legislature created the Northwest Dade County Freshwater Lake Plan Implementation Committee (now officially named the Miami-Dade County Lake Belt Plan Implementation Committee and referred to as the Lake Belt Committee in this document) 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 rock mining industry, environmental organizations, and non-mining landowners.

The Next 50 Years

The Lake Belt Area encompasses 77.5 square miles of environmentally sensitive land at the western edge of the Miami-Dade County urban area. The wetlands and lakes of the Lake Belt buffer the Everglades from the potentially adverse impacts of urban development. Rock mined from the Lake Belt supplies one-half of the limestone used annually in Florida. The Northwest Wellfield – located at the eastern edge of the Lake Belt is the largest drinking water wellfield in the State and supplies approximately 40% of the potable water for Miami-Dade County. Approximately 50 percent of the land within the Lake Belt Area is owned by the mining industry and 20 percent is owned by government agencies

The Lake Belt Committee has recommended and the Legislature has adopted Phase I of the Plan. Now the Committee is recommending Phase II of the Plan.

~~In 1992, the Florida Legislature recognized the importance of the Lake Belt Area's limestone resources to the State as well as the need to sensitively plan for protection of the public drinking water supply (Chapter 373.4149, F.S.). The Legislature created the Northwest Dade County Freshwater Lake Plan Implementation Committee (now officially named the Miami Dade County Lake Belt Plan Implementation Committee and referred to as the Lake Belt Committee in this document) 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 rock mining industry, environmental organizations, and non-mining landowners.~~

Lake Belt Chronology Since the 1950s

1955 - Lehigh Cement Mill opens and mining begins in the Lake Belt.

1960s - 1980s Rock mining companies buy land totaling about 25,000 acres (about 40 square miles) in the Lake Belt area

1975 - Miami Dade County adopted the Comprehensive Plan, which finds that limestone mining is one of the few acceptable land uses west of the Turnpike.

1978 - The Corps of Engineers exercises jurisdiction over limestone mining in the area based on Phase III jurisdiction pursuant to the 1972 Federal Clean Water Act.

1979 - the Corps grants permits for all rock mines in the Lake Belt. All rock mining in the Lake Belt since 1979 has been fully permitted by the Corps. In addition, all mining has been the subject of zoning approvals issued by the County Commission and permits issued by the Miami-Dade County Department of Environmental Regulation (DERM)

1983 - The Corps prepares an Environmental Impact Statement on Limestone mining in South Florida, which finds that mining in degraded, drained, Melaleuca infested wetlands is the preferred alternative. This 1983 EIS has provided the basis for continued permitting of limestone mining in the Lake Belt until now.

1984 - The Florida Legislature adopts the Henderson Wetlands Act which exempts limestone mining from State wetlands jurisdiction for a period of ten years.

1985 - The Dade County Commission adopts a protection plan for the North West Wellfield (located in the Lake Belt). This plan finds that in the vicinity of the wellfield, limestone mining should be encouraged and other land uses discouraged.

1992 - two years before the Henderson exemption expires, the State Legislature adopts Lake Belt legislation creating a committee which is charged with developing a plan for mining that:

Enhances the water supply for Dade County and the Everglades,

Maximizes efficient recovery of limestone while promoting the social and economic welfare of the community and protecting the environment,

Educates various groups and the general public of the benefits of the plan.

1994 - The State Legislature extends the Henderson exemption until 1997.

1994 - Everglades Restoration gains momentum with creation of the East Coast Buffer Plan. The Lake Belt Area comprises about 2/3 of all the land being considered for the buffer. The Lake Belt has become a critical component of Everglades Restoration.

1995 - The Governor's Commission for the Restoration of the Everglades adopts a water budget report which shows the present system for draining urban areas causes seepage under the East Coast Protective Levee and wastes huge volumes of water needed by the Everglades

1996 - The Governor's Commission for the Restoration of the Everglades adopts a plan and finds for the Lake Belt

"the area of northwestern Miami-Dade County proposed as a future "Lake Belt" by the South Florida Limestone Mining Coalition lies east of the WCA-3B and comprises a large portion of land being considered for the WPAs [East Coast Buffer]. The Florida Legislature recognized that one of the few remaining high-quality, construction grade limestone deposits suitable for the production of aggregates, cements, and road base materials in the state is located in this area. ... A public/private partnership may offset the cost or reduce the need for acquiring portions of the WPA".

1996 - The Federal Water Resources Development Act of 1996 (WRDA) Conference Report, 104th Congress, 2nd Session, report 104-843, Washington D.C. states

"Over the past decades, various State and local governments have developed land use plans within the boundaries of the Everglades Restoration Area. The Secretary [of the Army] is directed to take these efforts into consideration as the Comprehensive Plan [for Everglades restoration] is developed. In addition, the Legislature of the State of Florida has recognized the importance of the Lake Belt Area of Dade County for the provision of a long-term domestic supply of aggregates, cement, and road base material. The Secretary is directed to take into consideration the Lake Belt and its objectives, as defined by the State legislature, during development of the Comprehensive Plan.

1997 - The Florida Legislature adopts a footprint plan for the Lake Belt and charges the Lake Belt Committee with developing a Detailed Master Plan. This footprint defines mining areas and the 13,000 acre Pennsuco wetlands preservation area. This legislation extends the Henderson Exemption until October 1, 2000.

1998 – The Florida Legislature passes a Lake Belt mitigation bill but this was vetoed by Governor Chiles due to unrelated legislation attached to the Bill. Governor Chiles veto letter stated:

"I find especially laudable the Miami-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. I strongly encourage the Florida Legislature to take up and pass in 1999 the provision 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.”

1998 - The Corps presents a 4,000 page Draft EIS for Everglades restoration which relies on huge reservoirs to be located in the Lake Belt in completed quarry lakes. The plan also proposes various conveyance canals, which will cut through the lake Belt to deliver the water from the reservoirs to Everglades park.

1999 – As recommended by the late Governor Chiles, the Florida Legislature adopts a mitigation plan for the Lake Belt whereby the miners will pay a per ton fee which will be used to buy, restore, and maintain wetlands in the Pennsuco Wetlands located on the West side of the Lake Belt Area.

1999 - The Corps of Engineers issues a Draft EIS for the Lake Belt Plan

2000 - The Corps issues a Final EIS for Everglades Restoration

2000 - The Corps of Engineers issues a Final EIS for the Lake Belt Plan and issues a public notice for 12 “individual” permits, which taken together will implement the Lake Belt Plan. October 1, 2000 - the various companies file DEP permit applications to comply with the end of the Henderson Exemption.

December 31, 2000 - The Detailed Master Plan is scheduled to be adopted by the Lake Belt Committee as a recommendation to the Legislature

THE PHASE I AND PHASE II PLANNING PROCESS

▪ Phase I of the Lake Belt Planning Process

The Lake Belt Committee completed the Phase I Master Plan in February 1997. The Legislature adopted the plan later that year. The Plan – “Making a Whole, Not Just Holes” – established the overall framework for the Lake Belt Plan. The Phase I Plan:

1. Identified areas for mining, areas for environmental mitigation, and areas where further analysis was needed to determine mining suitability
2. Outlined a strategy for streamlining the permitting process for rock mining
3. Recommended that rock mining mitigation requirements be met by establishing a user fee which would be paid per ton of limerock sold from the Lake Belt Area
4. Authorized government-industry land exchanges
5. Authorized state agencies to enter into agreements to implement the Plan
6. Recommended that the Lake Belt Committee prepare a detailed master Phase II Plan to further implementation

As directed by the Legislature, the Lake Belt Committee completed the Phase II Master Plan in December 2000. The Plan addresses the specific legislative requirements of Chapter 373.4149, F.S., as amended.

STATUS OF IMPLEMENTATION OF PHASE I LAKE BELT PLAN RECOMMENDATIONS

Recommendation-1: Specified Areas for Mining, Mitigation, and Additional Analysis The final footprint of mining allowable land within the FP&L Strip will be ~~identified~~ identified in early 2001 upon completion of hydrologic modeling and facilities design to determine the land area needed for Everglades Restoration.

Recommendation-2: Legislation for Streamlining the Permitting Process for Rock Mining The Final Programmatic EIS for Rock Mining – Freshwater Lake Belt Plan was issued in May 2000. Applications for the issuance of long-term permits for limestone mining are pending with the USACE. Legislation for delegation and streamlining was adopted (FS 373.4415)

Recommendation-3: Dedicated funding mechanism for Mitigation Legislation to enact the Lake Belt Mitigation Plan was approved by the Legislature and signed into law. The Mitigation Fee began being collected on October 1, 1999. More than \$2,000,000 was collected the first year which exceeded expectations.

Recommendation-4: Authorization for Government-Industry land Exchanges Appraisals have been prepared on all of the land in the Pennsoco wetlands owned by rock mining firms and offers are being made to acquire the lands. —Specific state-owned parcels that the rock-mining firms wish to mine on a royalty basis are under consideration by FDEP. Execution of these transactions is pending a determination of the setback required for wellfield protection.

Recommendation-5: Authorization for Agencies to Enter into Agreements to Implement the Plan SFWMD and the South Florida Regional Planning Council (SFRPC) entered into an agreement to hire a ~~professional-planning~~ consultant to assist with preparing the Phase II Plan. SFWMD provided financial assistance to Miami-Dade County DERM to prepare an updated Northwest Wellfield Watershed Protection Plan.

Recommendation-6: Development of the Phase II Detailed Master Plan The Lake Belt Committee adopted the Lake Belt Phase II Plan in December 2000.

LAKE BELT PHASE II PLANNING PROCESS

▪ Requirements of the Phase II Plan of the Lake Belt Planning Process

In 1999, the Legislature expanded to eight the number of specific mandates for Phase II of the Lake Belt Plan (Chapter 373.4149, F.S.). The Plan must:

1. Include a detailed master plan to further implementation
2. Consider the feasibility of a common mitigation plan for nonrock mining uses, including a nonrock mining mitigation fee.

3. Further address compatible land uses, opportunities, and potential conflicts
4. Provide for additional wellfield protection
5. Provide measures to prevent the reclassification of the Northwest Miami-Dade County wells as groundwater under the direct influence of surface water;
6. Secure additional funding sources
7. Consider the need to establish a land authority
8. Analyze the hydrological impacts resulting from the future mining included in the Lake Belt Plan and recommend appropriate mitigation measures, if needed to be incorporated into the Lake Belt Mitigation Plan

▪ **The Phase II Planning Process**

The Lake Belt Phase II Plan is the product of a six-step planning process. Through this process the Lake Belt Committee has sought to achieve consensus and balance among the various interests – complimentary as well as competing – in the Lake Belt Area.

Step 1: Project Scoping – with the legislative mandate as a starting point – further clarified the Plan’s objectives from the perspectives of the various Stakeholders

Step 2: Synthesizing Inputs brought together the detailed information on the natural and man-made resources of the Lake Belt Area to provide the starting point for the analysis and for crafting more detailed planning concepts

Step 3: Analysis identified the relationships to address, the opportunities to pursue, and the conflicts and constraints to resolve in the Plan

Step 4: Alternatives considered three plan scenarios reflecting different combinations of assumptions pertaining to Wellfield Protection, Water Management, Rock Mining Lands, Non-Mining Lands, Recreation Opportunities, Environmental Enhancements, and Implementation and Funding Strategies

Step 5: The Preferred Concept was selected by the Lake Belt Committee following the evaluation of each alternative. Evaluation criteria – derived from the Lake Belt Committee’s 1995 “Initial Objectives and Measures of Success” – were used as the basis for the comparison of alternatives.

Step 6: Plan Documentation presents the final recommendations of the Lake Belt Committee for the Lake Belt Phase II Plan

Public Involvement in the Phase II Planning Process

The Lake Belt Committee has welcomed public involvement throughout the planning process. At each of its monthly meetings, the Lake Belt Committee has received and answered questions from the public. The Committee has hosted two Public Meetings during the Phase II Planning Process. All landowners in the Lake Belt Area received meeting announcements and were encouraged to attend. Approximately 250 individuals attended each public meeting. In addition, the Lake Belt Committee hosted a series of Stakeholders Meetings in the summer and fall of 1999. Through these meetings, the Committee obtained information regarding interests in the Lake Belt Area, perceptions of the ideal outcome of the Plan and the Plan’s mission, the

“givens” that should direct the Plan, the perceived challenges, and the nature of suitable recreational and non-recreational uses for the Lake Belt area.

THE 2050 VISION FOR THE LAKE BELT

- **Alternative Visions**
-
- ✓ **The need for Alternative Visions**

The Committee’s recommended “Vision” should be placed in the context of alternative futures for the Area. At one end of the spectrum, there are those who see the Lake Belt Plan, which completely honors the Miami-Dade County Master Plan, as an impediment their ability to change the Plan and expand urban areas West of the Turnpike. They ask the simple question of where we will put the 2 million people expected to move into Miami-Dade County in the next 50 years. At the other end of the spectrum are those who wish to expand the footprint of the Everglades into the mining area and object to both mining and subdivisions.

The Committee’s recommended vision has also been placed in the context of what will happen without any plan. For example, without wetland remediation, Melaleuca infestation will continue. The last several wet years have somewhat slowed the advance. However, government biologists report that extensive portions of the Pennsuco have closely spaced knee-high, but already flowering juvenile Melaleuca which are expected to grow extremely rapidly if we have a normal dry season. Calculations show that the loss of wetland functions and values as a consequence of doing-nothing, will vastly exceed the unmitigated losses due to mining. Please note, however, there is an established program, approved by the legislature, to mitigate for mining. There is no plan to counteract the effects of doing nothing.

The “footprint” plan adopted by the Legislature in 1997, acknowledges the State’s need for limestone to build human and environmental infrastructure, acknowledges the industry’s investment backed expectations in purchasing land and creating the infrastructure necessary to mine and distribute the rock to the people of Florida, and recognizes the need to protect potable water supply, wetland functions, the property rights of non-miners, and provide recreation opportunities to the citizens and visitors to Miami-Dade County.

The vision recommended by the committee needs to be placed in the context of competing visions for the lake Belt Area

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- **The Lake Belt’s Resource Values**
- ✓ **Everglades Ecosystem Restoration**

Wetlands of the Lake Belt Area are critical to the health of the a significant component of the broader Everglades ecosystem. Historically part of Shark River Slough, these wetlands previously collected water from the western side of the Atlantic Coastal Ridge and moved it southwest through the Everglades. were once part of the broad wetland region that formed the continuous marsh upstream of what is now Everglades National Park. Construction of the Miami Canal, Tamiami Canal, and the Dade-Broward Levee early in the twentieth century lowered the water level and disrupted the hydrology of the Lake Belt Area. Completion of the Central and Southern Flood Control Project by the Corps of Engineers during the 1950s and the installation of the Northwest wellfield by Maimi-Dade County in the 1980s led to dramatic changes in the

~~hydrology and isolated the remaining wetlands in the area. Installation of the East Coast Protective Levee System in the late 1950s significantly reduced flows to the Lake Belt Area's wetlands and to Shark River Slough, adversely impacting the flora and fauna of the greater Everglades ecosystem.~~

Ongoing efforts to preserve and protect the Everglades ecosystem are focused upon restoring the hydrology of the region and preserving viable wetlands that once were part of the broader Everglades. - One of the fundamental prerequisites ~~design objectives of the CERP is reestablishing the natural hydropattern and water deliveries from the Lake Belt Area to Shark River Slough.~~

✓ Water Supply

The Biscayne Aquifer is the primary source of drinking water for Miami-Dade County. It is a critical source of abundant high quality drinking water that must be protected and managed for present and future generations of South Florida.

The Northwest Wellfield – located in the center of the Lake Belt Area – draws water from the Biscayne Aquifer. It is Miami-Dade County's largest water supply wellfield. Its fifteen wells collectively supply a current demand of 150 million gallons per day (MGD) and have a planned future capacity of 225 MGD.

✓ Limestone Resources

The limestone resources of the Lake Belt Area are Florida's largest source of high quality limestone suitable for production of construction aggregates, cement and road base materials.

Mining of these resources in the Lake Belt Area currently supplies 35 to 40 million tons of rock annually, representing essentially all of Miami-Dade County's rock and half of the rock, sand, and cement used to produce concrete, asphalt and road base in the state.

There is no alternate source of supply in Florida as other areas which supply rock are operating at capacity and lack the reserves to expand production to replace Lake Belt Rock. There is no practicable alternate source of supply in other states or in foreign countries. As in Florida, these facilities are operating at capacity and would require the installation of enormous infrastructure and transportation facilities to replace Lake Belt Rock. The following description assumes that rock would be available from other states or foreign countries. In fact, this rock is not available.

As an illustration, it would take approximately 1,100 rail cars a day from other states, 365 days per year to replace present Lake Belt production of about 40 million tons per year. If this quantity of rock were delivered from foreign countries, it would take thirteen 60,000 ton vessels each week (approximately two per day). The only deep-water rail-served facility in Florida that has space to handle that volume is the Port of Jacksonville, somewhere on the St. John's River. Once offloaded, approximately 1,100 rails cars per day would be required to move the rock south to present Lake Belt customers.

At present rock costs approximately \$5/ton at a Miami-Dade County quarry. Delivery to the customer usually costs more than the rock. Under either the "other State" or "Foreign" scenario it is estimated that the delivered cost of rock to customers would increase an average of approximately \$20 per ton. The cost to annually replace 40 million Lake Belt tons would then be approximately \$800 million dollars per year. Over the 50 year life of the Lake Belt the cost to the

people of Florida would be approximately 40 billion dollars. Please note that most of this money would leave the State and would produce no in-state benefits.

The \$40 billion dollar cost to replace Lake Belt rock is five times more than the estimated \$8 billion total cost for Everglades Restoration. Please note that most of the rock mined in the Lake Belt is used in road building and airport projects that are funded by taxes. Assuming that only 1/2 of Lake Belt Rock is used for public projects, then the taxpayers would have to pay the extra \$20 billion. This alone is 2.5 times more than the cost of Everglades restoration. But 1/2 of the cost of Everglades restoration will be paid for by the Federal government. Thus as far as the people of Florida are concerned, replacing Lake Belt Rock will be 10 times more expensive than Everglades restoration.

Based on these estimates, it would seem that it is extremely important to maximize the supply of rock from the Lake Belt and to maintain that supply to the people of Florida for as long a period of time as possible.

At present, Lake Belt limestone facilities are operating essentially at capacity and are just able to keep pace with the State's need for rock. Any disruption to this industry would simply create shortages of construction grade limestone in Miami-Dade County and throughout the State. The road building and all portions of the construction industry would be disrupted. Even Electricians and carpet installers can not work if there is no limestone for pouring foundations and building floor slabs.

Lake Belt Rock is a critical state resource, essential to government's ability to meet its responsibility to provide infrastructure to Florida citizens, and actions that unnecessarily serve to reduce the supply of this crucial commodity are not in the public interest.

✓ Potential Recreation Resources

The lakes and waterways of the Lake Belt Area offer opportunities for active and passive recreation in a network of freshwater lakes and wetlands unsurpassed elsewhere in Miami-Dade County now or in the future.

These opportunities are presently underutilized. Miami-Dade County currently operates two parks in the Lake Belt Area. One – the 630-acre M.E. Thompson Park – is leased from the State and is a passive recreation facility, open only during the annual six-month dry season. Trail Glades Range is a 700-acre County-owned park property of which 18 acres are used as a shooting range with the remainder undeveloped, characterized by Melaleuca trees.

✓ Suitability for Other Land Uses

Approximately, 16,000 acres of the Lake Belt Area are owned by approximately 1,800 non-mining private landowners. These lands are predominantly used for agriculture and rural residences.

▪ What is the 2050 Vision for the Lake Belt?

"The Lake Belt Area is vital to the future of South Florida. This 77.5 square mile area is located within one of the most environmentally sensitive areas of the State. Its future use must strike a proper balance among competing yet complimentary values. These include the economic value of continued rock mining and non-mining land uses, the

environmental value of preserving freshwater wetlands and restoring the hydrology of the greater Everglades ecosystem, and the social value of protecting the region's public water supplies and of realizing the Lake Belt Area's opportunities for recreation.

- ⇒ *Public water supplies for the current and future generations in Miami-Dade County must be protected with reasonable regulation. As necessary, water management measures must guarantee the continued availability of adequate water volumes in the Biscayne Aquifer. Land use activities in the vicinity of the County's wellfields must not adversely influence the quality of ground water in the Biscayne Aquifer as a source of public drinking water.*
- ⇒ *Future land uses and resource management actions in the Lake Belt Area should incorporate plans and mitigation measures required for consistent with Everglades restoration. Components of the Comprehensive Everglades Restoration Project (CERP) – as determined necessary through further study by federal and state agencies – are essential. Limiting the westward expansion of urban development in accordance with the Miami-Dade County Comprehensive Development Master Plan is necessary to preserve a largely undeveloped area to buffer the Everglades from the detrimental impacts of urbanization. The High-high quality wetlands of the Lake Belt Area – largely located in the Pennsuco wetlands strip – should be permanently protected and restored. Through a properly designed and implemented wetland mitigation plan, future uses in the Lake Belt Area should result in no-net-loss of wetland functions and values.*
- ⇒ *Private property owners – miners and non-miners alike – are entitled to use of their property. Mining interests should have the option to continue mining - in a manner consistent with Everglades restoration and the mining footprint in the Phase I Master Plan – so as to maintain the vital supply of construction materials to the people of Florida for another 50 years. Non-mining interests should be protected in so far as they are consistent with the greater public need for the protection of public water supplies and Everglades restoration.*
- ⇒ *To the extent that other values of the Lake Belt Area can be maintained, future land use should make optimum use of the recreation opportunities afforded by the wetlands and waterways on public and private land in the Lake Belt Area.”*

ACCOMPLISHING THE VISION FOR THE LAKE BELT

▪ Guiding Principles that Shape the Plan

The Lake Belt Committee recommends a number of Guiding Principles regarding the future use and management of resources in the Lake Belt Area:

✓ Wellfield Protection

1. Provide for additional wellfield protection by incorporating the policies and recommendations of the Northwest Wellfield Watershed Protection Plan, including

those reasonable recommendations of the forthcoming Plan Update that will reassess and revise, as determined necessary through further studies:

- protection zone boundaries
- rockmine setback
- wellfield protection strategies for an Inner Lake Protection Zone and an Outer Lake Protection Zone
- measures to protect the water supply during the wet season when standing water as much as three feet deep stands directly on top of the wells only 75 feet from the open portion of the well.
- a proposed monitoring program

2. ~~2.~~ Prevent reclassification of the Northwest Miami-Dade County Wellfield as "groundwater under the direct influence of surface water" by ~~excluding future limestone mining from the rockmining setback area~~ by the methods, programs and recommendations as delineated in the forthcoming Update of the Northwest Wellfield Watershed Protection Plan, once it becomes final. Review and implement, as needed, recent EPA recommendations that provide protection program management for sources classified GWUDI that do not necessitate expensive and unnecessary treatment of water supply tailored to the unique characteristics of the Lake Plan Watershed.

✓ **Water Management**

1. Support Everglades restoration and other water-related needs by incorporating components of the Comprehensive Everglades Restoration Plan (CERP) as preliminarily conceptually defined in the Central & Southern Florida Project Comprehensive Review Study (1999), recognizing that these components are subject to modification pending further studies by federal, state and local agencies and recognizing private property rights.

✓ **Everglades Restoration**

1. Support Everglades restoration by preserving, restoring, managing and maintaining the Pennsuco wetlands as a key component of the Lake Belt Mitigation Plan.
2. Allow/permit limestone mining within the western half of the FP&L Strip only if further studies determine that those lands are not essential required for Everglades restoration and/or there are no other lands available which would not adversely impact limestone mining reserves for the state.

✓ **Limestone Mining**

1. Allow/permit mining of land within the Lake Belt Area that is not needed—essential for wellfield protection, water management or Everglades restoration (as defined by the above-listed Guiding Principles).
 2. Where practical, phase Phase-mining so that it is compatible with CERP and reduces potential conflicts with other existing land uses.
 3. Configure future lakes and littoral areas taking into consideration wellfield protection, regional water management needs, ecological productivity, and potential recreational access and use.
 4. If (3) above, substantially alters the mining footprint outlined in the Phase I Master Plan, consideration should be given to limited mining of degraded wetlands in the those areas of the Eastern and Southern Pennsuco which are adjacent to existing mining operations. Maximization and efficient recovery of limestone will promote the continued viability of the industry and serve the construction material needs of the citizens of Florida.
- ✓ **Non-Mining Interests**
1. Protect non-mining interests consistent with current land use policies of the Miami-Dade County Comprehensive Development Master Plan (1999).
 2. Implement a common mitigation plan for non-mining uses.
 3. Ensure that non-mining interests are fully compensated for land to be acquired for planned public improvements.
- ✓ **Environmental Enhancement**
1. Ensure that there is no net loss of wetland functions and values in the Lake Belt Area.
- ✓ **Recreation Opportunities**
1. Maximize the potential for recreation uses consistent with access restrictions required for wellfield protection, safe operation of CERP water management facilities and wetland restoration.

WELLFIELD PROTECTION

Legislative Direction

In its approval of the Lake Belt Phase I Plan, the Florida Legislature recognized that additional work was needed to protect in perpetuity Miami-Dade County's wellfields located within the Lake Belt Area. Therefore, the Legislature mandated that the following be included in the Phase II Plan:

- ◆ Provide for additional wellfield protection

- ◆ Provide measures and or scientific studies to prevent the reclassification of Northwest Dade County wells as groundwater under the direct influence of surface water.

Where We Are Today

Existing Wellfield Protection Program: The map on page XX shows the locations of the Northwest and West Wellfields and the existing protection boundaries. The Northwest and West Wellfields are part of a complex supply system which provides drinking water to most of the residents and businesses in Dade County north of Flagler Street. The existing program was established primarily to protect the water supply from septic tanks and hazardous materials spillage. ~~Additionally, the protection zones were based upon computer modeling which assumed the aquifer material in place; in other words, no rockmine excavations.~~

Source Classification: DEP has recently determined that the Northwest Wellfield is not "groundwater under the direct influence of surface water" (GWUDI). In some cases ~~the~~ The surface water treatment rule promulgated in 1989 by EPA can require requires that public water supplies derived from GWUDI receive the same treatment as water supplies derived directly from surface water. In other cases EPA has found that even if wells are determined to be GWUDI, extra treatment is not necessary. Surface water supplies require treatment above and beyond what currently exists at the treatment plants receiving water from the wellfields within the Lake Belt Area.

Initial testing at the Northwest Wellfield revealed one production well exceeding the threshold for GWUDI and several others near somewhat below the threshold. The grout around one well has since been repaired in order to preclude the potential for impacts from ponded stormwater around the wellhead. Several production wells were also deepened to reduce pathogen risk. Current test results indicate all of the wells are not GWUDI under current pumping rates and hydrologic conditions. In the wet season, however, surface water as much as three feet deep stands only 75 feet away, directly above the open portion of the existing wells. Recent dye studies conducted by DERM showed that dye introduced in the surface waters near the wells appeared in the production wells in only a matter of a few days.

Issues

Water withdrawn from the Northwest and West wellfields is fairly pristine and significantly better quality than that of existing wellfields in urban areas. Future proposed conditions, such as increased rockmining, increased pumpage, and CERP components, have the potential to impact the quality of the wellfields. However, at the Miami-Preston Wellfield, wells are located less than one days travel time from the Miami River, at the Snapper Creek Wellfield, wells are located less than one day's travel time from Snapper Creek and less than 9 days travel time from a real estate lake surrounded by houses. At the new West Wellfield, wells are located at the 12 day travel time line from a real estate lake. This provides empirical evidence that huge travel time setbacks proposed for the Lake Belt may be excessive. In addition, recent EPA tests of Lake Belt quarry lakes have found them of drinking water standards. As a result, these lakes should be protected from potential outside contamination and, the lakes near and adjacent to the wellfield, should become an integral part of wellfield protection strategies.

Potential for Pathogenic Contamination of Drinking Water Supplies from Encroaching Excavations: Quarry lakes have the potential to contain substantially more disease-causing organisms than groundwater. Organisms such as Cryptosporidium and Giardia, while routinely found in surface water, are rarely found in groundwater. As rockmining approaches the wellheads, attenuation of biological contaminants by aquifer material is reduced. However, Cryptosporidium and Giardia have not been a problem at other WASD wells in Miami-Dade County located only one day's travel time from deep drainage canals where the existence of Cryptosporidium and Giardia are extremely likely.

Potential for Reclassification to GWUDI: While the current test results have determined that the Northwest Wellfield is not GWUDI, changes to the current condition could result in a reclassification to GWUDI. For instance, increased pumping at the wellheads, expanded rockmining in the vicinity of the wellfields, and encroaching urban development could influence the classification of the source water in the future. Miami-Dade Water and Sewer Department has estimated that upgrading the water treatment plants to meet treatment requirements for GWUDI would cost \$250,000,000., however, no comprehensive analysis has been completed. As stated above, experience at the Hialeah –Preston Wellfield, and at the Snapper Creek Wellfield, where travel times from open water drainage canals are less than one day, and at the West Wellfield where DERM has recently permitted and real estate lakes have been constructed at the 12 day travel time line, have not experienced GWUDI problems. In addition, also as stated above, the mere classification of a well as GWUDI does not necessarily mean that additional expensive filtration is necessary. This expense can be avoided by well-managed protection plans and best management practices. Of course, these should be carried out with or without the GWUDI issue.

Decreased Travel Time of Contaminants: Mining rock from the Biscayne aquifer in the vicinity of the wellfields decreases may affect the time it takes for a contaminant to travel from the quarry lake to the wells. Because of the enormous increase in water volume of a lake compared with an unmined area, the travel time of a contaminant will substantially increase if measured from the far side of a lake near a wellfield.

Encroaching Development: Extensive urbanization of the areas north and east of the Lake Belt area has occurred since the wellfields were originally installed. An example is provided by the West Wellfield where real estate lakes and subdivisions have recently been allowed by DERM to be constructed within the 12 day travel time line.

Regulatory Setback for Rockmining: As mentioned previously, the existing wellfield protection program was established primarily to protect the water supply from septic tanks and hazardous materials spillage. DERM is now evaluating whether the existing regulatory setbacks for mining are adequate considering the proposed extent of rockmining in the area. However, please note that a very large rock mining lake has existed within 500 feet of the Northwest wellfield for the last 15 years with no known adverse effects. Current recommended setbacks of 2,500 feet (approximately 1/2 mile and 5 times greater) were added to provide an adequate safety factor to account for the added lakes anticipated in the vicinity of the Northwest Wellfield.

CERP Components – The Comprehensive Everglades Restoration Plan (CERP) proposes significant infrastructure improvements in the vicinity of the wellfields. A subterranean, lined reservoir, conveyance canals, and seepage management components are proposed for location within a couple of miles of the wellfields. DERM is evaluating whether that infrastructure will affect the wellfields and whether the protection program can be improved to offset potential impacts. It should be noted however, that these components are based on such unproven

technology that extensive pilot studies will be required before any designs can be finalized. For example, while there is existing but untested technology for the sides of reservoirs, there is no known technology to provide a liner for the extensive bottom layers of reservoirs, should they be required.

Updating the Wellfield Protection Program

DERM recently completed the Northwest Wellfield Watershed Protection Plan which identifies strategies for protecting the wellfields within the Lake Belt area under future proposed conditions. Unfortunately, this report does not address the success in protecting the other 6 WASD wellfields in Miami-Dade County, even though those wellfields are located directly within urban and industrialized areas and some wells are located less than one day's travel time from polluted urban drainage canals. Other wells are located in close proximity to real estate lakes surrounded by dwellings providing habitat to people and pets known to be potential carriers of Cryptosporidium and Giardia and which pose a very real threat of illegal dumping and the inadvertent disposal of dangerous chemicals. The Lake Belt provides an opportunity to provide substantial added protection to the Northwest wellfield (which provides about 40% of the County's potable water) compared to these other wellfields which provide about 60% of the County's water).

Reassess and Delineate Protection Boundaries: The travel-time protection boundaries for the Northwest and West Wellfields were based primarily on groundwater hydrologic assumptions that did not consider the extent of rockmining occurring or proposed to occur in the area. Therefore, DERM is in the process of delineating an inner and outer wellfield protection zones that consider the influence of the rockmining excavations. County staff has received technical assistance from the South Florida Water Management District and has contracted with an outside consultant to reassess and delineate the revised practices for the protection zones for associated with the Northwest Wellfield. As above, these studies do not address the other six WASD wellfields in Miami-Dade County. At those wellfields travel times are commonly less than one day from drainage canals which are known to be polluted. DERM has not made clear why one standard is being used for the wells that supply approximately 60% of the County's water, while a completely different and apparently arbitrary standard is being used for the Northwest Wellfield.

Assess Rockmine Setback – As mentioned previously, the existing wellfield protection program was established primarily to protect the water supply from septic tanks and hazardous materials spillage. DERM is evaluating the adequacy of the existing regulatory setbacks between rockmining and the wellheads for precluding contamination under future conditions. Please note, however, that the miners have proposed a no-mining, half mile setback. The miners have suggested that this setback area be filled with surplus limestone by-product to reduce the imminent danger now existing at the Northwest Wellfield due to wet season standing surface water as much as three feet deep located only 75 feet directly above the open portion of the wells. The miners have additionally suggested that the lakes abutting the no-mining half mile setback be subject to extremely strict controls and be protected by berms and fences to preclude the possible contamination by people or animals. The miners have suggested that an approximate 12 square area surrounding the wellfield be put in WASD ownership and control.

Revise Wellfield Protection Strategies for Protection Zones – DERM is developing strategies for the new protection zones that would maximize protection. Examples of the protection strategies under consideration are no human access in the inner lake zone, passive recreation in the outer zone, and public ownership of the rockmine setback around the wellheads. The mining industry concurs with these measures so long as they are reasonable in extent. In addition, the industry

requests a reversion to the original owner if the zoning or land use on adjacent properties changes or it is not used for the intended public use.

Implement Applicable Strategies for West Wellfield – Upon completion of its evaluation in the vicinity of the Northwest Wellfield, DERM will update the protection strategy for the West Wellfield with relevant components from the watershed approach. However, DERM has already allowed subdivisions and real estate lakes to be constructed at the 12 day travel time line from the West Wellfield.

Phase II Detailed Master Plan (map)

Rockmine Setback and Wellfield Protection Zones

The master plan recognizes the concept of a rockmine setback from wellheads and an inner wellfield protection area, as identified in DERM's Northwest Wellfield Watershed Protection Plan. Defining the boundaries of the wellfield protection zones is critical to several aspects of the master planning process. For example, DERM's revised protection program indicates that there will be no access, and therefore no recreational opportunities, for lands and lakes located within the inner wellfield protection zone. While not displayed on the map, DERM's protection program also anticipates an outer wellfield protection zone within which passive recreation, such as non-motorized boating, hiking, and biking, would be supported. Until the boundaries for these protection zones are defined, the recreational aspects of the plan cannot be finalized.

Additionally, DERM's revised protection program is examining the appropriateness of constructing biologically productive littoral zones within the inner wellfield protection zone due to concerns on pathogenic contamination of lakes from mammals accessing the lake edges. Therefore, the design of excavations and their shorelines within the inner zone cannot be finalized until the boundary is defined. Once the evaluation is complete implementation of applicable components will be applied to the West Wellfield.

▪ Action Steps

Action 1: Implement risk assessment study based on all Miami-Dade County Wellfields

Responsibility: DERM

Timeframe: Spring 2002

Action 1:2 Define wellfield protection boundaries for all WASD wellfields

Responsibility: DERM

Timeframe: Spring 2002

~~Action 2: Implement risk assessment study~~

~~Responsibility: DERM~~

~~Timeframe: Spring 2003~~

~~Action 13: Amend Miami-Dade County Code for all WASD wellfields~~

~~Responsibility: County Commission~~

~~Timeframe: 2003~~

Action 4 MD WASD Funding

Review MDWASD water rates compared with other water utilities to determine if MD rates are comparable

Responsibility
Timeframe:

WATER MANAGEMENT

This section obviously needs work and we look forward to a draft.

- Legislative Direction

- ✓ Analyze the hydrologic impacts of future mining and propose mitigation if necessary
- ✓ Mining and any hydrologic mitigation must be consistent with Everglades Restoration

- Where We are Today – Phase I Plan and Issue Team Report

- ✓ Ongoing Ecosystem Restoration Efforts
- ✓ Status of CERP
- ✓ Status of WPA Study
- ✓ Seepage Management Study
- Model refinement
- Performance measures
- Web site

- Recommended Actions

- ✓ Actions
- ✓ Agency Responsibilities
- ✓ Time Frames

MINING INTERESTS

The importance of Limestone to the People of Florida

Every day, essentially every person in Florida uses million of tons of limestone as he or she wakes up in a house that has a concrete slab, and concrete block walls, and goes to work or school on concrete and asphalt highways, uses concrete bridges or travels on rapid transit, and parks his or her car on asphalt parking lots or concrete parking garages. We spend our days in buildings built with concrete. We fly out of airports with concrete or asphalt runways and with concrete terminals. Our water is delivered and our sewage is carried away in concrete pipes. We take all of that for granted and never give a second thought to where all the concrete and asphalt came from. Very few people make the connection, for example, between a curb and a quarry.

If the reader can't imagine an urban world without concrete and asphalt highways and airports, and concrete buildings, then he or she can't imagine life without limestone and limestone mining. Limestone makes modern urban civilization possible.

That's why there have been limestone quarries, west of Miami, for the last 100 years. The quarries provide the aggregate, sand and cement components for concrete (98% limestone) and for asphalt (95% limestone), for concrete block, for concrete pipe and for concrete structural components. Metrorail, parking garages, foundations, concrete slabs and walls for homes, stores, schools, churches, hospitals, airports, etc. are all built out of concrete and asphalt. Next time the reader drives across town, or just goes to work, he or she should notice all the concrete

and asphalt. Then the reader should try to imagine how he or she would get by without the limestone required to build this infrastructure.

Because of the high cost of transportation of this heavy material, in most parts of the country there is usually a quarry just outside of town. In Florida, however, there are only a few geological formations that produce limestone that meets the Florida DOT specifications for durable roads and strong concrete bridges. The best limestone in the State, in terms of both quality and yield per acre is in Miami-Dade County. The other significant deposits that meet the DOT specifications are on the West Coast, and in the Panhandle. That's why Miami-Dade Limestone is shipped all the way to Jacksonville, Orlando and Tampa. That's why the Orlando theme parks and the Cape Kennedy space center were built out of Miami-Dade County limestone. Because of the cost of transportation, if local rock had been available it would have been used. That's why Miami-Dade County limestone is a crucial state resource, not just a local resource.

▪ **Legislative Direction**

The 1992 the Lake Belt Legislation established the importance of limestone mining to the State of Florida. It mandated that the Lake Belt Plan accomplish three primary goals, of which one is "maximizing efficient recovery of limestone while promoting the social and economic welfare of the community and protecting the environment."

The Lake Belt Phase I Plan fulfilled the initial legislative mandate and made several additional recommendations related to limestone mining. The Plan:

- ✓ Identified areas for mining, areas for environmental mitigation, and areas where further analysis is needed to determine mining suitability
- ✓ Recommended that rock mining mitigation requirements be met by establishing a user fee
- ✓ Outlined a strategy for streamlining the permitting process for rock mining
 - ✓ Recommended that mining and wetland preservation be facilitated in the most appropriate locations through land exchanges or leases between the rock mining industry and government agencies
 - ✓ Recommends that the Phase II Plan further address compatible land uses and conflicts

▪ **Final Identification of Areas for Mining**

The Phase I Plan identified areas within the FPL Strip where further analysis is needed to ~~determine mining suitability~~ the need for structures to address hydrologic mitigation.. The final location and quantity of structures for mitigation footprint for mining allowable land within the FP&L Strip requires completion of hydrologic modeling that will determine the land area needed for structures required for Everglades restoration. The USCOE programmatic EIS identified that mining through unneeded road rights-of-way, canal easements and section lines, where possible, will add to the maximization of the efficient recovery of limestone. Modeling is underway, but will not be completed until 2002 at the earliest in order to integrate potential hydrologic mitigation measures with CERP efforts.

▪ **Mining User Fee**

The Legislature has established a mitigation fee per ton on all commercially mined limestone sold from the Lake Belt Area. (FS 373.4195) The fee began on October 1, 1999 at 5 cents per ton and will increase annually by 2.1% plus a cost growth index. Monies collected under the

mitigation fee are deposited in a separate Trust Fund overseen by an interagency committee. [needs progress report of committee actions, amounts received vs. model, and plans for money received]

▪ **Status of the Federal Permit**

The Army Corps of Engineers is currently considering applications for rockmining in the Lake Belt Area to issue long-term permits. The Corps has received requests to renew permits encompassing 5,900 acres of mining, and applications for an additional 8,400 acres of land for mining. A Final Programmatic EIS has been issued for the proposed action. Compensatory mitigation for the ecological impacts related to the removal of plant communities will be provided by acquiring, restoring and managing lands within the Pennsuco and other locations. Mitigation for the hydrological impacts related to increases in groundwater seepage attributed to future mining must be provided. Details regarding the post-mining landscape, including littoral shelves and other environmental enhancements when designed will be considered modifications to the permits.

▪ **Status of State Permit Streamlining and Delegation (i.e. FS 373.4415) [needs progress report from Corps, DEP and DERM]**

▪ **Action Steps**

Action 1: Complete the Water Preserve Areas (WPAs) Study and finalize identification of rockmining allowable land
Responsibility: SFWMD and USACE
Timeframe:

Action 2: Complete consideration of the Federal Permit Applications
Responsibility: USACOE
Timeframe: Spring 2001

Action 3: If necessary, continue DEP permitting, grandfather provision for Lake Plan area until wellfield seepage, wildlife habitat and othe studies are completed
Reponsibility
Timeframe

Action 4: Complete permit streamlining including federal and state delegation by USCOE, DEP and DERM.
Reponsibility
Timeframe

Action 5: Complete initial program for Mitigation by interagency committee (FS 373.41492, FS 373.41495).
Reponsibility
Timeframe

NON-MINING INTERESTS – COMPATIBILITY OF LAND USES, OPPORTUNITIES AND POTENTIAL CONFLICTS

▪ **Legislative Direction**

- ✓ In 1999 the Legislature added a requirement to the Lake Belt Legislation – as recommended by the Lake Belt Committee in the Phase I Plan – that the Lake Belt Phase II Plan “shall further address compatible land uses, opportunities, and potential conflicts.”

▪ **Non-Mining Interests in the Lake Belt Area**

Private non-mining landowners own approximately 15,762 acres – or 32 percent – of the land within the Lake Belt Area. Most of this land is presently undeveloped. Uses generally include low density rural residences and agriculture.

Miami-Dade County establishes and implements public policy regarding the permitted uses and provision of public facilities and services on these lands. The Miami-Dade County Comprehensive Development Master Plan (CDMP) generally designates the land within the Lake Belt Area as outside of the Urban Development Boundary (UDB) for the year 2015. The vast majority of land within the Lake Belt Study Area is zoned for agriculture (AG) or general use (GU). New land uses that may be approved are generally limited to rural residences at a density of one unit per five acres, agriculture that requires no additional off-site drainage, necessary institutions and public facilities, utility and communication facilities, and recreational uses.

▪ **Major Issues Related to the Future Use of Non-Mining Lands**

- ✓ Small landowners claim that Miami-Dade County has established limitations on the use of their land that make it impossible to sell their property or to sell it for a satisfactory price. They have requested that the current county plan and zoning regulations be changed to allow a residential density of one unit per acre and to allow nodes of commercial development within the North Trail Basin and in the Route 27 corridor (Stair Step Area).
- ✓ The CERP components – many of which are years away from implementation – are perceived to be adversely affecting land value and land marketability. Landowners complain that they cannot sell their land, that the value of real estate has declined, and that they are discouraged from improving their properties because of an uncertain future due to planning activities.
- ✓ Small landowners are concerned that land acquired for CERP will never be used for water management. They have requested that land acquired by the government must be used for the intended public use or it will revert to the original owner (or his heirs) for a price equal to the government’s original purchase price.

▪ **Appropriateness of Intensifying Non-Mining**

The Miami-Dade County CDMP establishes public policy regarding the physical development and expansion of the urban area. The County manages growth so that it occurs in a contiguous pattern centered around a network of high intensity urban centers and in locations which optimize efficiency in public service delivery and conservation of valuable natural resources. This policy has been in place since 1975 and has shaped the urban development area since that time, providing the basis for locating the UDB and for all zoning and land development regulations.

Because the Lake Belt Area is largely outside the UDB, in an environmentally sensitive area – permitted residential densities are set at 1 unit per five acres. The non-mining landowners have requested that the Lake Belt Plan recommend that higher residential densities be permitted in the Lake Belt Area and that additional commercial development be permitted in the Stair Step Area and along Tamiami Trail. The Lake Belt Committee recognizes that land use decisions related to the location of the UDB – that would permit the land use changes requested by the non-mining landowners – are decisions that have broad public policy implications. Changes to 25-year-old growth management policy of the County are most appropriately handled within the context of periodic updates and amendments to the CDMP. If and when Miami-Dade County considers a potential amendment to the CDMP that would allow an intensification of non-mining interests in the Lake Belt Area, such action should be considered only if it is found compatible with the Guiding Principles for the Lake Belt as expressed in this Plan.

▪ **Action Steps**

Action 1: Consider options for establishing appraised values for land to be acquired for public use. Any increase or decrease in property value solely due to project knowledge shall not be considered in arriving at the property value.

Responsibility: South Florida Water Management District, Dade County, Trustees of the Internal Improvement Trust Fund

Timeframe: Spring 2001

Action 2: Consider granting a right-of-first refusal to sellers whose properties have been purchased by the government that will enable the original seller to repurchase the property should it be divested as surplus property

Responsibility: South Florida Water Management District, Dade County, Trustees of the Internal Improvement Trust Fund

Timeframe: Spring 2001

NON-MINING INTERESTS – FEASIBILITY OF A COMMON MITIGATION PLAN

Legislative Direction

The legislature directed the Committee to consider the feasibility of a common mitigation plan for non-mining uses, including a non-rock mining mitigation fee.

Where We are Today

(Current permitting of Non-Mining Uses)

Private, non-rock mining land use in the Lake Belt Area includes residential mixed with commercial and agricultural. Single family ranchettes or “fincas” are common, consisting of a residence or building with varying intensities of agriculture, silviculture, or floriculture operations.

Given the predominantly wetland nature of the property, activities are currently regulated by the U.S. Army Corps of Engineers, the South Florida Water Management District or DEP, and Miami-Dade County DERM. To date, the need for mitigation for wetland impacts has been

evaluated and mitigation provided on a case-by case basis. Unpermitted activities have also occurred, creating compliance and enforcement challenges for the agencies.

(Landowner Perception of the Problem)

Private non-mining landowners feel that mitigation costs imposed by the existing federal, state and county regulations are too costly given the value of the property and the nature of the activities undertaken. Unlike the mining land owners, the non-mining landowners are unable to pass the cost of mitigation through to customers. The non-mining landowners desire some type of relief from these requirements, either through regulation changes to eliminate mitigation requirements, or a streamlined mitigation program that is simpler and more affordable.

(Possible Solutions)

While the committee does not recommend changes to existing agency regulations to eliminate mitigation requirements, a common mitigation plan for non-rock mining landowners would provide relief to the property owners while providing a more efficient and effective permitting process.

Consistent with legislative direction, the Committee is exploring possible locations for a regional offsite mitigation area (ROMA) to be used for non-rock mining wetland impacts. The Committee has focused its efforts on publicly owned property within or near the Lake Belt area that is in need of wetland enhancement or restoration. If an appropriate mitigation plan can be developed, mitigation assessments paid by landowners would be used by a public entity to implement the plan. The key to reaching consensus will be development of a mitigation plan that is both capable of offsetting the expected wetland impacts, and is affordable by the non-rock mining landowners.

(Full Cost Accounting Requirements)

State law requires that when money is accepted by an agency for mitigation, the amount received must be the full amount needed to conduct the mitigation, including land costs, and agency overhead. Section 373.4135(7), F.S., passed by the Florida Legislature in 1999, provided an exception to this "full cost accounting" provision for single family homeowners. While the majority of non-mining activity in the Lake Belt would not be expected to qualify for this exception, the approach may be appropriate to consider for successful resolution of the non-rock miner mitigation issue. A legislative exception to the full cost accounting provision is recommended for non-rock miner landowners in the Lake Belt Area provided that such an exception could provide affordable and effective mitigation and further the implementation of the Lake Belt plan as a whole.

• **Action Steps**

- Identify potential non-miner mitigation sites on public land, including public entity capable of implementing the mitigation plan (*regulatory agencies, November, 2000*)
- Evaluate feasibility of each site and the amount of mitigation available (*regulatory and resource agencies, January, 2000*)

- Estimate cost to conduct the mitigation, estimate required assessment on landowners per acre of impact (*regulatory/implementing agencies, January, 2000*)
- Select mitigation site that best offsets anticipated impacts at reasonable cost (*regulatory agencies and non-rock miner landowners, March, 2001*)
- Develop Memorandum of Agreement with SFWMD or DEP, as appropriate, to operate the ROMA as required by Sec. 373.413(6), F.S. (*participants depend on mitigation site selected, July, 2001*)
- Obtain permits, if required, to conduct the necessary work at the ROMA (*participants depend on mitigation site selected, Dec. 2001*)

ENVIRONMENTAL ENHANCEMENT

▪ Legislative Direction

- ✓ The Lake Belt Phase I Plan followed the mandate of “protecting the environment” while maximizing the efficient recovery of limestone (Ch. 373.4149, F.S.) by endorsing the principle of “no net loss of wetland functions and values in the Lake Belt Area.”
- ✓ In 1999 the Legislature approved the Phase I Plan’s recommendations to establish a dedicated funding mechanism for mitigation of the biological impacts of rock-mining.

▪ Wetland Mitigation Status

✓ Mitigation for Mining Impacts

Acquisition and enhancement of wetlands within the Pennsuco is the primary focus for current off-site mitigation efforts supported by the mining mitigation fee. It is anticipated that additional acreage, beyond the acres available in the Pennsuco, will need to be identified as sites for future mitigation work. In the Phase I Plan, the Lake Belt Committee identified the following priority ranking for locations of off-site mitigation related to mining:

1. Within the Pennsuco
2. Elsewhere within the Lake Belt
3. Elsewhere in northwestern Miami-Dade County
4. Elsewhere in Miami-Dade County

In addition, on-site mitigation for each mining area is “built in” to the mitigation plan, in the form of littoral zone development totaling approximately ~~8.11%~~ 8.03% of the area of deep cut. The typical form for these enhancements has been a 100-foot wide littoral shelf encircling a 1-mile square lake. Variations on this design approach (below) present important opportunities for increased biological value and enrichment.

▪ Issues Related to Littoral Zone Design and Other Enhancements

✓ Littoral Edge Types

Lake edge littoral zones will take a variety of forms throughout the Lake Belt. These will range from minimal “quarry-only” or safety edges; to baseline designs providing on-site mitigation,

required as a condition of permits issued, and potentially, to enhanced designs that boost habitat value by providing larger or more diversified wetland zones [see illustrations].

Littoral wetland design will ultimately be determined by each landowner, with review and approval by the applicable permitting agencies, and with successful implementation made a condition of the permit. General principles that should guide the design of littoral zones include:

- Coordinate with site hydrology to ensure proper water depths for plant and animal life cycles
- Support a wide variety of species, including but not limited to species of special concern (such as Wood Storks), or of economic value (such as Black Bass)
- Cost-effectiveness of construction and maintenance
- Design for an aesthetically pleasing appearance, especially in areas accessible or visible to the public

✓ **Locations for Implementation**

Several factors will affect the locations chosen for various littoral treatments. Wellfield protection requirements may be determined to preclude or limit littoral zone development within certain distances of the Northwest Wellfield. Lakes incorporated into CERP reservoirs may not be feasible locations for littoral development due to great fluctuation of managed water levels. Given an 8% baseline requirement for on-site littoral development, each mining landowner should be encouraged to develop a mitigation plan that provides timely and biologically effective littoral zone construction, in locations that work well with both mining operations and habitat enhancement goals.

✓ **Other Opportunities for Enhancement**

Uplands and transitional areas can make a critical contribution to habitat diversity. Such areas along roads, levees, trails and the edges of developed sites should be incorporated into the network of spaces usable by wildlife, through design practices that use native plants, replicate natural landscape structure, and provide connectivity between habitat "patches."

▪ **Action Steps**

Action 1: Determine acceptability and extent of potential littoral development within Wellfield Protection zones.

Responsibility: Miami-Dade County DERM
Timeframe: Spring 2002

Action 2: Determine optimum pattern for retention or removal of lands along section lines based on modeling of hydrologic impacts of mining and wellfield protection requirements

Responsibility: SFWMD and Miami-Dade County DERM
Timeframe: Spring 2002

Action 3: Determine feasibility / permissibility of littoral zone development within areas potentially included in CERP reservoirs

Responsibility: SFWMD and USACOE
Timeframe: ?????

- Action 4:** ~~Develop mitigation and enhancement plans for each mining application based on agreed mitigation levels and coordination with results of above Actions. For areas other than the Pennsuco wetlands and incorporate design changes in overall mitigation plan including revision of mitigation formula~~
Responsibility: USACOE/Interagency Task Force & Landowners
Timeframe: Ongoing

RECREATION

▪ Legislative Direction

- ✓ The Lake Belt Phase I Plan as approved by the Legislature (Ch. 373.4149, F.S.) recommends that the Master Plan "enable compatible recreational use of appropriate areas."

▪ Recreational Facilities and Recreational Needs

✓ Existing Facilities

Miami-Dade County's two existing parks offer a limited but important menu of recreational uses. The 34 acres of upland at M.E Thompson Park include RV and tent camping sites, trails, parking, support facilities and a boat launch. Trail Glades range is the County's only publicly managed gun range. Both facilities use only a small fraction of the properties they occupy, the rest remaining as wetland. Other public recreational use of the region includes boating and fishing in major canals and limited fishing access to private (mined) lakes. Greenway systems are under development by the County in adjoining regions to the south and east.

✓ Major Opportunities for Recreation in the Lake Belt

As southern Florida continues to grow in population, with especially rapid development in the western sections, the Lake Belt area is an extraordinary opportunity to provide a wide range of water-based and nature-oriented recreation. Two or more metropolitan-level parks in this area could provide a regional balance to the County's existing major parks, most of which are coastal.

While compatibility with other major public interests – wellfield protection, water management, Everglades restoration and limestone extraction – must be respected, the Lake Belt can clearly serve a great deal of community recreational need that is currently not met. These include robust and rising levels of interest in freshwater fishing, group and family camping, swimming, biking, hiking, nature viewing and all types of sailing and boating. In addition, many opportunities will be created for privately developed and managed recreational facilities, ranging from fishing and boating venues to airboat tours, eco-tourism sites and other specialized attractions.

▪ Recreation Concept Plan

The extensive waterways created in the Lake Belt will be controlled for access according to the requirements for wellfield protection, as well as coordination with CERP improvements. The recommended conceptual plan for area-wide recreation includes the following major elements:

✓ Access Management

Lakes outside the outer Wellfield Protection Zone may be fully accessible for both passive recreational uses and the full range of motorized play: boating and fishing, jet skis, para-sailing, model boating, etc. Lakes within specified distances of the Northwest Wellfield, to be determined by the County, will be completely off limits for public access, possibly protected by perimeter fencing as well as berms and other measures. This inaccessible zone is shown conceptually at approximately 1 mile beyond the 60-day travel time line, but may be expanded. Lakes between these two parameters may be accessible for "non-consumptive" uses such as canoeing, sailing and shoreline hiking or fishing.

✓ Northern Pennsuco Regional Park (M.E. Thompson)

Expansion of this existing site, readily accessible from Krome Avenue, will serve as a regional park offering day uses including hiking, fishing, non-motorized boating, picnicking, and trailhead access for area greenways. Overnight uses will include RV camping, tent camping and group (cabin) camping, in both primitive and more developed settings.

✓ Trail Glades Range North Trail Basin Park

This facility will be retained, including its generous buffer area.

✓ North Trail Basin Park

Government Lot 4 in the southern Lake Belt offers an opportunity to develop a rich variety of day uses, serving the urbanizing communities just to the east. Access may be via future extensions of NW 12th or NW 25th Streets. Motorized and non-motorized water uses can include sailing, swimming, boating, fishing, water- and jet-skiing, all appropriately separated. Trail connections can be provided both to urban and natural areas.

Krome Avenue Park

~~Another potential regional or sub-regional park location is shown along Krome Avenue south of the Bird Drive Recharge Area. This location would serve the rapidly growing southwest Miami-Dade communities and could provide non-motorized boating and fishing, nature interpretation with expansive views of the Everglades, and potentially diverse facilities on existing uplands. As these lands are not now in public ownership, acquisition would be required.~~

✓ Lake Belt Greenways

Lake Belt Greenways, comprising bicycle / pedestrian routes, should provide linkages to all of the adjacent greenway systems presently in development. In addition, internal routes should provide access to natural areas, such as the Pennsuco (via the Dade-Broward Levee), as well as connections to all park sites and future residential areas.

▪ Action Steps

Action 1: Determine access restrictions necessary for protection of the Northwest Wellfield, including usage limitations and area extent.

Responsibility: Miami-Dade County

Timeframe: Spring 2002

- Action 2:** Develop recreational needs analysis and detailed facility programming for two to three regional parks, including upgraded Thompson Park and other(s) at sites to be selected
Responsibility: Miami-Dade County
Timeframe: 2001-2006
- Action 3:** Determine feasibility of recreational uses within CERP reservoirs, based on CERP design refinements
Responsibility: SFWMD/USACOE
Timeframe: 2001-2006
- Action 4:** Develop master plan for improvements at Thompson Park; coordinate with potential mining activities on remainder of property to provide enhanced recreational-use lakes
Responsibility: Miami-Dade County
Timeframe: ?????
- Action 5:** Develop master plan for Lake Belt Greenways Network
Responsibility: Miami-Dade County ; coordinate with SFWMD, USACOE and FDOT
Timeframe: ?????
- Action 6:** Develop master plan for additional regional park sites and private recreation areas
Responsibility: Miami-Dade County
Timeframe: ?????
- Action 7:** Identify funding and begin implementation of park and greenway improvements
Responsibility: Miami-Dade County
Timeframe: 2005 – ongoing

LAND OWNERSHIP

▪ Legislative Direction

- ✓ The Lake Belt Phase I Plan authorizes government-industry land exchanges or leases as a means of facilitating mining and wetland preservation in the most appropriate locations.
- ✓ In 1998 the Legislature added a requirement to the Lake Belt Legislation – as recommended by the Lake Belt Committee in the Phase I Plan – that the Lake Belt Phase II Plan “shall consider the need to establish a land authority.”

▪ Acquisition of Land for Everglades Restoration and Rock Mining Mitigation

- ✓ Land Purchases for Wetland Restoration

The Lake Belt Phase I Plan determined that rock mining is not suitable in the Pennsuco wetlands and that mitigation for rock mining should occur within the Pennsuco wetlands, the Northwest Bird Drive Basin and other areas of the Lake Belt determined necessary for Everglades restoration. The SFWMD is currently acquiring land within the Pennsuco wetlands and other areas of the Lake Belt in a willing seller program, using funds from the U.S. Congress, the Florida Legislature, non-mining impact mitigation fees, and other sources. Approximately 1,462 acres of have been acquired for mitigation of non-mining impacts.

✓ **Land Exchanges**

Several mining companies have expressed interest in mining state-owned land in exchange for preservation of lands held as mining reserves in the Pennsuco wetlands. The Florida Department of Environmental Protection is presently considering the feasibility of issuing leases for mining on a royalty basis on state-owned land. The lands owned by mining companies would be acquired by the SFWMD at appraised value. These transactions are on hold pending the outcome of Miami-Dade County's wellfield protection studies. In addition, if state lands are unavailable due to expanded wellfield setbacks or seepage control, consideration should be given to the opportunity for limited mining on degraded wetlands owned by the mining companies in the eastern Pennsuco, adjacent to existing operations.

✓ **Consideration of a Land Authority**

Adequate authority currently exists to enable the SFWMD and Metro-Dade County to acquire land within the Lake Belt Area needed for environmental purposes. A land authority would be necessary to acquire and consolidate lands primarily intended for mining. The mining companies have indicated that they can accomplish this function more efficiently and do not support the creation of a land authority.

▪ **Action Steps**

Action 1: Acquire all land within the Pennsuco wetlands designated for restoration.
Responsibility: South Florida Water Management District under the direction of the Interagency Mitigation Committee
Timeframe: 2010

Action 2: Complete the issuance of long-term leases to mining interests for mining selected state-owned lands and the acquisition of miner owned property in the Pennsuco wetlands once wellfield protection studies are completed.
Responsibility: Florida DEP, SFWMD, and Mining Companies
Timeframe: 2003

Action 3: Explore acquisition of land "under threat of condemnation" as means to accomplish transfer of Pennsuco lands into public ownership
Responsibility
Time Frame.

FUNDING

▪ **Funding Mitigation**

The Legislature found that the impact of mining within the Lake Belt Area will best be offset by the implementation of a comprehensive mitigation plan as recommended in the Lake Belt Committee's 1998 Progress Report. The most significant aspect of the mitigation plan is the establishment by the Legislature of a mitigation fee per ton on all limestone sold from the Lake Belt Area. The fee began on October 1, 1999 at 5 cents per ton and will increase annually by 2.1% plus a cost growth index. The fee is charged on all materials that are commercially mined. Monies collected under the mitigation fee are deposited in a Trust Fund. An Interagency Committee composed of representatives of federal, state and local agencies determines disbursements.

Proceeds from the mitigation fee are used to perform mitigation activities appropriate to offset the environmental impacts due to mining including acquiring environmentally sensitive lands and restoring, managing, and maintaining their natural functions. Mitigation must be consistent with the requirement that there will be no net loss of wetland functions and values in the Lake Belt Area.

On January 31, 2010, and every ten years thereafter, the Interagency Committee responsible for overseeing the mitigation shall submit a report to the Legislature recommending any needed adjustments to the mitigation fee to ensure that the revenue generated reflects the actual costs of mitigation.

▪ **Funding Land Acquisition**

The SFWMD is currently acquiring land within the Pennsuco wetlands and other areas of the Lake Belt in a "willing" seller program. Funding is from the U.S. Congress, the Florida Legislature, and other sources. Monies collected through the Lake Belt Area User Fee are to be used to reimburse these funding sources for lands that are acquired for rockmining mitigation. To date \$2,000,000+ has been received from fees which will be applied towards the reimbursement for agency funds used to purchase Pennsuco lands for limerock mining mitigation.

▪ **Funding Further Studies and Planning Activities**

Funding for studies to further implementation of the Lake Belt Phase II Plan will be obtained from a combination of monies from the Save Our Rivers Program and the Lake Belt Area User Fee.

▪ **Funding Recreation Facilities**

A variety of sources will fund future recreation facilities in the Lake Belt Area. Further planning for these facilities and development of strategies to implement recreation plans are the responsibility of the Miami-Dade County Park and Recreation Department. Funding sources for restoration of wetlands on future parkland will include the Dade County Wetlands Trust Fund as well as other county departments – as is currently the case with the M.E. Thompson Park whose restoration is funded by the Metro-Dade County Solid Waste Department. Potential funding for new facilities will come from development impact fees, County General Funds, and existing and future state funds.

4. **Alternative Proposals**

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September 28th, 1999

Gerardo B. Fernandez
South Florida Governing Board Member
Fernandez Consulting Group, Inc.
7300 SW 84th Place
Miami, Florida 33143

Certified No. P 844 931 079

RE: Miami-Dade County Lake Belt

Mr. Fernandez:

I, Alberto Tamayo Jr. a non-mining land owner presents to you, copies of 250 +/- signed petitions supplied to me by concerned Miami-Dade County residents and/or land owners, the night of the public meeting on Sept 23, 1999 at Paul Bell Middle School.

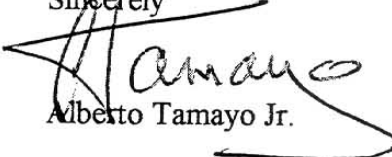
It is our hope, that you give our proposal serious consideration in the effort to balance the needs of the environmental community, the mining interests and the non-mining land owners interest. We must protect our ecosystem and future water supply, but we cannot continue to oppress the hard working Americans (whether native or naturalized). They are the backbone of Americas future!

Together as one nation we must seek solution, both, for special interests as well as the small land owner.

If you have any questions, do not hesitate to contact me at Tel.# (305) 592-7225 or mailing address: 6550 NW 77th Court - Miami, Florida 33166.

Thanking you in advanced for your attention.

Sincerely



Alberto Tamayo Jr.

cc:

William J. Clinton, President
Jeb Bush, Governor
Alex Penelas, Mayor
Carlos A. Gonzalez, S. Fl. Reg. Planning Council

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“NORTHERN LAKE BELT”

Non Mining Land Owner Request

Boundaries as shown in the 1998 Lake Belt Progress report (appendix 2).

(North) Dade/Broward Line

(East) Turnpike

(West) Miami Canal

We request respectfully appendix (2) of the 1998 progress report to be incorporated into the detail master plan all The lake Belt of the northern section as our minimum acceptable expectation. You should also consider where appropriate lands for uses such as Universities, Schools, Stadiums, Resorts, plan development that can mesh in with the open spaces the lakes will establish. We further request that the Re-study as well as the South Florida water management district. To adjust their boundaries and adapt their projects to accommodate the small land owner request as they have adjusted to accommodated the mining interest and the environmental associations.

I ENDORSE THIS PROPOSAL!

“LAKE BELT NORTE”

Propuesta de propietarios No-mineros

“Localizacion” como ilustrada en el progress report Lake Belt appendix 2

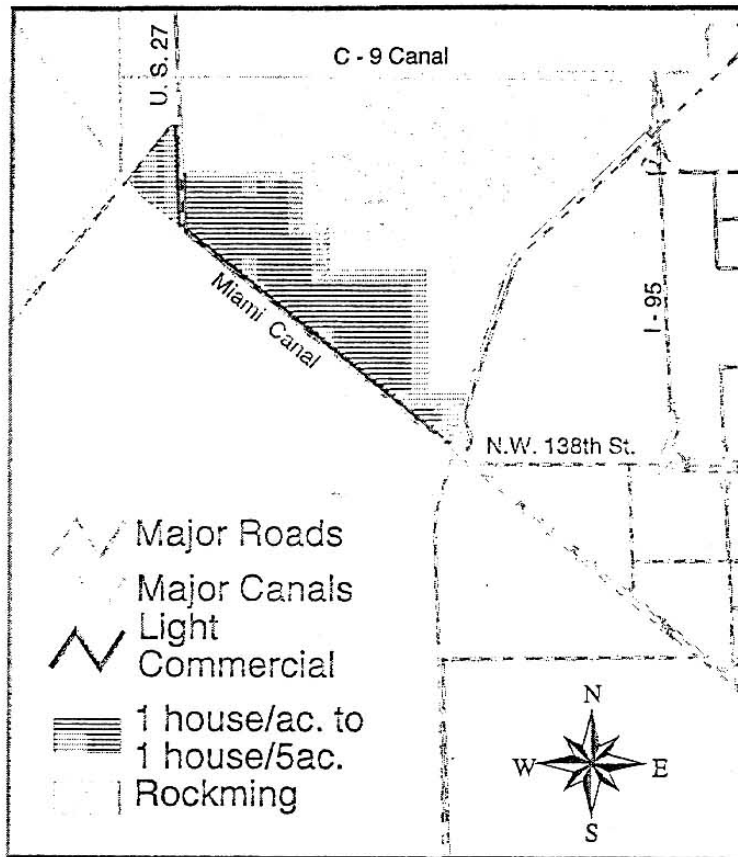
(Norte) Frontera Dade/Broward

(Este) Turnpike

(Oeste) Canal de Miami

Pedimos respetuosamente que el appendix 2 del Lake Belt del reporte anual sea incorporado al “Detail Master Plan del Lake Belt” por la seccion del Norte como lo minimo aceptado por el propietario pequeño no minero; Deveria ser considerada esta area donde apropiado, tierras para uso como: universidades, colegios, estadiums, resorts, desarrollos planificados que pudieran tener compatibilidad con las areas abiertas que dejarian los lagos despues de minados. En adicon, le pedimos que el Re-study tal como el SFWMD se ajuste sus limites de proyectos para acomodar al propeitario pequeno como lo ha hecho para acomodar a los intereses de mina y los grupos ambientalistas.

YO APOYO ESTA PROPUESTA!



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.

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.

RESOLUTION NO CC5-05-00

RESOLUTION OF COMMUNITY COUNCIL 5
RECOMMENDING TO THE MAYOR, COUNTY MANAGER,
BOARD OF COUNTY COMMISSIONERS AND THE LAKE
BELT COMMITTEE THAT THEY SUPPORT THE NON-
ROCK MINING PROPERTY OWNERS' RELIEF PACKAGE

WHEREAS, Section 20-40 of the Code of Miami-Dade County establishes Community Councils in the unincorporated area; and

WHEREAS, the Community Councils may at their option perform certain duties and responsibilities as are contained in that ordinance; and

WHEREAS, at their meeting of May 4, 2000, the members of Community Council 5 discussed the Lake Belt Plan, specifically, the provisions of the "Non-Rock Mining Property Owners' Relief Package;" and

WHEREAS, the provisions of the "Non-Rock Mining Property Owners' Relief Package," as proposed by some property owners in that portion of the Lake Belt area bounded by the Miami River Canal on the southwest, the Miami-Dade/Broward County line on the north, and the Florida Turnpike on the east, relate to: 1) the protection of property rights; 2) identifying the needs of non-rock mining property owners with regard to existing uses and future opportunities and the incorporation of these uses and opportunities into the detailed Lake Belt master plan and efforts to restore the Everglades; 3) land in the Lake Belt area that will be acquired by governmental bodies for public use, and the assurance that such land will either remain in that use or, if it ceases to be in public use, will revert to the original landowner or his/her heirs at a cost equal to what the landowner was paid at the time his/her land was condemned; 4) mitigation policies for different land uses; and 5) land uses in the northern part of the Lake Belt area.

NOW THEREFORE BE IT RESOLVED THAT COMMUNITY COUNCIL 5 recommends to the Mayor County Manager, Board of County Commissioners and the Lake Belt Committee that they support the "Non-Rock Mining Property Owners' Relief Package."

The forgoing resolution was offered by Council Member Rinehart, who moved its adoption and was seconded by Council Member Budd, and upon being put to a vote the vote was as follows:

Jorge I. Bonseñor	Aye	Gus Esposito	Absent
William L. Budd	Aye	Wayne Rinehart	Aye
Carl Dasher	Aye	Hector Rivera	Aye
Chair Stuart C. Arguello	Aye		

The Chair thereupon declared the resolution duly passed and adopted this day of 5th day of May, 2000.

I hereby certify that the above information reflects the action of the Council.


John Cox, Executive Secretary



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Children and Families,
Chairman
Budget,
Subcommittee on Education
Governmental Oversight and
Productivity
Natural Resources
Legislative Committee on
Intergovernmental Relations

SENATOR MARIO DIAZ-BALART
37th District

July 6, 2000

Mr. Alberto Tamayo, Jr.
6550 NW 77th Court
Miami, Florida 33166


Dear Mr. Tamayo:

This letter is to reiterate my support of the Community Council's resolution on the "Non-Rock Mining Property Owners Relief Package."

As I have stated before, I am very concerned with the issues faced by the Lake Belt area property owners, and remain committed to the issues addressed in the community council resolution.

I appreciate you taking from your valuable time to meet with me regarding this issue. Please feel free to contact me and I look forward to working with you in the near future.

Sincerely,


Mario Diaz-Balart



Luis E. Rojas
State Representative, District 102

REPLY TO:

6011 West 16th Avenue
Suite A
Hialeah, FL 33012-6213
305-827-2720

3301 East Tamiami Trail
Suite 305
Naples, FL 34112
941-434-5094

428 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
850-488-1683

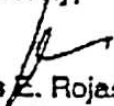
Wednesday, July 19, 2000

Alberto Tamayo Jr.
6550 NW 77th Ct
Miami, FL 33166

Dear Mr. Alberto Tamayo Jr.

I, Luis E. Rojas, endorse the non-mining relief package, as it was published in the 1998 Lake Belt Report, as well as, endorsed by the Community Council #5.

Sincerely,


Luis E. Rojas
State Representative
District 102

Committees: Utilities & Communications, Chair / Colleges & Universities / Commerce - Affairs / Finance & Tax / Judiciary



Florida House of Representatives
Gaston Cantens
District 114

☑ 300 S.W. 107th Avenue, #213
Sweetwater, Florida 33174
(305)227-7626

☐ 307 House Office Building
Tallahassee, Florida 32399-1300
(850)488-2831

July 19, 2000

Mr. Alberto Tamayo, Jr.
6550 N.W. 77th Court
Miami, Florida 33166

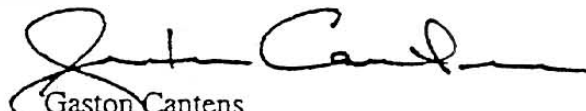
Dear Mr. Tamayo:

This letter is to reiterate my support of the Community Council's resolution on the "Non-Rock Mining Property Owners' Relief Package."

As I have stated before, I am very concerned with the issues faced by the Lake Belt area property owners, and remain committed to the issues addressed in the community council resolution.

I appreciate you taking from your valuable time to meet with me regarding this issue. Please feel free to contact me and I look forward to working with you in the near future.

Sincerely,


Gaston Cantens
State Representative, District 114



City of Hialeah
Councilman René García

July 20, 2000

Alberto Tamayo Jr.
6550 NW 77 CT
Miami, FL 33166

VIA FACSIMILE: (305) 592-0028

Dear Mr. Tamayo:

I am writing to express my support to the "Non-Rock Mining Property Owners' Relief Package" as proposed by property owners in the Lake Belt area. Property owners in this area have been faced with the problems surrounding this issue for some time now and this relief package would provide a much-needed solution.

I hope that you will keep me informed as to the process of this pressing situation. If I may be of any further assistance, please feel free to contact me.

Sincerely,

René García,
Councilman,
City of Hialeah

501 Palm Avenue, Hialeah, Florida 33010-4789



Printed on Recycled Paper

Congress of the United States

Washington, DC 20515

August 28, 2000

Mr. Albeto Tamayo, Jr.
6550 NW 77th Court
Miami, Florida 33166

Dear Mr. Tamayo:

This is to strongly support Miami-Dade Community Council's resolution on the "Non-Rock Mining Property Owners' Relief Package."

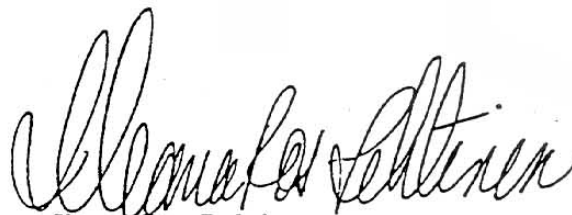
As members of the South Florida Congressional delegation, we are greatly concerned about the rights of the property owners of the Lake Belt area, and wish to reiterate our support for the issues addressed in the community council resolution. We believe the council's resolutions offer a just solution to the concerns of the Lake Belt property owners.

We look forward to continuing to work with you and the other property owners to achieve a favorable solution for your serious concerns.

Thank you for your attention and consideration.

Cordially,


Lincoln Diaz-Balart
Member of Congress


Ileana Ros-Lehtinen
Member of Congress



Florida House of Representatives

J. Alex Villalobos
Representative, 112th District

Reply to:

- 2350 Coral Way, Suite 202-A
Miami, FL 33145-3535
(305) 222-4160
- 8890 Coral Way, Suite 215-B
Miami, FL 33165-2060
(305) 222-4163

August 29, 2000

Mr. Alberto Tamayo
6550 NW 77th Court
Miami, FL 33166

Dear Mr. Tamayo:

I would like to share my support of the resolution dealing with "Non- Rock Mining Property Owners Relief Package" offered by Community Council #5. I remain committed to addressing the issues which affect the property owners in the Lake Belt Area.

If I can be of further service to you on this or any other issue, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to be "JAV", written over a vertical line.

J. Alex Villalobos
Criminal Justice Appropriations, Chair
State Representative District 112

JAV/mao

Committees

Criminal Justice Fiscal, Chair,
Crime & Punishment
Fiscal Responsibility Council
General Appropriations
Health Care Licensing &
Regulation



DR. MIRIAM ALONSO
Board of County Commissioners
District 12

September 18, 2000

Mr. Alberto Tamayo
6550 NW 77 Court
Miami, Florida 33166

Dear Mr. Tamayo:

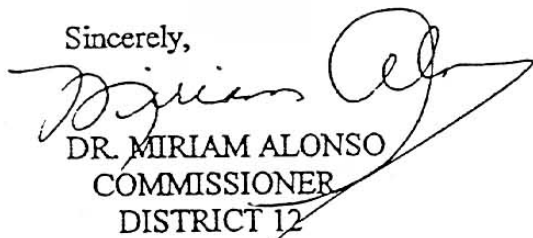
As you know, I have been actively involved in the Lake Belt process and the effects it has had and will continue to have on my constituents.

I am fully aware of your efforts to protect non-rock miners and for this reason I am providing my support to the Non-Rock Mining Property Owners' Relief Package you are presenting.

I truly appreciate the dedication and time you have given to this effort. All your hard work is recognized not only by the property owners you are presenting, but also by the elected officials that represent the area.

Please feel free to contact me should you need any other assistance.

Sincerely,


DR. MIRIAM ALONSO
COMMISSIONER
DISTRICT 12

MA/edm/bg

August 23, 2000

Albert Tamayo, Jr.
6550 NW 77th Ct.
Miami, FL 33166

Re: Dade County Lake Belt Plan

Dear Mr. Tamayo:

On behalf of the United Property Owners & Friends of the 8.5 Square Mile Area Association and its 1500 property owner members, we endorse Resolution No. CC5-05-00 of Community Council 5 as recommended to the Mayor, County Manager, Board of County Commissioners and the Lake Belt Committee in support of the non-rock mining property owners' relief package.

The protection of property rights must be preserved if democracy is to survive in this country.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alice Pena".

Alice Pena, Director
United Property Owners & Friends of the 8.5 SMA Association
14390 SW 199 Ave., Miami, FL 33196
Tel: 305-232-4042 <> Fax 305-254-9403

ANDREW J. GONZALEZ
14949 N.W. 117TH AVE
MIAMI, FL. 33018

AUG. 31, 2000

RE: LAKE BELT PERMITTING *mitigation*.

TO WHOM IT MAY CONCERN,

THE FOLLOWING RECOMMENDATIONS HAVE BEEN MADE BY THE NON-ROCKMINING INTERESTS WITHIN THE NORTHERN LAKE BELT AREA.

THE NON-ROCKMINING INTEREST FEEL THAT ALL AGRICULTURAL ACTIVITIES BE PERMITTED WITH THE APPROPRIATE PERMITS. CATTLE GRAZING, RANCHERS, FARMERS AND CONTAINER AND FIELD NURSERIES WOULD ALL FALL UNDER PERMITTED ACTIVITIES.

PROPERTY OWNERS UNDERSTAND THAT THE USE OF THEIR LAND WOULD REQUIRE ALL PERMITS TO BE IN PLACE BEFORE ANY ACTIVITIES ON THEIR LAND TAKES PLACE.

DUE TO THE NATURE OF THESE LOW IMPACT ACTIVITIES THE USE OF REASONABLE MITIGATION COST SHOULD READ AS FOLLOWS:

A PROPERTY THAT HAS BEEN PURCHASED PRIOR TO ANY MITIGATION PLAN BEING PUT INTO PLACE SHALL BE COVERED UNDER THIS NEW MITIGATION PLAN.

IF A PIECE OF PROPERTY HAS BEEN OR IS GOING TO BE ZONED, THEN WE PROPOSE THAT THE MITIGATION BE SET AS FOLLOWS:

- 1.) IF THE PROPERTY NEEDS CLEARING OF MALELUCA ONCE IT HAS BEEN ZONED, THE LAND OWNER APPLIES FOR A CLEARING PERMIT AND HE WOULD AGREE TO PAY 2% OF THE ENTIRE COST OF THE LAND FOR CLEARING.
- 2.) WHEN ADDING FILL OR ANY DEMUCKING PROJECT TAKES PLACE A 10% PERMIT FEE WOULD BE PAID IN ADDITION TO THE CLEARING FEE OF 2% PER ACRE. ALL 10% FEES PER ACRE WILL BE ROUNDED OFF TO THE NEXT ACRE. FOR EXAMPLE, IF A PROPERTY COST THE LAND OWNER \$15,000. PER ACRE AND HE HAS PURCHASED 10 ACRES AND IT NEEDS CLEARING AND FILL THEN THE FORMULA WORKS AS FOLLOWS:

2% OF 150,000. = \$3,000.00 FOR CLEARING

10% OF 15,000. = \$1,500.00 PER ACRE FOR FILL

IF THE LAND OWNER DISTURBS ONE FOOT OVER ONE ACRE HE MUST MITIGATE FOR 2 ACRES AND SO FORTH.

3.) WHEN BUILDING INFRASTRUCTURE, ALL BUILDING AND ZONING PERMITS SHALL BE IN PLACE AND A SQUARE FOOTAGE FEE SHALL BE ADDED BECAUSE OF INCREASED IMPACT TO THE AREA. WE RECOMMEND A FEE OF 3% OF TOTAL PROJECT COST AFTER FILL. AN EXAMPLE WOULD GO AS FOLLOWS, IF THE STRUCTURE COST \$100,000. TO CONSTRUCT, THE LAND OWNER WOULD THEN PAY AN ADDITIONAL \$3,000.00 IN IMPACT FEES OVER AND ABOVE WHAT HE HAS PAID FOR CLEARING AND FILL.

WE RECOMMEND THAT ALL THE AFOREMENTIONED FEES BE DOUBLED FOR ALL NEW PROPERTIES ACQUIRED AFTER THE REGULATIONS ARE PUT IN PLACE. A GRACE PERIOD OF 180 DAYS TO ALL LAND OWNERS THAT ARE IN VIOLATION WILL BE ALLOWED IN ORDER TO COMPLY WITH ALL MITIGATION, IMPACT & PERMIT FEES. IF THE ABOVE PARTIES MENTIONED DO NOT COMPLY THEN THE CHARGES WILL BE DOUBLED.

ALL FUNDS COLLECTED WILL HELP REGULATE AND PRODUCE THE MONIES NECESSARY FOR PROJECTS PLANNED IN THE NORTHERN LAKE BELT AREA.

SINCERELY,

ANDREW J. GONZALEZ

LAKEBELT PROPOSAL

August 22, 2000 draft

Introduction / Description of the Plan

The following is a proposal made on behalf of various environmental interests to resolve some of the outstanding issues relative to the Miami-Dade County Lakebelt Project. This is not a statement of our position of the minimum mitigation that the law and the science would require. Rather, it is our proposal for a minimally acceptable alternative for further evaluation, which would require either additional mitigation or less mining before it could ultimately form the basis for a complete and detailed Phase II Mitigation Plan.

This proposal is not a detailed mitigation plan, and therefore is not intended to imply that all mitigation for wetland impacts is accounted for in its footprint. This proposal shows approximately 15,800 acres of mining, and 24,573 acres set aside for resource/habitat restoration and preservation. In addition to the Pennsuco Wetlands, at least 12,500 additional acres are needed to mitigate for wetland impacts (assuming a minimum of 2.5 to 1 mitigation). This proposal was generated under the assumption that the State will have developed a comprehensive Lakebelt Mitigation Plan that depicts the locations and spatial extent of areas to be used for mitigation (in and near the Lakebelt area). We expect that such mitigation will occur on, at a minimum, a 2.5:1 acre for acre basis. Our support for any final mitigation plan is contingent upon the adoption of a comprehensive Lakebelt mitigation plan that accounts for, and identifies land for all required mitigation, prior to the adoption of this proposal as a mining footprint.

In addition, whereas this proposal indicates that additional mining near the northwest well field might be acceptable, such mining and/or permitting of mining activities in this area should not occur until all well field protection studies are complete and show that such mining is compatible with the protection of the northwest well field. Likewise, it is assumed in this proposal that pilot projects and other studies, being or to be conducted to address technological and design uncertainties associated with CERP components located in the Lakebelt, will be completed prior to allowing additional mining to occur in areas identified by the CERP as the North and Central Lakebelt reservoirs.

Factors that were considered during the development of this proposal include:

- An analysis of the relevant Florida Statutes.
- Work prepared to date by the Lakebelt Committee and its consultants.
- Comments and information provided at Lakebelt Committee meetings by various agencies and interests.
- Activities proposed to occur as part of the Comprehensive Everglades Restoration Plan (CERP).
- Ongoing CERP and other related (i.e.: Water Preserve Area Feasibility Study and well-field protection) planning efforts.

- Principles and concepts published by the Everglades Coalition.

In general, this proposal was developed to reduce the likelihood for adverse impacts to drinking water supplies (impacts to human health and treatment costs) and water resources (impacts to nearby wetlands) near the Lakebelt. The plan was developed to prioritize protection of those resources, while still allowing mining. It is anticipated that the mining footprint might change in some areas (i.e.: see Figure 1 for CERP Lakebelt components and well field protection area) upon further evaluation of proposed activities in relation to ongoing CERP (i.e.: Water Preserve Area) and well field protection planning efforts. Concerns represented in this proposal are most directly related to the protection of Miami-Dade County's Northwest and West well fields, and wetlands in the Pennsuco area and Water Conservation Area 3.

In our proposal, approximately 15,800 acres (10,200 more than existing in 1998) would be mined as part of continued Lakebelt and CERP-related mining activity and approximately 24,600 acres of land would be set aside for resource/habitat restoration and preservation. To achieve a 2.5 to 1 mitigation ratio, approximately 25,500 wetland acres would be needed to fulfill mitigation requirements. In addition to the Pennsuco Wetlands, approximately 12,500 acres of mitigation will be required to achieve 2.5 to 1 mitigation. We anticipate that the mitigation requirements, acreage, and land necessary for such mitigation will be substantiated and accounted for in a comprehensive Lakebelt mitigation plan **prior** to the selection of any alternative. Additionally, we would expect specific details pertaining to littoral shelf construction along with an inventory of littoral shelves in the Lakebelt area (which should be approximately 48 acres per section mined).

In general, our proposal can be viewed at two levels. The first is from the level of basic plan features as depicted in Figure 1a. The second level includes more specific proposals for land uses in the area, as depicted in Figure 1b. Figure 2 describes the general concepts behind the plan.

Figures 1a and 1b depict our proposal for activities in various areas in and near the Lakebelt area and generally identify areas where mining, habitat restoration/preservation, and well field protection buffers might exist. The corresponding narrative describes that plan.

Figure 2 describes the general concepts of the plan and proposed activities that might be allowed in the Lakebelt area. Figure 2 also illustrates some of the water management issues that exist in the area due to the need for enhanced protection of the Lakebelt reservoirs and the adjacent Everglades. Because methods for seepage control, well field protection, and water quality enhancement are still being researched and evaluated, specific recommendations for addressing such issues are not included in the plan.

Generalized Land Use / Mitigation Plan

Figures 1a and 1b generally depict areas proposed for resource (habitat) protection, well field protection, and mining activities. The corresponding narrative describes that plan. The areas depicted as "Preservation and Mitigation/Resource Protection" may serve water management

functions or they may serve biological functions, or, in some instances, both. It is contemplated that these areas will be in public ownership as a result of being deeded over, bought, or otherwise.

Land and Water Management Plan

This proposal also reflects our best estimate of the likely agreements between the Corps and the SFWMD concerning the preservation via the CERP process of mitigation results achieved on lands and lakes. In other words, it is the objective of this proposal that the mitigation it depicts not be compromised by subsequent CERP actions. It is the objective of this proposal that the mitigation it depicts not be destroyed by future CERP plans or by drawdowns from the Miami-Dade northwest or west well fields. Additionally, this proposal is not a mitigation plan, and therefore is not intended to imply that all mitigation for wetland impacts is accounted for in its footprint.

Discussion of General and Detailed Plans

Amount of Mining

The footprint for mining need not be so large as has been previously proposed, and the areas to be mined require careful planning. A smaller footprint or one that is shifted eastward might lead to reduced seepage losses from the Pennsuco wetlands (just one part of the reason for more hydrologic modeling) and more spatial extent, while allowing water storage and catchment in the marshes consistent with a natural hydro-pattern. Public land acquisition would give us the spatial extent and rock mining mitigation money to restore other lands and help with the hydrological implementation, along with a proper water storage and hydrological pattern would promote healthy marsh levels in non-mined lands. The mined lands still might have potential for recreation as well as re-study water resource enhancement. This assumes a proper well field protection plan, which is currently undergoing review and potential revision.

Wetland Mitigation

As a matter of environmental protection, the location, nature, and scale of the proposed mining requires the highest level of wetland and water resource protection. The Committee must recommend a specific and comprehensive up front mitigation plan as part of the Phase II Lake Belt Master Plan process. It must be recognized that there are not thousands of acres of wetlands within this general area that will remain undeveloped and available in the future to provide type for type, function for function mitigation. It will not be too far into the 50 year mining plan that every acre of these wetlands will be approved for mining, developed, or dedicated to mitigation for existing permits. Since it is clear that the mitigation in the Pensucco will not be enough to offset the impacts of the full mining plan, there is the need to know now, or very soon in the future, where exactly we are going to find the mitigation for the proposed mining.

Our proposal urges, at a minimum, a 2.5:1 mitigation ratio on a wetlands acreage basis. This acreage ratio, not the proposed fee per ton of mined rock, must be a requirement of any permits. In

addition to the acreage requirement, the mitigation must be type for type, on-site to the maximum extent possible, and, in any event, within the same hydrologic system. Given the need to maximize the spatial extent of the Everglades wetlands, it would be completely inappropriate to allow the loss and degradation of these wetlands to be compensated for in areas that are not part of this particular component of the Everglades ecosystem. Therefore, we propose that all mitigation be focused on sites within the Lakebelt Study area, and locations immediately adjacent to areas we have depicted within this Plan.

Pennsuco

The mitigation proposed in the Pennsuco Wetlands could be compromised or lost if the results of the Comprehensive Everglades Restoration Plan (CERP) cause these wetlands to be subject to high water levels. While the current CERP documents do appear to appropriately contemplate water levels consistent with biological productivity, the history of areas such as Lake Okeechobee raises the real possibility that, nonetheless, the Pennsuco would be flooded often during “emergency” situations. That would be unacceptable. The Committee should ask the Corps CERP team to make a detailed presentation at an upcoming Committee meeting, and a legal mechanism be implemented that guarantees that the Pennsuco wetlands will not receive unacceptably high water levels - even on an episodic basis.

Parenthetically, the Committee should insist that the Corp. begin to regularly attend Lakebelt Committee meetings.

To reduce the uncertainty of the fate of the Pennsuco, the Committee should specifically request for lands in the Pennsuco to be recommended for higher prioritization for acquisition under the “Save Our Rivers” Program, which has targeted these lands for two decades without consummating acquisition.

Water Conservation Area

Additional efforts to reduce seepage into the Lakebelt area from Water Conservation Area 3 and the Pennsuco wetlands are needed. Because the area is highly transmissive, hydrologic mitigation (i.e.: seepage control and/or reduction) seems to be necessary. Because the various mining footprints have not been evaluated in the context of anticipated CERP conditions, additional westward mining should not occur (i.e.: no additional mining in or beyond the FPL strip) until such footprints have been evaluated in the context of anticipated CERP conditions. The United States Army Corps of Engineers recently requested input with regard to the scoping of the Water Preserve Area Feasibility Study EIS process. The impacts of seepage associated with proposed mining footprints could/should be evaluated and discussed in the Water Preserve Area Feasibility EIS and subsequent observations and recommendations should be incorporated into the Lakebelt Phase II Master Plan.

Furthermore, because of the poor quality of runoff from urban watersheds, water captured from urbanized basins adjacent to the Lakebelt area shall not be back pumped into the Pennsuco wetlands or Water Conservation Area 3. Instead, this captured water should be detained and used to recharge groundwater in vicinity of the northwest well field so long as the water quality is consistent with that use.

On-Site Mitigation

Mitigation fees should be used to purchase available properties and to compensate private property owners for impacts to their property in areas that might be at greater risk for flooding due to Lakebelt/CERP activities.

The southern section along Tamiami Trail and 137th Ave. should be a primary mitigation area. There is virtually no existing development, it is outside of the County's Urban Development Boundary (UDB), it is all functioning, but degraded wetlands, and it is a large area, about 10,000 acres. Their purchase will assist in protecting the well field and allow ecological restoration to occur.

Another priority area should be the area identified as "Special Development District" on Alternative Concept Plan "C" within the "North Trail Basin area".

The next priority would be to consolidate into public ownership available parcels north of Okeechobee Road west of the Turnpike and South of the County line. This area is important because it contributes surface and groundwater directly to the well field through the C-6 canal. Thus, protection of water quality in this area would help to prevent contamination of the well field, and its surrounding recharge areas and stream flows source zones (i.e. the virtual underground reservoir).

Mitigation Within Mined Areas

Essentially, this proposal implements the plan developed by Everglades Research Group (Appendix D to the FPEIS), as it may be improved by ongoing work of Wallace, Roberts and Todd.

Features associated with habitat creation/mitigation shall be incorporated into all future mining activities. Such features include littoral shelves with varying topography, peninsulas, and coves. Not only would such features provide habitat benefits for fish and wildlife, but they could also provide substantial recreational opportunities. The features described have been identified and described in greater detail in prior habitat assessments provided to the Lakebelt committee.

On - site wetland preservation will not offset all of the mining impact. Thus, other mitigation, and mitigation in the form of post-mining littoral zones would also be required.

The mitigation and safety zones that would otherwise be required for the lakes that will become the North and Central lake belt elements within CERP would instead be added to the lakes that are south of the CERP footprint.

Essentially, the footprint should be as depicted in Alternative Concept Plan C, but the shoreline treatments as depicted in Alternative Concept Plan B.

Finally, under this proposal, the areas between the lakes, and the lakes themselves, including islands, are to be deeded over to the public when mining and mitigation is completed, as this is a basic assumption that has supported this process from the beginning.

Other Mitigation

The following components are not identified in any priority order.

One priority should be to acquire and restore the western roughly one-half of the sections immediately to the east of the Bird Drive recharge area (1172 acres) that is immediately south of the Tamiami Trail.

The next priority is to acquire and restore the one and one-half to two sections just south of the Bird Drive recharge area.

Another priority is to acquire and restore the roughly square mile area west of Krome Avenue and south of Krome Detention Center.

Needed Mitigation Not Discussed

As stated above, it is essential that any final plan specifically identify and quantify all mitigation for all mining and CERP impacts within the project area, and that this mitigation be function for function and type for type within this same component of the Everglades system. If not, then mining impacts must be reduced commensurately.

Hydrologic Mitigation

On the issue of hydrologic impacts and mitigation, the Committee must recommend a specific and detailed plan. See Section 373.4149(7)(h), Fla. Stat. Part of this hydrologic mitigation must include, at no cost to the public, deeding to the public all lands within the quarry pits planning area. The public should not be burdened with purchasing quarry pits that have already caused significant environmental and hydrologic impacts. The quarry pit modeling must also be closely coordinated with the CERP and with the Water Preserve Area and the Lower East Coast planning efforts. Without appreciable information sharing, there is the likelihood for potential conflicts in operational guidelines and structural changes that would impact hydrological conditions in the quarry pit region. We request that a presentation be made at the next available Committee meeting on the hydrologic modeling, including the restoration of Natural Systems Model hydrology to the Pennsuco wetlands and the prevention of excessive seepage out of conservation area 3B after NSM water levels have been restored in the conservation area.

Appropriate Land, Water and Recreational Uses

Section 373.4149(7)(c), Fla. Stat. requires the Committee to address compatible land uses, opportunities, and potential conflicts. It is not part of the charge to provide development or financial opportunities to non-mining interests. Indeed, the Committee must strongly recommend measures, akin to those within an Area of Critical State Concern, to protect this area from the potential adverse impacts of development, as well as from mining.

The Committee's priorities should be wetland protection relative to the Everglades, and the protection of the public well field. By law, this Committee's work is to provide for "additional well field protection." Section 373.4149(7)(d), Fla. Stat. The Committee should resist efforts to increase non-mining development rights in the area or to allow uses of the area that could adversely affect the County's drinking water source. Post - mining, public use and access should be allowed only *to the extent that they are clearly compatible with protection of the drinking water source*. Planning should include management for multiple types and levels of recreational opportunities that are based on relative location, water quality protection, and suitability to design features. Hiking trails, zones for motorless boating, motorized boating, and zones for seasonal quota or limited fishing and hunting should be established if and where appropriate.

Relative to non-mining landowners, the Committee should recommend the granting of transferable development rights to those owners - at increased densities if necessary - which can be transferred to the County's urban core consistent with the County's land development regulations. Creating additional development areas here would create additional incompatibilities and conflicts, and more environmental harm, and would serve no valid planning purpose. Non-mining areas should be prevented from other development, but compensated through transferable development rights or acquisition (this would be a beneficial use of mitigation funds). Again, as the County has said, the Committee must prioritize water management objectives over creating additional development opportunities. To effectuate this approach, our map deleted the residential, commercial and/or industrial land uses currently depicted on the Alternative Concept Plans in favor of wetland mitigation and water management. Commercial uses related to appropriate recreational uses within the Lakebelt area should be encouraged immediately outside of the project area.

Wherever possible, recreational activities should be permitted in a manner that is protective of the resources in the Lakebelt planning area. Likewise, recreation - related commercial activity centers (or nodes) could be located near the Lakebelt planning area to provide the public with opportunities for viewing the natural scenery, renting canoes, and purchasing various recreational equipment/supplies. Commercial nodes should be located outside of the "Safety Perimeter."

Protection of Water Quality

To protect the water resources in the Lakebelt, a "Safety Perimeter" (See also Figure 2) shall be incorporated into the Phase II Plan. The purpose of the perimeter would be to limit access to the

Lakebelt area (accessible only via designated entry points) with some sort of physical/enforcement barrier to deter dumping of materials into or near open excavations. Such dumping might further endanger the continued operation of the Northwest Well field, and should be forbidden. Efforts to prevent contamination of water in the Lakebelt area should be maximized.

Northwest Well field

Mining in the area marked as "Well field Protection" (see Figure 2) shall be postponed until it is known how much native rock will be needed to protect the well field from waterborne pathogens. Additionally, we request that the Miami-Dade Water and Sewer Department's proposal for constructing aquifer storage and recovery facilities at the Northwest Well field (and associated permitting criteria) be considered when establishing nearby mining footprints and wellfield protection measures.

Other Land Use Issues

For several reasons including protection of water quality, water management flexibility, reservoir design, and flood protection, a program to address potential impacts associated with the Lakebelt and/or CERP plan should be implemented for areas identified in Figure 2. Such a program should provide a mechanism for compensating private property owners for impacts to their property in areas that might be at greater risk for flooding due to Lakebelt/CERP activities. Additionally, continued industrial use should not be allowed in the Lakebelt area once mining operations cease.

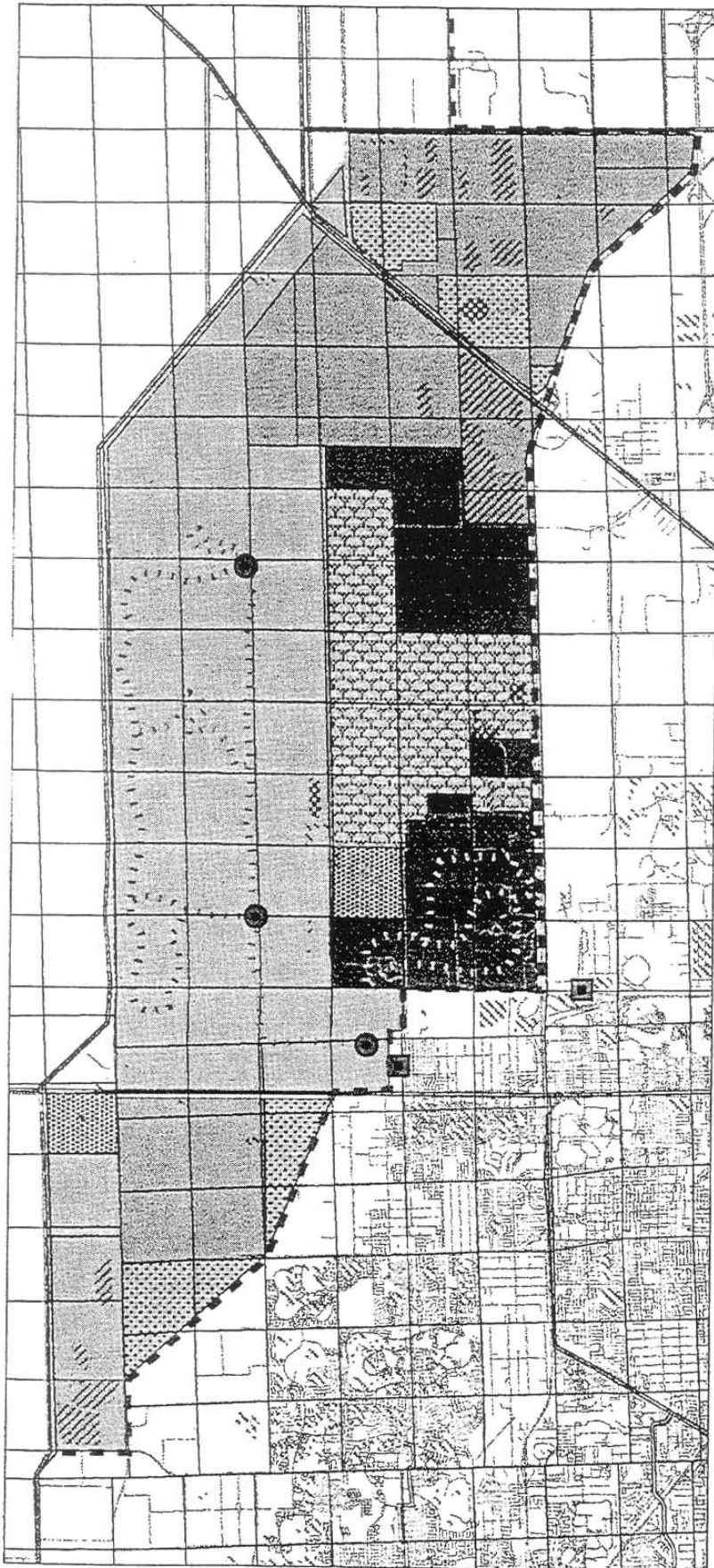
5 Reasons Why Our Proposed Alternative is Different than Alternatives A-C

- 1) **Our proposal is more likely to reduce seepage from Water Conservation Area 3, the Pennsuco Wetlands, and Everglades National Park.**
 - Alternatives A-C allow additional mining adjacent to Everglades National Park and in the FP&L Strip. Based on unmitigated seepage impacts, no additional mining adjacent to Everglades National Park, in the Pennsuco Wetlands, and the FP&L Strip is supported by evidence presented in Appendix A of the Lakebelt EIS. Pages A-20 to A-88 discuss the results of modeling that was conducted by the SFWMD, showing that seepage impacts rapidly increase with mining in the FP&L Strip and adjacent to Everglades National Park. Our proposed alternative provides for no additional mining in the areas listed.
- 2) **Our proposal provides a mechanism for compensating private property owners for impacts to their property in areas that might experience higher water levels due to Lakebelt/CERP activities.**
 - CERP modeling, conducted by the SFWMD posted to the internet, shows water levels in some areas adjacent to Lakebelt features to be approximately 1 to 2 ft higher than present average conditions.
 - Land acquisition in the North Trail Glades area (north of Tamiami Trail and west of SR 836 Extension) reduces potential land-use conflicts. Existing Alternatives A, B, and C include various acreage amounts of "Industrial/Office Uses ranging from 242 to 576 acres. This area is expected to experience high water levels which would require additional flood protection measures to facilitate development. Our proposal provides no development in this area.
- 3) **Our proposal is more protective of Miami-Dade County's water supply from the Northwest Wellfield.**
 - Alternatives A-C allow continued industrial practices to occur in the Lakebelt area. Our proposal excludes post-mining industrial and related activities from the Lakebelt planning area that might otherwise contribute to contamination of nearby lakes and the Northwest Wellfield. Instead, our proposal explores the option of using this area (at the southern end of the Lakebelt) as a potential entry point and facility for recreation in the Pennsuco Wetlands and Lakebelt area.
 - Alternatives A-C allow relatively easy access into and out of the Lakebelt area. We propose that entry into the area be closely monitored to minimize the potential for unauthorized activities to occur in the Pennsuco Wetlands and Lakebelt area. To accomplish this, we propose a physical barrier (capable of preventing vehicles from purposefully or accidentally entering the area) around the entire Lakebelt planning area that includes the West Wellfield.
- 4) **While our proposal seeks to decrease the mining footprint in areas shown to have adverse impacts on seepage from Water Conservation Area 3, the Pennsuco Wetlands, and Everglades National Park, it also explores and attempts to maximize mining opportunities in other areas to compensate for the reduction proposed in this alternative.**
 - However, it should be noted that our proposal is contingent upon the development of a mitigation plan that identifies all land to be used for Lakebelt mitigation (on at least a 2.5 to 1 acreage basis), and the completion of relevant wellfield protection and CERP-technology related studies.
- 5) **Our proposal combines and attempts to improve upon various concepts contained within existing Alternatives A-C.**

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Figure 1a: Proposed Alternative Features

Pending further evaluation and coordination
with CERP and related planning activities.



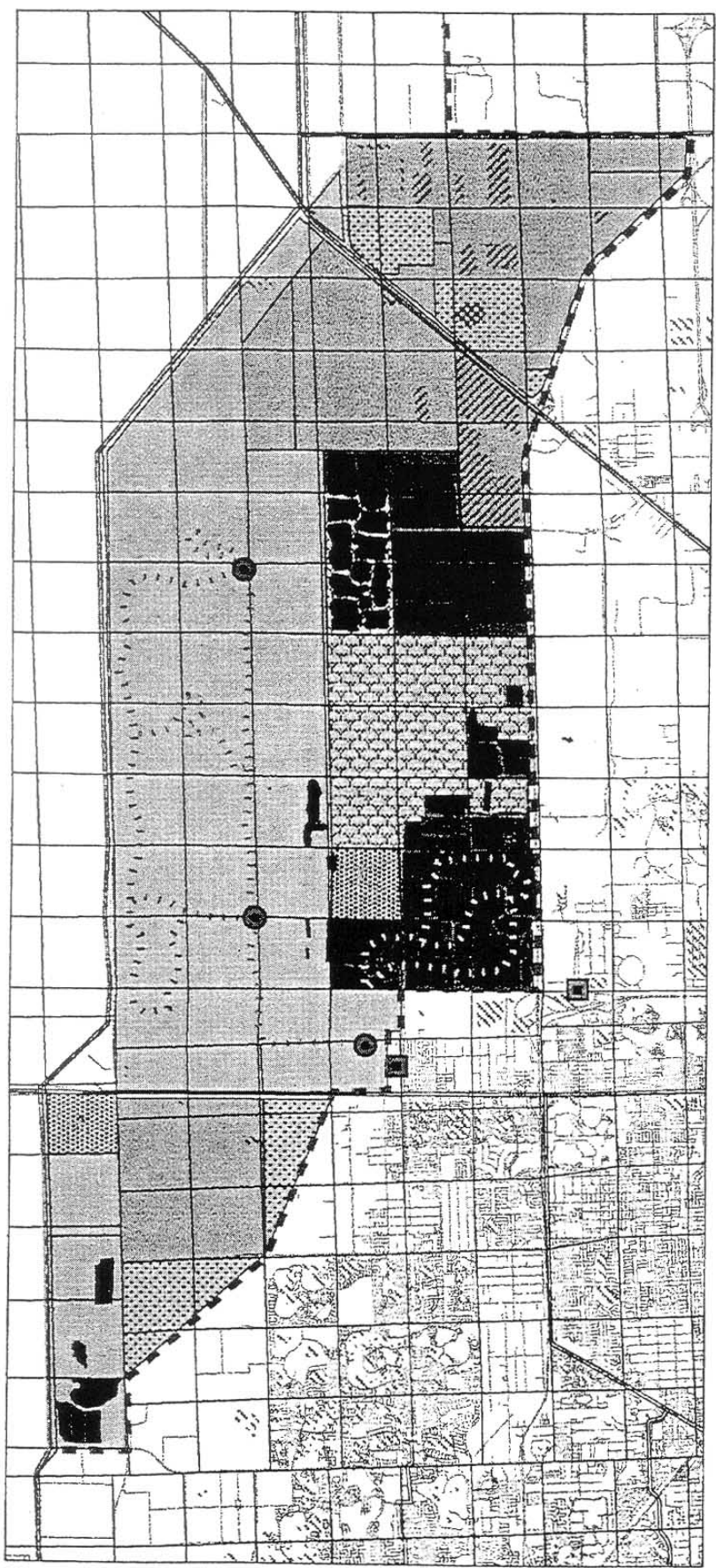
- ◆ Safety Perimeter
- Activity Nodes
 - Commercial
 - Recreation
- Paths/Trails
 - Canoe Path
 - Fishing/Boating Access
 - Hiking/Access Path
 - Existing Canal
 - Roads
 - Existing Lakes (1995)
 - Existing Lakes (Present)
- Potential Land Use
 - CERP
 - Resource Protection
 - Mined Areas
 - Existing Institutions and Infrastructure
 - Wellfield Protection
 - Other Land Use Issues

1 0 1 2 Miles
Approximate Scale

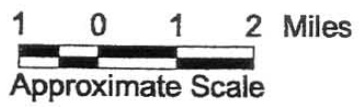
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Figure 1b: Proposed Alternative Landuse in Lakebelt and Surrounding Area

Pending further evaluation and coordination
with CERP and related planning activities.



- Safety Perimeter
- Activity Nodes
 - Commercial
 - Recreation
- Paths/Trails
 - - - Canoe Path
 - - - Fishing/Boating Access
 - - - Hiking/Access Path
 - - - Existing Canal
 - Roads
 - Existing Lakes (1995)
 - Existing Lakes (Present)
- Potential Excavations
 -
- Potential Land Use
 - CERP
 - Resource Protection
 - Mined Areas
 - Existing Institutions and Infrastructure
 - Wellfield Protection
 - Other Land Use Issues



* Mixed Use Recreation could include hiking, hunting, canoeing, boating, and fishing.

Permits for mining in areas designated as Wellfield Protection should not be granted until wellfield protection studies have been completed and have concluded that such mining activities are compatible with wellfield protection.

Permits for mining in areas identified by the CERP as the North and Central Lakebelt reservoirs should not be granted until pilot projects and other studies, being or to be conducted to address technological and design uncertainties associated with CERP components located in the Lakebelt, have been completed and have concluded that such mining activities are compatible with CERP implementation.

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No backpumping of poor-quality stormwater to the Pennsuco or Everglades

Capture and detain runoff from nearby basins

Make use of habitat-friendly designs wherever possible

Figure 2: Plan Concepts

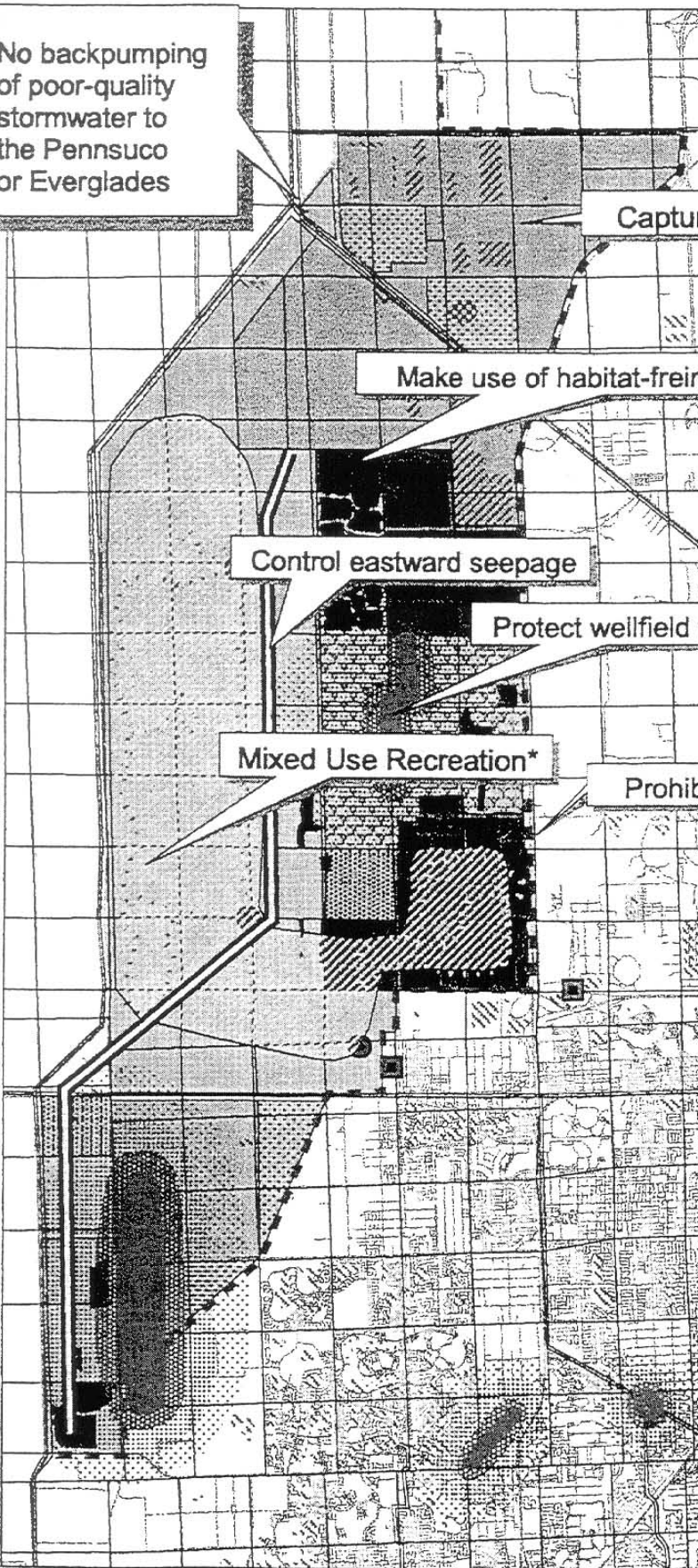
Pending further evaluation and coordination with CERP and related planning activities.

Control eastward seepage

Protect wellfield water quality

Mixed Use Recreation*

Prohibit undesirable activities in the Lakebelt area



Existing Wellfield Protection Areas

- 10-day
- 30-day
- 100-day
- 210-day
- Safety Perimeter

- ### Activity Nodes
- Commercial
 - Recreation

- ### Paths/Trails
- Canoe Path
 - Fishing/Boating Access
 - Hiking/Access Path
 - Existing Canal
 - Roads
 - Existing Lakes (1995)
 - Existing Lakes (Present)
 - Potential Excavations

- ### Potential Land Use
- CERP
 - Resource Protection
 - Mined Areas
 - Existing Institutions and Infrastructure
 - Wellfield Protection
 - Other Land Use Issues

1 0 1 2 Miles

Approximate Scale

* Mixed Use Recreation could include hiking, hunting, canoeing, boating, and fishing.

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