LAKE COUNTY
DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

August 18, 2010

JAMES MOTT
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC
100 LEM CARNES ROAD
DAVENPORT, FL 33837

RE: CEMEX - 474 SAND MINE EXPANSION – Operating Permit Application
(Project #2010060023/ Application Request #1670)

Dear Mott:

The Lake County Development Review Staff reviewed your Operating Permit Application. Based on that review, we have concluded that additional information is needed to meet the requirements of the Lake County Comprehensive Plan and the Land Development Regulations (LDR). Our latest review comments are attached for your reference to aid you in modifying your application to comply with the Lake County Comprehensive Plan and LDR. Be advised that additional comments may be forthcoming under separate cover.

Please address these comments at your earliest convenience, resubmit them for review and provide a written response to all comments. If necessary, provide four (4) signed and sealed sets of plans or revised pages for insertion into the current plans. Ensure that the revision dates are noted in the title block and indicate plan revisions as revision clouds on the revised plans.

The Development Review Staff will review the additional information within seven (7) working days of receipt for compliance with the Comprehensive Plan and LDR. Upon completing that review, you will be contacted of whether your application has been approved or requested to provide additional information.

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

Sincerely,

SK Greene

Steve K. Greene, AICP
Chief Planner

P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343-9739 • F 352.343-9595
Board of County Commissioners • www.lakecountyfl.gov

JENNIFER HILL *District 1* | ELAINE RENICK *District 2* | JIMMY CONNER *District 3* | LINDA STEWART *District 4* | WELTON G. CADWELL *District 5*

PLANNING & COMMUNITY DESIGN DIVISION, Steve Greene, AICP, 352-343-9739
Comments

Item: MEETING REQUIREMENTS OF LDR CH. 3.00, 6.00, 7.00, 8.00 AND 9.00
1. The rate of the mine expansion over time is unclear. The operating permit application cited MSP #10/1/1-2 (approved on 2/2/10) which added .3-acres to the existing 699-acre mine. However, the application also specifies a land area of 2,495.3 acres. It's unclear whether this mining operation permit application is for a 699-acre mine or a 2,495-acre mine. Section 2.B. of Ordinance 2010-4 requires the operating permit to be revised to include updating the operating plan; however, the manner in which the application is submitted is unclear. Please provide a copy of the previously approved operating permit for our records.

2. Please provide documentation to satisfy the noise study requirement.

3. Please revise the site plan to show the dimensional setback buffer of the 77-acre expansion to all property lines.

4. Revise the setback provisions in accordance with Ordinance 2010-4 (Section 2.D.)

5. Revise to include the hours of operation.

Item: CONSISTENT WITH PROVISIONS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT REGULATIONS
1. Please ensure the mining operating permit is consistent with Ordinance #2010-4.

2. The sand mining is in conformance with the Comp Plan provisions within the Green Swamp Area of Critical State Concern, where sand mining is an allowable use. The application is consistent with the agriculture zoning district.

Informational Comments

1. As this activity is within the Green Swamp Area of Critical State Concern, the Department of Community Affairs will review the application also in the manner specified below:
   Please be advised that this property is located in the GREEN SWAMP which is designated as an Area of Critical State Concern, pursuant to Chapter 380, Florida Statutes, Section 380.05. Because of the GREEN SWAMP Area of Critical State Concern designation there is a forty-five (45) day review period during which a Development Order - unless exempted - is reviewed by the Department of Community Affairs for compliance with the Lake County Comprehensive Plan, the Lake County Land Development Regulations, and State Statutes and Regulations relating to the GREEN SWAMP.

Upon approval of the Development Order, Lake County shall render it to the DCA. Notice will be promptly forwarded to you from the Department of Community Affairs (DCA) regarding compliance of the application with the GREEN SWAMP regulations from The Department of Community Affairs located in Tallahassee, Florida.

Lake County hereby advises you that any work commencing on your project prior to receiving notice from the DCA of compliance of your building permit with the GREEN SWAMP laws, ordinances, and regulations is at your own risk and your contractor's risk.

Representatives from the DCA may wish to conduct a site visit at the location of the construction. In the event the Development Order is found to be inconsistent with the Lake County Comprehensive Plan, the Lake County Land Development Regulations, or State Statutes or Regulations, the DCA may choose to appeal the issuance of the Development Order and seek an administrative hearing, in which case you shall be notified.

Should you have any questions regarding this process, please do not hesitate to telephone the DCA office by telephone at (850) 922-1766 Attention Rebecca Jetton. The office is located at 2555 Shumard Oak Blvd, Tallahassee, FL 32399-2100.

Review Status: NEED MORE INFO

PUBLIC WORKS - ROSS PLUTA/SETH LYNCH 352-483-9041
Informational Comments

Item: STORMWATER
1. A DEP Permit will be required before the final approval.

Review Status: APPROVED CONDITIONAL

HEALTH DEPT - P. BUTLER (352) 253-6130
Informational Comments

Item: WATER SUPPLY
1. Identify water wells on site and for existing residence, is Barahona's residence going to be site office or caretaker residential? This area located south of 474 may be within Southwest Florida Water Management District (SWFWMD). If within SWFWMD any monitoring wells and/or well construction permits within the Barahona expansion area will need coordination/permitting through SWFWMD.

Also in the event onsite operations requiring water well usage for water system or construction use for an onsite office; application with plans, submittals and annual operational permitting will be needed through Lake CHD in accordance with Chapter 64E8, FAC.

Item: WASTEWATER DISPOSAL
1. Identify septic system on site plans for Baracoa residence, is it going to be site office or caretaker residential?

Item: Surrounding FEATURES (WELL ETC.)
1. Identify existing wells and septic systems on plans.
2.

Review Status: NEED MORE INFO

LANDSCAPE RVW - GRANT WENRICK 352-343-9739 EXT5832
Required Items

Item: TREE REMOVAL APPLICATION
1) Tree Removal Mitigation. Provide detailed information where the replacement trees required for tree mitigation will be planted and the timing for installation. This can be provided on the reclamation plan. Submitted data indicates that a minimum of 66" tree caliper inches are required to be replanted. These replacement trees may be included as a part of the overall required mining reclamation plan. Replacement trees required under the Tree Removal Permit shall be a minimum of 2-1/2" caliper x 8' Height x 4' Spread.

Review Status: NEED MORE INFO

ENVIRONMENTAL REVIEW- JENNIFER COTCH (352)343-9739
Required Items

Item: WETLAND REVIEW
1. The sand mine expansion is proposing 1.54 acres of wetland impact.
Please provide a detailed restoration plan for the proposed creation of 2.0 acres of herbaceous wetlands.
Please provide the Florida Department of Environmental Protection (DEP) Environmental Resource Permit authorizing the wetland impacts and mitigation plan.

Review Status: NEED MORE INFO

PUBLIC SAFETY - LAURA NICHOLS (352) 343-9487
Review Status: APPROVED

WATER QUALITY SERVICES - WALTER WOOD (352) 343-377

Comments

The language from Item E. 8. in the MPS needs to be included in the Op Permit.

Also language similar to that in the Vulcan Mine document below needs to be added.

> At your request and as required in the County permit for the referenced mine, the Florida Rock Division of Vulcan Materials Company (Vulcan) has authorized Water & Earth Sciences, Inc. (WES) to prepare this Quality Assurance program for water level data collection and reporting activities. A draft of this plan was sent to the County and this final version of the plan incorporates your suggestions. The County has requested that the plan address the following areas:
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> 1. Inspection of stations and replacement of missing and/or damaged monitoring gauges/wells
> 2. Re-survey to maintain datum accuracy and standardization of reporting consistent with the County system
> 3. Evaluation/Investigation of inconsistent data with bi-annual PG or PE review
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> These items are addressed below in the order numbered.
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> **Task 1: Inspection and Replacement of Missing and/or Damaged Monitoring Stations**
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> Monthly water levels in mine pits and monitoring wells along with rainfall is required to be monitored at each mine site. Because the mines are very dynamic environments, staff gauges emerge from water and are displaced due to the movement of heavy equipment, caving, flooding, etc. Wells are occasionally damaged by heavy equipment and, in some cases, go dry.
>
> Data collection at the Astatula Sand Plant is subcontracted and performed on a monthly basis. The monthly monitoring and reporting performed by the subcontractor should be modified to include a completed form of the type shown as an example in **Appendix A**. This is a form that briefly summarizes the conditions of monitoring wells and staff gauges in the network, together with any recommendations for replacement or repair at individual stations. This form will use the appropriate "flag" codes used by the County at their landfill and other monitoring sites.

The forms summarizing the condition of the monitoring stations will be submitted by the subcontractor to Vulcan within 30 days of data collection. Vulcan personnel will then review the forms and if any action items are identified on the forms, a call will be made to the mine manager and/or the subcontractor to more accurately identify the current conditions in the field. If it is determined that the integrity of the monitoring station has been compromised, Vulcan will either repair or replace the staff gauge or monitoring well and resurvey the datum.

If the repairs involve complete replacement of a well, Vulcan will retain the services of a Florida licensed, professional geologist who will review available information on site geology and well construction and prepare technical specifications for a replacement well. Well and staff gauge replacement will be subject to approval by the St. Johns River Water Management District (SJRWMD) and/or the Florida Department of Environmental Protection (FDEP) under the terms of permits for the mine sites. Given these limitations, monitoring station repair and resurvey work will be completed within 90 days of receipt of required approval from the SJRWMD and/or FDEP.

The total depth of each well will be measured and recorded once per year.

Information on all wells shall be initially reported in the County's Excel station format contained in Attachment B. Wells that are not surveyed in for location can have their locations determined by GPS. New or replacement wells shall also be reported in this format with the next report.

Task 2: Re-survey to Maintain Datum Accuracy and Standardization of Reporting

Any wells or staff gauges damaged will be resurveyed by a Professional Land Surveyor licensed in the State of Florida. Staff gauges that need to be relocated due to damage or operational requirements will be left in place until the new gauge is installed and surveyed. The water levels will then be compared to ensure that they are set to the same datum prior to removing the old gauge. In addition to the letter report that summarizes the station repair, replacement and re-survey that is to be submitted to the County, the Excel spreadsheet used to record and report the data will be corrected and annotated to show the date and change in datum. The cell(s) within the spreadsheet at the point of the datum change will be highlighted in color or bold font to flag the datum change and a footnote will be inserted within the print area of the specific spreadsheet page.

Where lacking, permanent benchmarks shall be established within the mine site at key locations to allow for easier re-surveying of wells and staff gauges. This can be performed in concert with other survey work at the site.

A report will be submitted to the County on a semiannual basis that contains the results of the prior 6 months of sampling and a letter explaining any problems or changes. : These reports will include the results of monitoring at all sand plants within Lake County that are subject to monitoring (Astatula Sand, Turnpike Sand, and Lake Sand). This report will be submitted within 60 days of the end of June and December[wdw1] respectively. The data shall be reported in an Excel spreadsheet in the standard format specified by the County along with the above letter The current County data format is contained in Attachment C, This report may be submitted by email.

Task 3: Evaluation/Investigation of Inconsistent Data

The well data from each mine will be transferred from field forms to an Excel spreadsheet or Access database which is maintained by Vulcan. All data will be reviewed to determine the acceptable range of monthly fluctuation at each monitoring station. The spreadsheet or database will include a formula for each monitoring station that will automatically flag a station where the water level change over the prior month exceeds the acceptable range that is determined for that particular well or staff gauge.

If the water table falls below the bottom of a well screen, the casing may still contain water. Measurement of this water will not reflect the actual ground water level and could be ½ to 1-foot or more above the bottom of the casing. To check for this, the total depth of each well will be measured and recorded once per year. Every water level measured shall be compared to the well depth to ensure the ground water level is actually being measured. If it is determined that the water table is below the well screen, that well may have to be replaced with a deeper well.

If a monitoring station is flagged, Vulcan personnel will consult with the subcontractor and or the mine manager to determine whether this is a natural exceedance or if the station has been compromised. This will provide a measure of redundancy and serve as a cross-check to the procedures outlined under Task 1 above.
In addition, the data will be reviewed semi-annually by a Professional Geologist or Professional Engineer registered in the State of Florida to determine that the data collection stations are functioning as intended. The first semi-annual letter report that summarizes the results of this review will be prepared and submitted to the County as part of the Annual Progress Report beginning with the report due on November 14, 2008.

We hope that this protocol adequately addresses the County's requirements. If you wish to modify any of the elements of this quality assurance plan, please contact us at your convenience with your suggestions.

Review Status: NEED MORE INFO