



June 23, 2011

Matt Biegler, General Manager
Florida Potting Soils
6021 Beggs Road
Orlando, FL 32810

Re: Calhoun Peat Mine (Presubmittal)
(Project No. 2011060007, Application Request No. 1850)

Dear Mr. Biegler:

The Development Review Staff (DRS) has reviewed your pre-submittal application for the proposed peat mine. Our review comments are listed below for your reference. Please use this information in the preparation of your formal development application.

A meeting with the DRS is not required, however if you would like to schedule a meeting to discuss these comments please contact us.

Please be advised that our review of your pre-submittal application is a cursory review before filing any formal applications and does not constitute a waiver of any requirements contained in the County's Comprehensive Plan, Land Development Regulations (LDR), nor does it constitute an approval of your proposal.

Planning & Community Design Division

1. The proposal is for a peat mine on property zoned Agriculture within the Rural Future Land Use Category. The property is approximately 782 acres from which 340 acres will be utilized for this project.
2. The Future Land Use Category (FLUC) allows mining uses.
3. A Mining Site Plan (MSP) and Operating Permit are required for mining uses. Copies of these applications are attached. The MSP is a zoning approval that requires a Public Hearing and approval by the Board of County Commissioners.
4. The major requirements are as follows:
 - a. All mining proposals must submit a hydrogeologic report to determine the recharge potential of the site. The report shall be completed by a professional engineer or state-registered geologist.

PLANNING AND COMMUNITY DESIGN DIVISION | A division of the Department of Growth Management
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343.9641 • F 352.343.9767
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- b. Activities within recharge areas shall not reduce the volume of recharge or reduce the quality of groundwater below existing levels of County or State standards, whichever standards are more restrictive.
 - c. Surface Water Quality monitoring is required.
 - d. A muck probe survey is required with probes done on 100 foot centers to determine the depth of the peat deposit. This is required with the Mining Site Plan Application as part of the hydrogeologic report.
 - e. Ingress/egress roads shall be located so as to minimize danger to traffic and nuisance to surrounding properties, and shall be identified in the proposed Mining Site Plan.
 - f. Material piles or any other excavated material shall not be higher 70 feet and shall be stockpiled at a stable slope. No excavated materials shall be placed within the required setbacks (specified below) unless approved in the mining site plan.
 - g. The mine must be enclosed with a security fence and gate which shall remain in place until site reclamation has been completed and approved by the County. Warning signs shall be permanently posted within the perimeter fence lines of the mine.
 - h. Reclamation will be require in accordance but not limited to LDR Section 6.06.02(D). A copy of this Section is attached.
5. Setbacks [LDR Section 6.06.02(C.1)]:
- a. A minimum setback of 100 feet is required from all property lines. According to the Site Mining Location plan, the mining limit seems to be closer than 100 feet from properties located north of the proposed peat mine.
 - b. The Typical Cross Section detail shown in the Site Mining Location plan shows a 25 feet setback. It will need to be revised to comply with the above requirement.
6. Tree Removal Permit:
- If more than 30 inches of Florida friendly trees will be removed, a tree removal permit is required (LDR Section 9.02.04).
7. Environmental:
- a. An Environmental Assessment of the project site is required with the MSP application.
 - b. The Environmental Survey of the property needs to identify surface waters and wetlands (isolated or non-isolated). These resources need to be delineated by a wetland jurisdictional line (WJL), upland communities according to the FLUCFCS (include S2 or S3 ratings). Any threatened, endangered, or species of special concern designated by any state or federal agency need to be inventoried. Any wildlife corridors identified by the FFWCC, FDEP, FNAI, and /or ECFRPC must be shown on the MSP.

Public Works Department

1. The access to the site is not clear from the provided location map. Roads in the area of the proposed Peat Mine may have limited ability to handle truck traffic. A truck route plan is required with the mining site plan and operating permit applications. The amount of trips the site will generate is required with the MSP and Operating Permit applications.
2. The sites point of connection to a County Road will be required to have an apron constructed to County Standards of either asphalt with limerock base or concrete reinforced (wire-mesh or fiber) with compacted subgrade. It is requested that you inform Lake County Public Works Engineering - Development Review Section at (352)483-9041/(352)483-9052 of this location before submitting a formal application for Mining Site Plan.
3. Please note that the proposed site for the Peat Mine is within Flood Zone AE with a 100 year flood elevation of 64 feet. This elevation is established by Federal Emergency Management Agency (FEMA). This type of mining activity is allowed within the floodplain.

Florida Department of Health

1. The maintenance-service contract for the proposed remote site portatilet will need permitting approval through the Florida Health Department - Lake County.

Building Division (Fire)

1. The following information will be required with the Mining Site Plan application:

Please provide the quantity of all hazardous materials that may be stored on site with a Material Safety Data Sheet, including National Fire Protection Association (NFPA) 704 Information. Please provide the location and size of fuel storage tanks on the mining site plan when submitted.

If there are structures that have a lock access please add a note on the site plan for Knox Box, lock or access system, per NFPA 1 Section 10.12. .

Concurrency Management - Development Processing

As part of your site plan application, you must apply for a Capacity Encumbrance Letter (CEL). Receipt of a CEL encumbers capacity for public facilities and services for 120 days from the date of issuance. Prior to expiration of the CEL, you must either have a building permit issued or apply for and receive a Capacity Reservation Certificate. In order to receive the Certificate, which reserves capacity for up to 4 years, capacity reservation fees must be paid in full. Reservation fees are based on 100% of the estimated transportation impact fees for commercial.

The proposed use does not indicate any building structure on site. Should a building be constructed the proposed use will be subject to the Fire Impact Fees based on Land Use Code (120) at a rate of \$104 per 1000 sq ft. Additionally, Fire Impact Fees are calculated at a rate of \$464 per 1000 sq ft. Currently the Transportation Impact Fees are suspended until March 1, 2012. Provided a building permit is obtained prior to the suspension date, the Transportation Impact Fees will not be required.

Transportation Concurrency

The standard level of service (LOS) for the impacted roadway of US 27 is "D" with a capacity of 1770. The impacted roadway segments (SR 44 to CR 25S and CR 25A to CR 33) are currently operating at eighty one percent (81%) and seventy nine percent (79%) of its capacity, respectively. Please note that information on the number of trucks entering and leaving site will be required for the site plan application to assess transportation concurrency.

Potential Review Fees

A mining site plan application will be required for consideration by the BCC in order to conduct the peat mine activity. The attached Mining Site Plan Application Fee Checklist for includes the potential fees associated with the public hearing. Please be advised that the fee amounts stated below are an approximation, we strongly encourage you to contact us for fee confirmation prior to site plan application submittal.

Estimated Fees:

Mining Site Plan: \$4,746

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Melving Isaac, P.E., Planner (Case Manager)
Division of Planning and Community Design
(352) 343-9739 ext. 5587
e-mail: misaac@lakecountyfl.gov

cc: Duane K. Booth, P.E., Booth, Ern, Straughan & Hiott, Inc. (duanebooth@besandh.com)
File

Attachment: Mining Site Plan Fee Checklist, Mining Site Plan Application,
LDR Section 6.06.02(D)



Department of Growth Management

Mining Site Plan Fee Checklist

Mining Site Plan Public Hearing Review (select one from A – B)

- A. Mining Site Plan Public Hearing (MPE) \$ 750.00 _____
- B. Mining Site Plan Sufficiency Review (MPJ) \$ 100.00 _____

Mining Site Plan Review (select one from A – C)

- A. Small Mining Site Plan - Less Than 10 Acres (MPA) \$ 500.00 _____
- B. Medium Mining Site Plan – 10 through 50 Acres (MPB) \$1100.00 _____
- C. Large Mining Site Plan – Over 50 Acres (MPE) \$1900.00 _____

Mining Site Plan Amendment Review (select one from A – B)

- A. Mining Site Plan Substantial Amendment (MPK) \$1100.00 _____
- B. Mining Site Plan Non-Substantial Amendment (MPL) \$ 450.00 _____

Planning and Community Design Review (select all that apply)

- Landscape Review Fee (*SPRB**) \$ 200.00 _____
- Tree Removal Application Review Fee (*TRSPB**) \$ 200.00 _____
- After-the-Fact Tree Removal Application Review Fee (*TRSPA**) \$ 500.00 _____
- Wellfield Protection (WCPWP*) \$ 125.00 _____

Mining Monitoring Plan Review – if deemed necessary (select one from A – C)

- A. Small Mining Monitoring Plan – Less Than 10 Acres (MMC9) \$ 300.00 _____
- B. Medium Mining Monitoring Plan – 10 through 50 Acres (MMC10) \$1100.00 _____
- C. Large Mining Monitoring Plan – Over 50 Acres (MMC51) \$1900.00 _____

Capacity Encumbrance Letter Review (select one from A – B)

- A. Capacity Encumbrance Letter - No Alternate Data – not submitting traffic study
 - Public Works – Stormwater: \$ 30.00 (CELPWS)
 - Public Works – Transportation: \$450.00 (CELPWT)
 - Growth Mgmt Administration – Parks, SW: \$110.00 (CELADM)
 \$ 590.00 _____
- B. Capacity Encumbrance Letter - Alternate Data – submitting traffic study
 - Public Works – Stormwater: \$ 30.00 (CELPWSD)
 - Public Works – Transportation: \$915.00 (CELPWTD)
 - Growth Mgmt Administration – Parks, SW: \$110.00 (CELADM)
 \$1055.00 _____

Public Works Site Plan Review (select one from A – C)

- A. Commercial, Industrial, Mining and Non-platted Residential (*PWCIM**) \$ 925.00 _____
- B. Major Plan Revision / Amendment (*PWMSP**) \$ 635.00 _____
- C. Minor Plan Revision / Amendment (*PWDM**) \$ 250.00 _____

Public Works Stormwater Review (select one from A – C)

- A. Non-residential (*PWSRN**) \$ 310.00 _____
- B. Major Plan Revision / Amendment (*PWMPR**) \$ 460.00 _____
- C. Minor Plan Revision / Amendment (*PWSRD**) \$ 165.00 _____

Health Department Review (select one from A – E)

Mining Site Plan-Fee Checklist-PZ34

Department of Growth Management

Mining Site Plan-Fee Checklist

- A. Health Department Site Plan Review Type 1 (HDSR1*)
(Freestanding "big box" retail outlets with more than 100,000 sq.ft, shopping centers with more than 250,000 sq.ft, heavy industrial, or sites less than 2 acres) \$ 125.00 _____
- B. Health Department Site Plan Review Type 2 (HDSR2*)
(All non-residential urban or rural land uses on sites greater than 2 acres) \$ 175.00 _____
- C. Health Department Site Plan Review Type 3 (HDSR3*)
(All urban multifamily, RV Parks, etc.) \$ 125.00 _____
- D. Major Site Plan Amendment (HDMSPA*) \$ 175.00 _____
- E. Minor Site Plan Amendment (HDNSPA*) \$ 125.00 _____

Fire Review

Site Plan Review (FDF*) \$ 181.00 _____

Zoning Division

Paperless Zoning Clearance (ZPC*) \$ 100.00 _____

Subtotal: \$ _____

A 1% service charge will apply if paying by credit card (of the total amount due) (CCARD) \$ _____

TOTAL: \$ _____

Plan Revision/Re-submittal Fees:

- Fire, Building Services – beginning with third review (FDF*) \$ 73.00 _____
- Public Works – beginning with third review (PWR3*) \$ 320.00 _____
- Health Department – beginning with second review (HDPRF1*) \$ 50.00 _____

Make checks payable to: Lake County Board of County Commissioners



Department of Growth Management

Mining Site Plan

Application/Procedures/Checklist

1. Project name: _____
2. Owner's name: _____
Complete mailing address: _____
Telephone number: _____ E-Mail address _____
3. Applicant's name: _____
Complete mailing address: _____
Telephone number: _____ E-Mail address _____
4. The property is generally located in the vicinity of the following streets: _____

5. Section _____ Township _____ Range _____ (Please attach legal description)
Alternate Key Number: _____
6. Area of property: _____ Acres _____ Square Feet
7. Property is or will be serviced by:
_____ Central Water & Sewer OR _____ Well & Septic Tank
8. List existing structure(s) located on site and its use: _____

9. The property is to be used for: _____
10. Applicant is hereby requesting an amendment to _____ (existing file number) OR
_____ an application for a Mining Site Plan in accordance with Chapter 6.06.00 (LDRs)
11. Is this application, for the above, being requested due to any Code Violation(s)? Specify the basis
or reason(s) for this request: _____

12. Has any previous application been filed in connection with this property?
YES _____ NO _____ If yes, briefly described the nature and outcome of the request:

13. If the project is to be developed in phases, give a brief description of how it will be phased or attach
a legible descriptive document: _____

- 14. Please attach the exact legal description for the property being petitioned. A legible tax receipt or property record card and a copy of the warranty deed are required. A current survey of such property may also be required.
- 15. List of surrounding property owners (provided by Staff): complete names and addresses of property owners of property lying within five hundred feet (500') surrounding the property legally described in number 14 of this application. Names will be obtained from the latest official County Tax Rolls, as recorded, located in the office of the Lake County Property Appraiser.

To be completed by Staff:
Date: _____ Address #: _____
Verbal Pre-Submittal Project# _____
Public Hearing #: _____
Project #: _____ AR #: _____
Existing Zoning: _____ Future Land Use Category: _____
Section: _____ Township: _____ Range: _____
Planning Area: _____ Utility Service Area: _____
Commission District: _____
Staff Name and Title: _____
Comments: _____

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me, the undersigned authority personally appeared _____
_____ who being by me first duly sworn on oath,
deposes and says:

- (1) That he/she is the fee-simple owner of the property legally described on this application.
- (2) That he/she desires a Mining Site Plan to accomplish the above desired request, as stated on page one of this Application.
- (3) That he/she has appointed _____ to act as Agent in their behalf to accomplish the above.

(Owner's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____,
20_____, by _____, who is personally known to me or who has
produced _____, as identification.

Notary Public (Signature)

Print or type Notary Name

Commission (serial) Number _____

My Commission Expires: _____

NOTE: The Owner is also required to complete the Applicant's Affidavit of this Application if no agent is appointed to act in his stead.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me, the undersigned authority personally appeared _____
_____ who being first duly sworn on oath,
deposes and says:

- (1) That he/she Affirms and Certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of Lake County, and that all statements and diagrams submitted herewith and attached hereto, are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of Lake County, Florida, and are not Returnable.
- (2) That he/she desires a Mining Site Plan to accomplish the above, as stated on Page One.
- (3) That the submittal requirements for this Application have been completed and attached hereto as part of this Application.

(Applicant's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____,
20_____, by _____, who is personally known to me or
who has produced _____, as identification.

Notary Public (Signature)

Print or type Notary Name
Commission (serial) Number _____
My Commission Expires: _____

PROCEDURES

- Upon receipt of the completed application and supporting documents, the application will be processed for advertising of a public hearing before the Zoning Board and the Board of County Commissioners in accordance with the following:
 - Advertise the requested application at least fifteen (15) days prior to the public hearing in a newspaper of general circulation in the County, or in the geographical areas of the County where the conditional use is proposed. Said notice shall state the date, time, nature of the request and the place where such meeting is to be held.
 - The County will notify the abutting property owners and the owners within a 500' foot radius by mail of the date, time, nature of the request and the place of the public hearing.
 - Sign cards shall be visibly posted by Lake County on the road frontage of where the property being considered is located; if the frontage is in excess of three-hundred (300') feet, sign cards shall be posted at intervals of three-hundred feet along the frontage. In cases where the property does not have frontage on a road, the sign cards shall be visibly posted at the property corners and where the access road intersects with the nearest County-maintained road.
 - A sufficient application will be heard before the Zoning Board on the first Wednesday of the third month following the submittal; it will be heard before the Board of County Commissioners on the fourth Tuesday of that month.

Mandatory Pre-application Conference (pre-submittal):

At least ten working days prior to the scheduled conference date, the applicant shall submit the following:

1. ____ Completed DRS Pre-Submittal Application
2. ____ Property record card or current tax receipt
3. ____ Four (4) copies of conceptual site plans and any supporting material (i.e. location map, most recent aerial, wetlands map, proposed haul route, site plans/drawings, proposed mining activity sand/peat/clay, electric or diesel, floating dredge or mechanical harvesting, etc.)
4. ____ Application fee of \$375.00, payable to Lake County Board of County Commissioners

Mining Site Plan Requirements:

The applicant will be required to submit an application meeting the following minimum requirements below. Please produce your responses in the same order, numbering them as presented in the checklist section below (1-21). Along with the following:

- Four (4) hard copies of completed or revised Mining Site Plan application/response.
- Application fees.

Upon submission of the mining site plan and appropriate fees, the project shall be reviewed by County staff within 30 days after submittal of a complete application.

1. ____ Property Owner's name, address and telephone number.
 ____ Evidence of ownership such as current tax receipt or property record card(s) and warranty deed shall be provided as well as the written consent of all landowners. Copies of said consent agreement shall be attached to the application.
 ____ Ownership and Encumbrances (O&E) or opinion of title may be required.
2. ____ Mine operators name, address and telephone number.

- Applicant's name, address and telephone number (if applicant is not landowner), or person that will physically alter the land.
- 3. Proposed date mining activities will commence.
 Projected completion date of mining activities.
- 4. Accurate legal description of the specific parcel(s) on which mining activities are to be conducted. Attach legal description, which will be used in the advertising of the property and in the preparation of the MSP ordinance.
 Property street address (if any).
 Area of property in square feet _____ acres _____
 A current survey of such property may also be required.
- 5. List of property owners contiguous to and within 500 feet of proposed mining property, based on real property tax roll (provided by Staff).
- 6. Site plans showing dimensions and location of all existing and proposed buildings, signs, driveways, off-street parking areas, loading and unloading areas, exterior walls and fences.
 Specifications for the paving of streets, parking areas and walks, provisions for parallel service roads and exterior walls and fences.
- 7. Plans or reports describing the method of handling any traffic condition created by the proposed use.
- 8. Plans or reports showing the proposed treatment of the following:
 - proposed treatment and disposal of sewage and waste
 - treatment of glare
 - handling of hazardous gases, liquids and other materials
- 9. Attach copies of any approved permits or permit applications submitted to, or required to be submitted to all state, federal, regional and local permitting agencies such as FDEP, St. John's, SWFWMD, Consumptive Use Permits, ERP, ACOE, FFWCC, etc.
- 10. Wetlands Alteration and Mitigation Plans (if wetland alteration is proposed)
 - location and type of wetlands to be altered
 - location and type of wetland mitigation areas
 - mitigation ratios
 - methods to be utilized for mitigation
- 11. Uplands Alteration and Mitigation Plans (Xeric oak communities)
 - location and type of uplands to be altered
 - location and type of upland mitigation areas
 - mitigation ratios
 - methods to be utilized for mitigation
- 12. A map or series of maps prepared at a scale of 1" = 200' or 1" = 400' (the scale of the maps shall be consistent with the scale of the aerial photograph required) which depicts:
 - Date, North arrow and scale.
 - Size, shape and geographic location of the proposed mining operation and location of the nearest major highways.
 - Existing topography of the proposed mining site and its relationship to the existing watershed; contour lines shall be drawn at five-foot intervals of actual ground contours.

- _____ An aerial photograph (same scale as all other required maps) of proposed mining site and surrounding property (photos of flight most recently available through the County Engineer's office, DOT, SCS or other agency will be accepted).
- _____ Existing on-site natural or manmade features, and on property within 300' of the proposed mine if said information is available for the off-site property, including but not limited to:
 - ___ Watercourses
 - ___ Soils
 - ___ Wetlands
 - ___ Roads
 - ___ Railroads
 - ___ Wells
 - ___ Dikes
 - ___ Canals
 - ___ Chemical storage
 - ___ Existing buildings and structures
 - ___ Hazardous materials storage (on-site only)
 - ___ Designated vegetative and wildlife species
 - ___ Right-of-way lines and easement lines (on-site only)
 - ___ Pumps and other water-handling devices and systems
 - ___ Utility lines (above and below ground on-site only and above ground off-site)
 - ___ Fuel storage tanks (surface and sub-surface on-site and surface only off-site)
 - ___ Flood-prone areas and flood elevations (based on 100-year frequency flood conditions, FEMA maps)
- _____ Proposed features to include but not limited to:
 - ___ Fences
 - ___ Railroads
 - ___ Mining pits
 - ___ Utility lines
 - ___ Property lines
 - ___ Easement lines
 - ___ Right-of-way lines
 - ___ Air emissions sources
 - ___ Potable water facilities
 - ___ Ingress/egress roads
 - ___ Facilities and structures
 - ___ Wetland mitigation areas
 - ___ Sewage treatment facilities
 - ___ Septic tanks and drain fields

- Hazardous materials storage
 - Chemical and fuel storage tanks
 - Permanent internal access roads
 - Fences, walls or vegetative buffer (identify materials)
 - Setbacks from right-of-way, easements, and property lines
 - Map depicting proposed major access routes in Lake County, including impacted intersections closest to the mining operation, proposed daily volume of vehicles hauling excavated materials during the first year of operation.
13. _____ Estimates or computations of total acreage within proposed mine acreage required for waste storage, acreage in actual mining pits, acreage of existing and/or anticipated water bodies.
14. _____ A schedule showing the proposed sequence of mining activities that will be revised and reviewed on a yearly basis (phasing plan).
15. _____ Cross-sectional drawing referenced to NGVD showing the proposed depth of the excavation area and the slope of the site and depth of the water, if any, in the mining area at the time of completion of the mining activity (reclamation plan).
16. _____ A hydrogeologic report on surface and groundwater conditions and the hydrogeologic impact of the proposed activity. The report shall be prepared by a person licensed by the State of Florida as a professional geologist.
17. _____ An Environmental Report identifying the location and extent of designated species as identified in Chapter 39, Sections 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code and Florida Statutes Chapter 581, 581.185(5)(a) and (b). The environmental report shall address at a minimum the impact of the proposed activity on such species and the methods to be used to mitigate adverse impacts.
18. _____ Conceptual plans, which include provisions for the stabilization of disturbed soils to prevent erosion by water and wind, and provisions for landscaping and buffering (i.e. berms, natural existing landscape screening and planted landscaping).
19. _____ A workable, environmentally sound reclamation plan which follows the requirement of the Code, including:
- Plan view with cross sections
 - Depict and describe manmade and natural features to exist upon completion.
 - Depict at least two typical cross sections generally oriented at 90° to each other.
 - Plan view with contours showing areas to be filled, back-filled, reconstructed and reshaped.
 - Identify size, type, location and planting schedule for all vegetation to be planted or seeded.
 - Water elevation shall be shown when a lake creation is proposed.
 - Bottom depth contours of impacted or manmade water bodies
20. _____ Site-specific information requirements may be modified, or additional information may be requested by the County. Additional aquifer testing and/or water quality testing, including sampling of wells in the Florida Aquifer, may be required in areas of known groundwater contamination or in prime recharge areas. The applicant shall bear all costs associated with testing.
21. _____ In the event that the Department of Natural Resources shall issue a determination of confidentiality pursuant to F.S. Ch 378, 378.406, the County shall honor said determination.

Exemptions for Development with “De Minimus” Impact and the development site is on a roadway currently operating at vehicles/capacity (V/C) ratio below 0.5.

For development sites that do not meet the “De Minimus” criteria, but generate less than 25 net new vehicular trips based upon weekday A.M. peak-hour, weekday P.M. peak hour and or weekend peak-hour trips; a Request of Exemption Letter must be submitted. The minimum data required for this letter is described in Lake Sumter MPO Traffic Impact Study Methodology Guidelines. A traffic impact study will be required as outlined in the MPO Manual for all other development sites.

Please contact the Lake County Public Works Department at 352-483-9040 with any questions regarding requirements.

Application Fees:

___ Mining Site Plan Public Hearing Review Fee \$750.00 + \$15.00 per acre (MPE) made payable to the Lake County Board of County Commissioners.

___ Mining Site Plan Sufficiency Review \$100.00 (MPJ), made payable to the Lake County Board of County Commissioners.

___ Recording Fees: A separate check in the amount of **\$88.50** made payable to **Neil Kelly, Clerk of the Circuit Court** for recording of Final Approved Development Order (to be submitted at time of application). Additional fees may be required due to the length of the documentation. These fees must be paid prior to final approval.

___ Legal Ad fee of **\$30.58** and notification fees of **\$3.08 per line of legal description** (will be billed to the applicant following advertisement) made payable to **Lake County Board of County Commissioners**.

___ Notification fee in the amount of \$0.28 per abutting property owner within a 500 feet radius.

Environmental Services, Water Resource Management (Mining Site Plan Review Fees)

- ___ Small (Less than 10 Acres) \$ 500.00 (MPA)
- ___ Medium (10 – 50 Acres) \$1,100.00 (MPB)
- ___ Large (50 Acres or Over) \$1,900.00 (MPC)

Monitoring Plan Review (if deemed necessary)

- ___ Small (Less than 10 acres) \$300.00 (MMC9)
- ___ Medium (10 – 50 acres) \$650.00 (MMC10)
- ___ Large (50 acres or Over) \$650.00 (MMC51)

Total fees due \$ _____

Applicant-initiated postponements are subject to a \$100.00 fee.

Reapplication:

Please note, in accordance with the Land Development Regulations, in the event of a denial of an application, reapplication for Mining Site Plan Approval for all or a portion of the property described in the original application shall not be allowed for a period of one (1) year from the date of the denial unless said time frame is waived by the Board of County Commissioners. The Board may waive the one-year period if it finds that the basis for denial of the original application no longer exists because of changed circumstances or the discovery of evidence not produced at the original Public Hearing.

D. Reclamation Standards.

1. **Timing.** Reclamation Shall commence within ninety (90) days following the completion of each approved phase of the Mining Activities or within ninety (90) days after commencement of Mining Activities for the next phase, whichever is earlier. Reclamation of the area associated with any completed phase of the mining activity Shall be completed no later than two (2) years after termination of mining in that phase. At no time Shall more than two (2) phases remain unreclaimed. In the event that substantial Mining Activities cease for a period of three (3) years, Reclamation of disturbed areas Shall commence and be completed within a five-year period from the date of cessation of operation.
2. **Topography.** All Land Areas either Mined or disturbed by Mining Activities Shall be regraded as closely as practical to those contours existing on the Site prior to mining unless the Reclamation plan has established an alternate set of contours that is not contrary to the public interest and leaves the Site beneficial for future use. Such alternate contours must be specified in the Mining Site Plan or Operating Permit and approved by the County prior to commencement of regrading. Sloping and grading Shall be conducted in such a manner as to minimize soil Erosion and Surface Water runoff and to make the Land surface suitable for revegetation. In order to enhance slope stabilization, enhance Site aesthetics and maximize potential for beneficial end use of the reclaimed Site, no slope beyond the uppermost perimeter of any excavated area of the Mine Shall be steeper than four (4) feet horizontal to one (1) foot vertical. No slope within an excavated area may be steeper than three (3) feet horizontal to one (1) foot vertical. All wetland Areas Mined or disturbed by Mining Activities Shall be reclaimed in accordance with a wetland Mitigation plan that has been approved by the County.
3. **Revegetation.**
 - a. Revegetation of all disturbed areas Shall be conducted in a manner so as to achieve permanent revegetation which will minimize soil Erosion and Surface Water runoff, conceal the effects of surface mining and recognize the requirements for appropriate habitat for fish and wildlife. Should washes, rills, gullies or the like develop after revegetation and before final County approval of the Reclamation area, such eroded areas Shall be repaired and the slopes stabilized.
 - b. Vegetation types utilized for revegetation Shall consist of species of grasses, Shrubs, Trees and Aquatic and Wetlands vegetation native to the area and well-adapted to the soil conditions and terrain features prevalent on the Site being reclaimed. Nonnative species may be used upon approval by the County. However, in no instance Shall prohibited plant species listed in Section 9.01, or Hydrilla be planted.
 - c. Good quality Topsoils or other growing media suitable for the types of vegetation being utilized for revegetation Shall be applied as the final soil cover material for all reclaimed areas. Alternate growing media must be approved by the County prior to commencement of revegetation. When good-quality Topsoil is available on-site, it Shall be stockpiled, segregated and Retained on-site for revegetation during the Reclamation process.
 - d. Revegetation efforts Shall commence within thirty (30) days after completion of regrading and Shall be completed within one hundred twenty (120) days. At the end of one (1) year after completion of the initial Reclamation, all Land Areas Shall have established Ground Cover over at least eighty (80) percent of the Land Area, excluding Roads, groves or row crops, unless it can be demonstrated to the satisfaction of the County that, due to circumstances beyond the control of the mining Operator, such coverage could not be achieved. Bare areas Shall not exceed one-quarter ($\frac{1}{4}$) acre. All Land Areas Shall, at the end of two (2) years after completion of the initial Reclamation, have established Ground Cover over at least ninety-five (95) percent of the reclaimed Land Area, excluding Roads, groves and row crops. Upland forested areas Shall be established to resemble premining conditions where practical and where consistent with proposed Land Uses. At a minimum, ten (10) percent of the upland Area will be revegetated as upland forested area with a variety of indigenous hardwoods and conifers unless the mining Operator demonstrates to the County's satisfaction that reforestation is not consistent with proposed future Land Use of the mining Site. Upland forested areas Shall be managed in such a way as to allow vegetation establishment. An area will be considered to be reforested if a stand Density of two hundred (200) Trees per acre is achieved at the end of one (1) year after completion of the initial Reclamation.
 - e. All wetland Areas Shall be reclaimed and revegetated in accordance with the best available technology. Herbaceous Wetlands Shall achieve a Ground Cover of at least fifty (50) percent at the end of one (1) year unless it can be demonstrated to the County's satisfaction that, due to circumstances beyond the control of the mining Operator, such coverage could not be achieved. Revegetated areas Shall be managed in such a way as to allow vegetation establishment. Herbaceous Wetlands Shall achieve a Ground Cover of at least seventy (70) percent at the end of two (2) years. Forested Wetlands Shall achieve a stand Density of two hundred (200) Trees per acre at the end of one (1) year after completion of the initial Reclamation and Shall be managed in such a way as to allow vegetation establishment.
4. **Wetlands and waterbodies.**
 - a. Planned waterbodies and artificially created Wetlands may be incorporated into the final Reclamation plan. The design of such water bodies and Wetlands Shall be consistent with public health and safety, maximize beneficial contributions within local drainage patterns, provide Aquatic and wetland wildlife habitat values and maintain downstream Water Quality by preventing Erosion and providing nutrient uptake. Water bodies Shall, to the fullest extent practical, incorporate a variety of emergent habitats, a balance of deep and Shallow water,

- naturally fluctuating water levels, high ratios of shoreline length-to-surface area and a variety of shoreline slopes. Water bodies Shall be designed for a minimum depth of six (6) feet over at least seventy-five (75) percent of the Surface Water area. In the case of peat Mines, alternative Water Body depths may be proposed and Shall be subject to review and approval as part of the wetland Mitigation plan.
- b.** Slopes of any reclaimed area above the seasonal high water (wet season) elevation and within the excavated area of the planned Water Body Shall be no steeper than three (3) feet horizontal to one (1) foot vertical. In order to establish and maintain the littoral zone, all finished side slopes of excavated and Mined areas below the high water table and elevation Shall be no steeper than one (1) foot vertical drop for every six (6) feet of horizontal distance to a depth of six (6) feet below the seasonal low water elevation (dry-season water table elevation) unless an alternate slope is approved by the County. Although no minimum slope below the littoral zone is required, the slope below the littoral zone Shall be constructed so that natural soil movement will not reduce the littoral zone area. Such slopes Shall be subject to approval by the County. Wetlands are encouraged to be incorporated into planned and artificial water bodies as wetland shelves and/or expanded littoral zones. Wetlands created in this manner may be counted towards Mitigation requirements for the mining of Wetlands.
 - c.** Vegetation consisting of a mix of grasses, Trees and Shrubs indigenous to Shallow southern Lakes and native to the area Shall be planted within the littoral and transition zones. Littoral and transition zone vegetation Shall each achieve a cover of at least fifty (50) percent at the end of one (1) growing season and will be protected from grazing, mowing or other adverse Land Uses for three (3) growing seasons to allow establishment. Littoral and transition zone vegetation Shall achieve a cover of seventy (70) percent at the end of two (2) growing seasons.
 - d.** A berm or Swale Shall be constructed around each Water Body which is of sufficient size to Retain at least the first one (1) inch of runoff from entering created or altered Wetlands or waterbodies. The berm or Swale Shall be constructed above the seasonal high water elevation and be set back from the edge of the Water Body so that it does not interfere with the other requirements of this Section.
 - e.** Access to the Site Shall be granted to the County in a written agreement. Such Access Shall be maintained by the Operator or Land Owner to allow County officials to inspect Mine Sites and reclaimed Sites for the purpose of determining the success of the Reclamation plan and impact on water bodies and Wetlands for a period of one (1) year from the release of the Reclamation bond or until a Development Permit is issued, whichever Shall occur first.
- 5.** Maintenance. Regular Management and Maintenance of all reclaimed areas Shall be performed by the Operator or a designated agent in order to assure that the Reclamation standards are achieved and the approved Reclamation plan is accomplished. The Maintenance Shall include monitoring for a minimum of two (2) years after planting, replacement of any planted areas that fail to survive in accordance with the established standards, the Removal of nonnative plant species that have not been approved by the County and which exceed ten (10) percent of the vegetative community and the Maintenance of all required slopes and berms.