GREEN SWAMP MINING COMMITTEE

AGENDA ▪ August 16, 2012

Location & Time

Lake County Commission Chambers, 2nd Floor
315 West Main Street
Tavares, FL 32778-7800
Meeting begins 9:00 a.m.

The Lake County Mining Committee is an advisory board to the Board of County Commissioners (BCC) tasked with evaluating whether additional protections from Mining are necessary for new or expanded mines within the Green Swamp Area of Critical State Concern. Such evaluation may include the review of existing mining policies and regulations as they pertain to the Green Swamp. The Mining Committee shall make recommendations on their findings to the Board of County Commissioners by December, 2012. The Mining Committee is generally scheduled to meet the 3rd Thursday of the month.

Staff Liaisons: Brian T. Sheahan, AICP or Scott Catasus

Mining Committee Members

Nancy H. Fullerton
Environmental Advocacy Organization

Kraig McLane
SJRWMD

J. Michael O'Berry
Sand Mining Industry

Tracy Mouncey, Chairman
Mining Industry Association

Steve Adams
Professional Environmental Consultant

Douglas Dufresne, P.G.
Professional Geologist

Commissioner Liaison
Welton G. Cadwell

Board of County Commissioners

Jennifer Hill, Vice Chairman	District 1
Sean Parks, AICP, QEP	District 2
Jimmy Conner	District 3
Leslie Campione, Chairman	District 4
Welton G. Cadwell	District 5

County Staff

Darren S. Gray, County Manager
David Heath, AICP, Deputy County Manager
Sanford A. Minkoff, County Attorney
Erin Hartigan, Assistant County Attorney (Mining Committee Staff)

Growth Management Department

Amye King, AICP, Director, Department of Growth Management
Brian T. Sheahan, AICP, Planning Manager, Division of Planning & Community Design
Scott Catasus, Environmental Specialist, Conservation and Compliance Department
Anita Greiner, Chief Planner, Division of Planning & Community Design

Outside agency staff including the Lake County Water Authority; Florida Department of Economic Opportunity, Area of Critical State Concern Program; and Florida Department of Environmental Protection may also be in attendance.

For any questions or concerns, please contact:
Brian T. Sheahan, AICP, Planning Manager
Planning & Community Design Division
(352) 343-9672 or email bsheahan@lakecountyfl.gov.

AGENDA

I. Pledge of Allegiance

II. Changes to the Agenda

III. Approval of Minutes

IV. Action Items

- Review of Final Objectives and Recommendations to be presented to the Board of County Commissioners

V. Public Comment

VI. Adjournment

Next meeting will be held on September 20, 2012 at 9:30 AM.

LAKE COUNTY
FLORIDA

RECOMMENDATIONS FOR ADDITIONAL PROTECTIONS FROM SAND MINING WITHIN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN

A Report from the
Green Swamp Mining Committee

Department of Growth Management
Department of Conservation & Compliance

August 2012

Summary

In 2010, the Lake County Board of County Commissioners adopted Policy I-4.4.10, Evaluation of Existing Protections from Mining in the Green Swamp Area of Critical State Concern (ACSC), as part of the 2030 Comprehensive Plan. This policy required the formation of a committee to review the existing policies and regulations in place to protect the Green Swamp ACSC. Implementation of the 2030 Comprehensive Plan was delayed until September 2011 and the Green Swamp Mining Committee was established and began meeting in January 2012. The committee has reviewed current regulatory protections, which limits the impact mining would have on water quality and quantity, flora and fauna, natural resources such as wetlands and surrounding land uses.

The committee received presentations from the Florida Department of Environmental Protection, Bureau of Mining & Minerals Regulation as well as the St. Johns River Water Management District, which conveyed the process and scope of the state regulations generally related to water quality and quantity protections. A presentation was also provided by staff, which discussed the process and scope of the U.S. Fish & Wildlife Service and Florida Fish & Wildlife Conservation Commission related to the protection of listed animal and plant species.

The committee established that, unlike other land uses, sand mining is limited to areas where the material is located. Sand mining is a significant industry in Lake County and should be preserved under specific regulations to ensure that its impacts are adequately addressed. Existing policies in the 2030 Comprehensive Plan and Land Development Regulations have been examined in the context of other agency requirements; the committee's recommendations, shown below, were made to address policy or regulatory items that could be improved.

GREEN SWAMP MINING COMMITTEE
Recommendations to the Board of County Commissioners
August 2, 2012

OBJECTIVE: Ensuring any existing or proposed regulations are clear.

Recommendations:

- Revise regulations and policies to replace the term "Restoration" with the term "Reclamation." This more accurately reflects what occurs when mining is complete and is consistent with the term used by the Florida Department of Environmental Protection (DEP) and the St. Johns River Water Management District (SJRWMD).

- Revise Chapter VIII, Green Swamp Land Development Regulations to remove outdated agency references, such as references to the Department of Natural Resources and ensure consistency with open space, submittal requirements, development area, etc. required by the 2030 Comprehensive Plan.

- Amend the Mining Ordinance (Section 6.06 LDR) for clarity, to include the prohibition of mining within the Green Swamp, with the exception of sand mining.

- Revise Section 8.00.05 (B)(7) under the Development Review Criteria of Chapter VIII, Green Swamp Land Development Regulations to be consistent with the 2030 Comprehensive Plan.

- Revise the policies contained in the 2030 Comprehensive Plan to ensure the terms *Prime Recharge Area, Recharge Area and Protected Aquifer Recharge Areas* are consistent with the Water Management District's terms and definitions as they pertain to mining in the Green Swamp.

OBJECTIVE: Eliminate overlapping or duplicative review

Recommendations:

- Revise Habitat Reclamation Standards to be consistent with 62C-39, F.A.C., protecting wildlife.

OBJECTIVE: Ensuring the water quality and quantity are maintained or improved.

Recommendation:

- Maintain existing mining regulations

OBJECTIVE: Prevention, avoidance or mitigation of mining impacts to wildlife and habitat.

Recommendation:

- Ensure consistency with U.S. FWS and FFWCC rules and regulations.
- Maintain existing open space requirements to protect a portion of the upland area from development. For example, in the Green Swamp Rural Future Land Use Category, 60% of the upland is preserved as open space and may not be developed when an application is submitted for any type of development, including mining. Current open space requirements for upland area are 60% for GS Rural, 80% for GS Rural Conservation and 90% for GS Core Conservation.

OBJECTIVE: Ensuring Sand Mining is not prohibited in the Green Swamp.

Recommendation:

- Do not prohibit sand mining in Green Swamp

Other items that should be considered:

- Investigate the viability of the County acquiring lands to set aside for open space for long term public conservation.
- Consider a Transfer of Development Rights (TDR) program to allow TDR to areas outside of the Green Swamp and possibly in the GS Ridge.