

Overview of Lake Belt Legislation & Mitigation

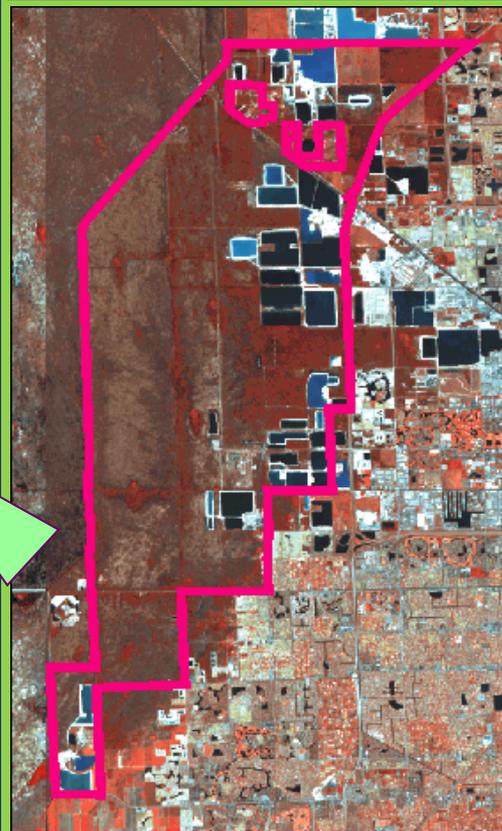
Terrie Bates
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Miami-Dade County Lake Belt Plan

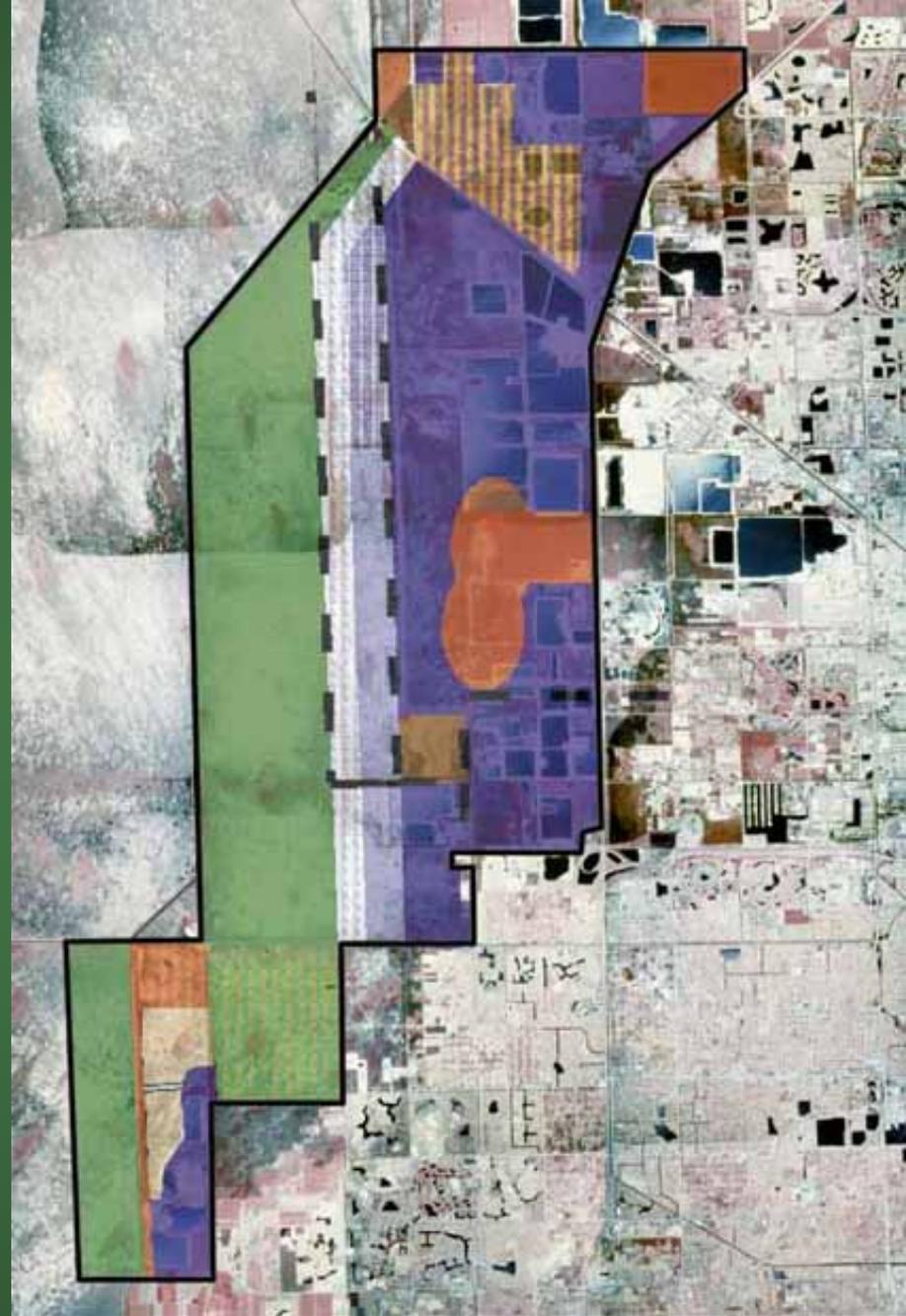
1992 - Legislature established planning process for the lake belt region



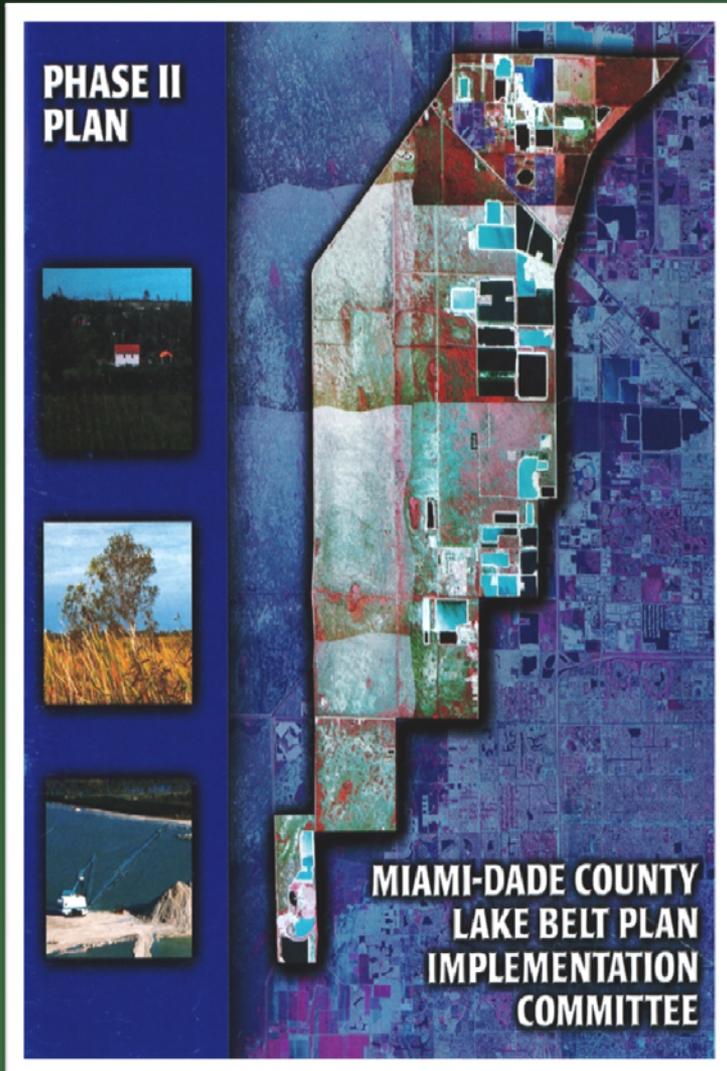
- Dept. Environ. Protection
- Dept. Community Affairs
- Fish & Wildlife Cons. Comm.
- Governor's Office
- Miami-Dade County Water Utility, Planning & Env. Depts
- Environmental Organizations
- Rock mining industry
- Non-mining landowners
- Legislative Reps
- Federal Issue Team

1997 Phase I Plan

- Identified where mining was, and was not, appropriate
- State mitigation strategy developed
- Strategy for streamlining the permit process
- Regional review of impacts & mitigation
- Considered in CERP planning process



1999 Legislation: Lake Belt Mitigation Plan



Comprehensive plan to offset the loss of the value and functions of wetlands as a result of mining

Mitigation includes:

- **Wetlands & Uplands**
 - *land acquisition*
 - *enhancement*
 - *restoration*
 - *long term mgmt*
- **Purchase of Mitigation Bank Credits**
- **Structural modifications to drainage system to enhance hydrology**

Lake Belt Mitigation Plan

- Established a mitigation fee on each ton of lime rock and sand sold from the Lake Belt Area
- Mining permittees do not implement the wetland mitigation – mitigation implemented by District or other environmental agencies
- Provides certainty (state) for long term projects



Lake Belt Mitigation Committee

- Legislature established an Interagency Committee to oversee expenditure of funds received

Miami-Dade Dept of Env. Resource Mgmt

South Florida Water Management District

Fish & Wildlife Conservation Commission

Department of Environmental Protection

U.S. Army Corps of Engineers

U.S. Environmental Protection Agency

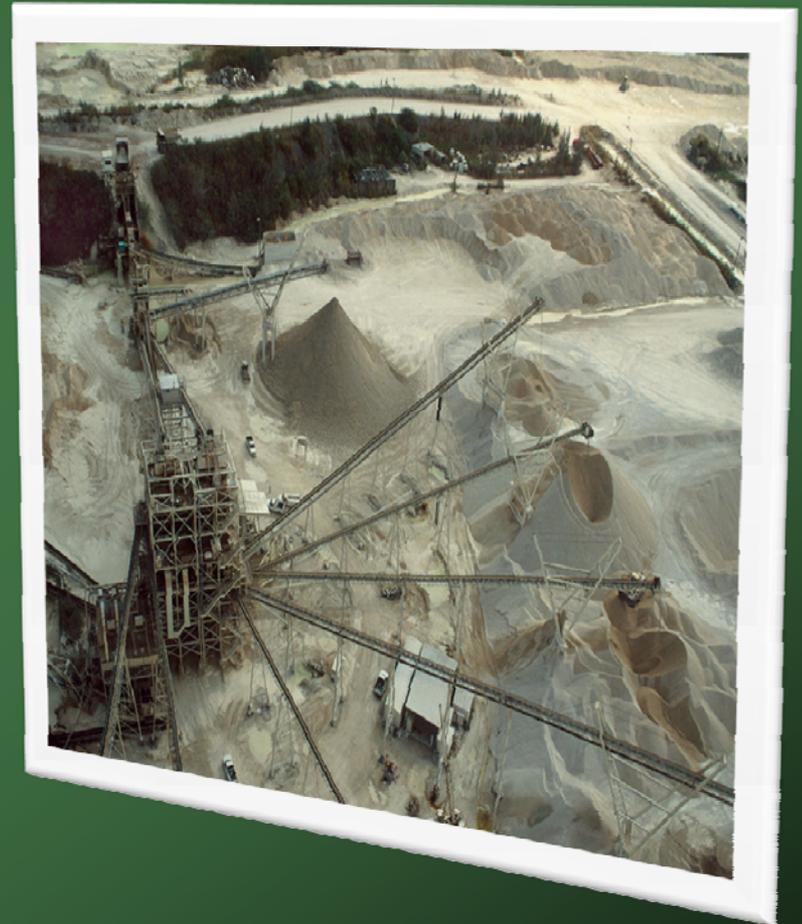
U.S. Fish and Wildlife Service

Rockmining Industry (non-voting member)

(Committee authorized to add federal agencies)

Lake Belt Mitigation Plan

- Mining mitigation fee initiated 1999
- Fee began at 5 ¢ per ton
- Yearly increase of 2.1% + growth index
- Initial annual revenue was ~ \$ 3 M



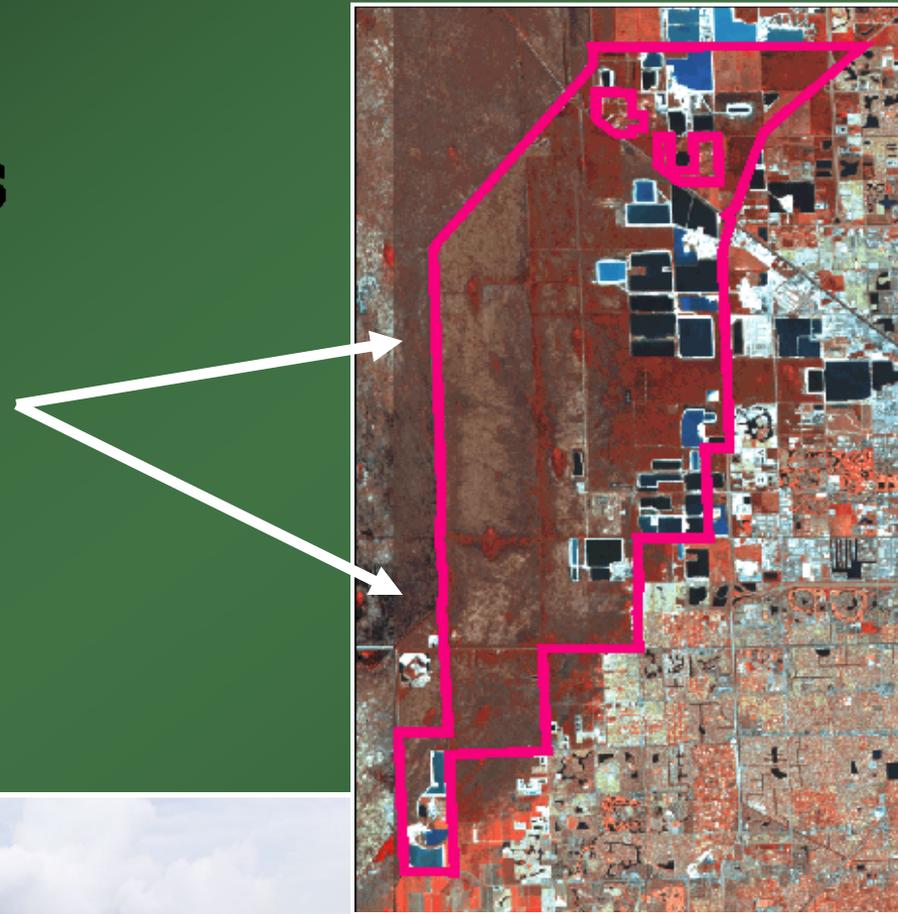
District Role

- District does not issue mining permits - permits issued by DEP, ACOE and Miami-Dade DERM
- Manage legislatively established Lake Belt Mitigation Trust Fund; fees collected & deposited by Florida Department of Revenue
- Land acquisition in Pennsuco & implementation of wetland mitigation activities
- Member of the Lake Belt Mitigation Committee
- Annual Committee Reports submitted to Governing Board



Initial Focus of Mitigation Activities

- Land acquisition in the Pennsuco Area
- Enhancement activities (exotic removal)
- Long-term management



Land Acquisition & Mitigation in Pennsuco

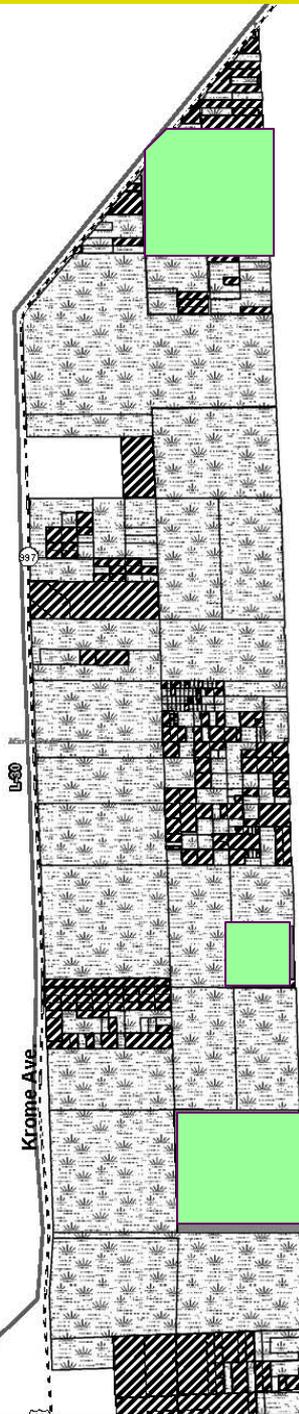
~ 9,393 ac public ownership

 ~ 1,388 ac miner owned

~ 1,856 ac to be acquired *
(* willing seller program)

9,185 acres of wetlands
currently under treatment &
long term management

Water Conservation
Area



Legend

-  Public Lands - 9,393 Acres +/-
-  Private Lands - 1,856 Acres +/-
-  Rock Mining Lands - 1,388 Acres +/-

Mitigation in the Pennsuco Area



2006 & 2010 Lake Belt Legislation

With increasing real estate costs & need for mitigation to keep pace with mining activity, Mining Industry supported legislation to increase mitigation fees

- **Increases to mitigation fee**

- 2007 = 12 ¢ per ton

- 2008 = 18 ¢ per ton

- 2009 = 24 ¢ per ton

- 2012 = 45 ¢ per ton + 2.1% + cost index

- **Water Treatment Plant Upgrade Fee added = 15 ¢ per ton**

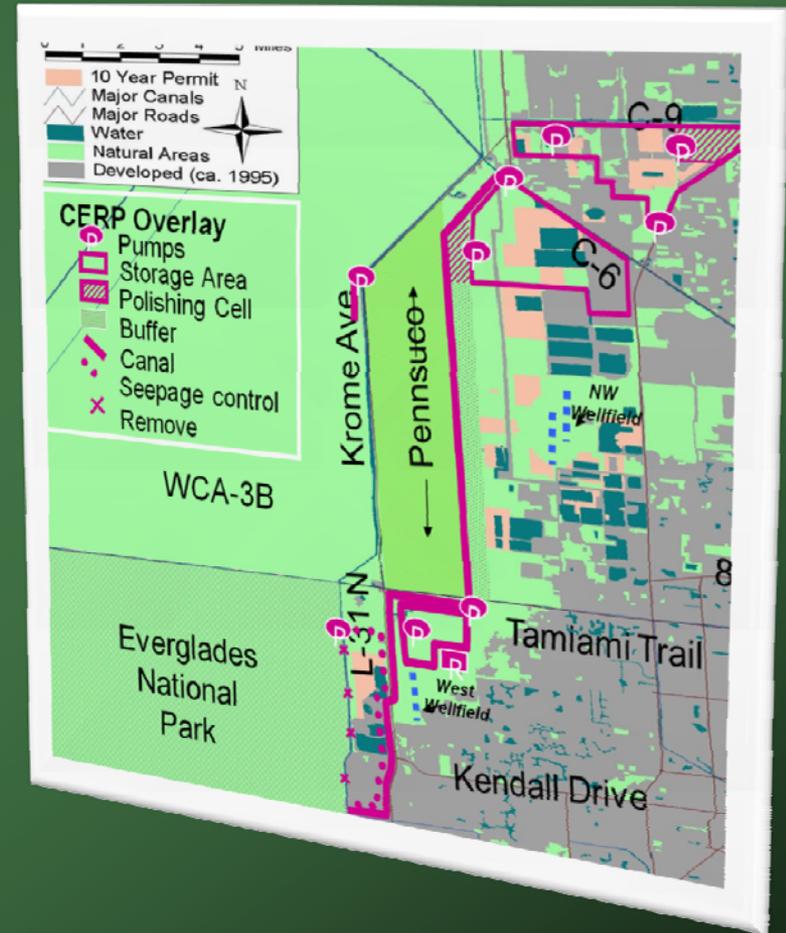


Additional Mitigation Efforts

- With majority of Pennsuco lands acquired & few new willing sellers, alternative mitigation plans options developed
- Approved restoration projects at 8 ½ square mile area and Southern Glades
- Evaluating future mitigation opportunities at Southern Glades / Model Lands, Aero-Jet Property and others
- Purchase of Mitigation Bank Credits is an option provided for by statute

ACOE Mining Permits

- Previous ACOE permits overturned by Federal Court Decision
- Army Corps of Engineers recently completed a 1,200 page Supplemental Environ. Impact Statement
- ACOE CERP staff reviewed & concluded that “expanded mining footprint will not significantly influence CERP water levels in WCA and ENP”
- Record of Decision issued in January 2010 to authorize 7,500 acres of new mining



ACOE & DEP Mining Permits



- **ACOE & DEP permits require seepage management projects**
- **2010 legislation increases mitigation fee to 45¢ per ton to fund seepage mgmt activities**
- **Scopes of work & costs reviewed & approved by the Lake Belt Committee; implemented by the mining industry with funding from the Trust Fund.**
- **Agreement between industry group & District to oversee payments for approved work**



Questions ?



Mitigation Fees & Mitigation Acres

Calendar Year	Rock Mining Mitigation Fees & Interest	Pennsuco Acquisition, Enhancement & Mgmt (ac)	Pennsuco Enhancement & Mgmt (acres)	Mitigation Credit Acres
2000	\$2,464,625	0	0	
2001	\$2,395,506	0	0	
2002	\$2,611,334	456	1,241	
2003	\$2,967,793	0	2,135	
2004	\$3,223,028	160	0	
2005	\$3,562,949	321	0	
2006	\$4,311,346	142	0	
2007	\$6,000,000 (est.)	124	0	
Totals	\$27,536,581	1,203	3,375	
2010	\$37,195,210	\$36,156,303 spent		2,890