CHAPTER 1
PROJECT PURPOSE AND NEED

1.1 PROJECT HISTORY

The U.S. Army Corps of Engineers (USACE) is examining the potential impacts of limestone mining activities within the Miami-Dade County Lake Belt area. The Lake Belt was established per the Northwest Miami-Dade County Freshwater Lake Plan (Lakebelt Plan), and accepted by the Florida Legislature in Section 373.41492, Florida Statutes (F.S.). The project involves a Federal action because the fill activities associated with limestone mining require authorization through a U.S. Department of the Army permit under Section 404 of the Clean Water Act (CWA). The USACE Jacksonville District determined that the scope of the Lakebelt Plan and cumulative impacts of limestone mining could potentially significantly affect the quality of the human environment, and that the CWA Section 404 permits would collectively constitute a major Federal action. Based on these determinations, a programmatic environmental impact statement (PEIS), the *Final Programmatic Environmental Impact Statement, Rock Mining – Freshwater Lakebelt Plan, Miami-Dade County, Florida (Final Lakebelt Programmatic Environmental Impact Statement* [PEIS]*)* (May 2000) (USACE 2000), was issued pursuant to (1) Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq*.), (2) the Council on Environmental Quality (CEQ) guidelines (40 CFR 1502.4 et seq.), Environmental Quality: Policy and Procedures for Implementing the NEPA (USACE Engineering Regulation 200-2-2); and (3) Section 404 of the CWA of 1972 (33 U.S.C. 1344), as amended.

The USACE was granted authority under Section 404 of the CWA to issue permits for discharges of dredged or fill material; the U.S. Environmental Protection Agency (EPA) was granted authority to designate disposal sites. The USACE and EPA have developed several Memorandums of Agreement clarifying each agency's role in implementing Section 404. The USACE serves as the lead agency for jurisdictional determinations and permit actions and has set forth implementing regulations in 33 CFR Parts 320–329.

The *Final Lakebelt PEIS* evaluated environmental impacts associated with limestone mining activities that would be conducted throughout the Lake Belt region by 10 privately owned mining companies over about a 50-year period, which essentially would constitute full mine-out of the region. Based on evaluations in the *Final Lakebelt PEIS* and comments received throughout the development of the document, the USACE issued a Record of Decision (ROD) in April 2002 (referred to hereafter as the April 2002 ROD) (USACE 2002a), that documented the USACE's decision related to the *Final Lakebelt PEIS.* The April 2002 ROD stated USACE's concurrence with a portion of the 50-year plan. At the time of the ROD, it was anticipated that the portion of the mining plan approved would take approximately 10 years to implement, and it was therefore referred to as the 10-year footprint. The USACE issued permits at that time (April 2002) to nine mining companies; a tenth permit was issued approximately 18 months later; these are collectively referred to hereafter as "the existing USACE permits." The 10-year footprint documented in the April 2002 ROD and authorized by the existing USACE permits allows mining impacts on wetlands throughout the Lake Belt region on lands owned by the mining companies.

After the April 2002 ROD was issued, it and the *Final Lakebelt PEIS* were the subject of a lawsuit brought before the U.S. District Court, Southern District of Florida, by the Sierra Club, Natural Resources Defense Council, and the National Parks Conservation Association (*Sierra Club* v. *Flowers*, Case No. 02-23427-CIV-Hoeveler). In March 2006, Judge Hoeveler agreed with the plaintiffs' claims regarding deficiencies in the environmental evaluation presented in the *Final Lakebelt PEIS* and remanded the matter to the USACE for further development (U.S. District Court 2006a). The March 2006 Order on Motions for Summary Judgment provides explanation of the deficiencies and serves as a basis for the purpose and scope of this *Draft Supplemental Environmental Impact Statement on Rock Mining in the Lake Belt Region of Miami-Dade County, Florida (Lake Belt Supplemental Environmental Impact Statement* [SEIS]).

The *Final Lakebelt PEIS* was faulted for the following general shortcomings:

(a) NEPA and the Administrative Procedures Act were violated by not sufficiently analyzing direct, indirect, and cumulative environmental impacts and not evaluating less damaging alternatives.

(b) The *Final Lakebelt PEIS* provided insufficient consideration of mitigation for Northwest Wellfield (NWWF) impacts, seepage, and wetland impacts, including consideration of appropriate mitigation for the scaled-back existing USACE permits, with the following deficiencies noted by the Court:

- Analysis of wetland values in the PEIS was extensive but was not applied in the ROD and permits.
- The PEIS provided insufficient analysis of possible mitigation activities to offset potential adverse impacts.
- The PEIS provided no discussion of mitigation in the event the Biscayne Aquifer became contaminated.
- Different methods of determining the appropriate amount of wetland mitigation were presented in the PEIS, including a range of mitigation ratios and a functional assessment approach; an entirely different method was utilized in the ROD and existing USACE permits without clear justification; small differences in mitigation calculations would be effective over large acreages and could therefore have substantial impacts on the overall amount of mitigation required, which warrants a clear justification of the final approach.
- The mitigation fee-per-ton amounted to a "mine now, mitigate later" approach and the imposed fee may not be sufficient to cover needed mitigation activities in the future.
- The Court questioned the post-mining value of lakes and littoral shelves, and criticized the fact that the littoral shelves constitute a mitigation component that would not occur until after the impacts have occurred.
- The *Final Lakebelt PEIS* acknowledged that there is insufficient land in the Pennsuco Wetlands to accommodate all the mitigation that would be required, and stated that mitigation gaps would be filled at a later time, i.e., as part of the permit decision process.
- The mitigation plan elements that deal with transfer of miner-owned property in the Pennsuco Wetlands for mitigation/conservation easement applied to a limited amount of land and the transfer was not binding.

(c) The *Final Lakebelt PEIS* included substantive deficiencies in content and process, including:

- Inadequate analysis of alternatives, including lack of analysis of the No Action Alternative as required by NEPA.
- Insufficient definition of project purpose.
- Insufficient public interest evaluation weighing short- and long-term benefits and detriments to the public interest.
- Insufficient public coordination.

This *Lake Belt SEIS* attempts to address these deficiencies to the extent possible.

On July 13, 2007, the Court's Order Supplementing the Court's Order of March 22, 2006, was issued. This order stated that after consideration of relief granted to the Plaintiffs, the existing "permits must be set aside today." The Court emphasized the potential for contamination of the aquifer and believes that the 60-day wellfield mining setback area established by Miami-Dade County is insufficient to protect the wellfield that exists within the Lake Belt. The Court instead substituted an expanded 60-day setback area until completion of the SEIS. As such, the Court only vacated the permits that are within this expanded

setback area. Four of the 10 existing mining permits were affected by this action. Mining was ordered to stop in these areas as of 5:00 P.M. July 17, 2007. The Court reiterated its concerns regarding the ability of pathogens to enter the aquifer as a result of increased interaction between the aquifer and the lakes as more lakes are added to the Lake Belt from mining, the continued destruction of wetlands and suitable habitat for the endangered wood stork, and the lack of an analysis of the seepage impacts resulting from increased mining. Additionally, the Court identified the discovery between 2005 and early 2007 of elevated levels of benzene in and around the southern end of the NWWF as a major concern for setting aside the permits. The Court found that mining activities were the likely source of the benzene and that the USACE had not carried out its duties under the CWA, NEPA, and the Administrative Procedure Act with respect to investigating this benzene contamination (U.S. District Court 2007).

1.2 PROJECT LOCATION

The overall Lake Belt planning area is about 51,200 acres (80 square miles) of land that was originally wetlands. The existing and proposed mining projects are located in southeast Florida, in the northwest area of Miami-Dade County, Florida (see Figure 1–1). This area lies directly east of Water Conservation Area (WCA) 3B and the Everglades National Park (ENP) Expansion Lands. The area encompasses all of Township 52 south, Range 39 east, Township 53 south, Range 39 east, portions of Township 52 south, Range 40 east, and portions of Township 54 south, Range 38 east. The area is generally bounded by Krome Avenue to the west, the Florida Turnpike to the east, the Miami-Dade/Broward County line to the north, and Kendall Drive to the south.

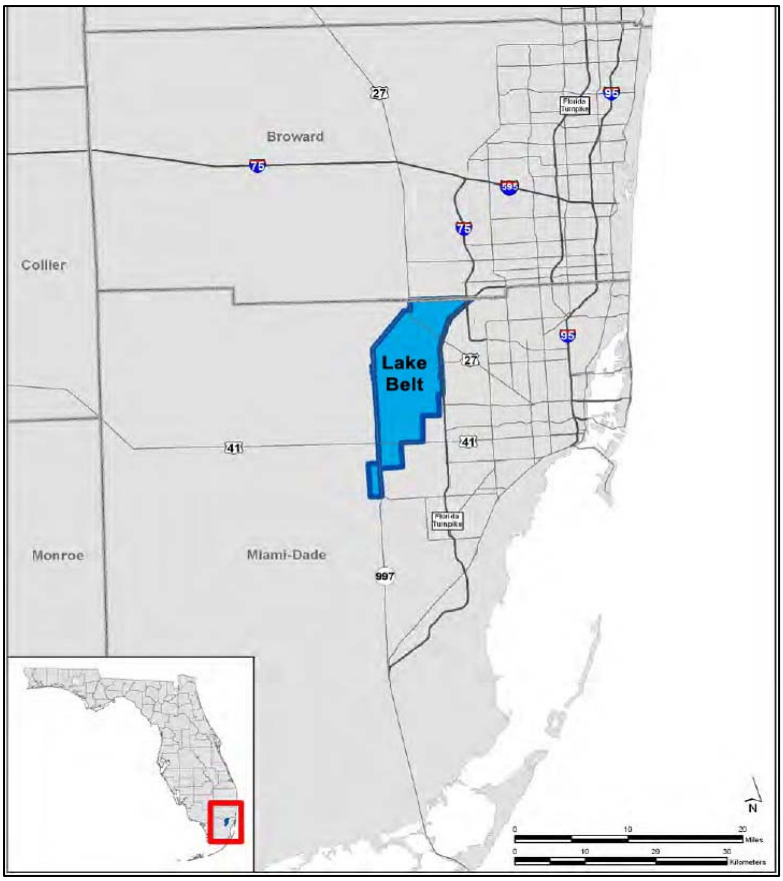

Figure 1–1. Lake Belt Area Location

The Lake Belt region is the subject of the Lakebelt Plan, which separated the Lake Belt into two areas: areas where rock mining would potentially be allowed (the Lake Belt mining area) and the Pennsuco Wetlands, a contiguous area that would be protected from mining and preserved, to the extent feasible, as natural lands (see Figure 1–2). The general location of lands owned by the individual mining companies and the current configuration of mined lakes are depicted in Figure 1–2.

1.3 PROJECT PURPOSE AND NEED

The project purpose is to continue to provide high-quality, construction-grade limestone to the construction industry in Florida from the Lake Belt area. Limestone from the Lake Belt area currently supplies approximately 54 million tons of limestone annually (FDOR 2007a). This represents about 40 percent of Florida's annual demand for limestone (USGS 2007a). Limestone from the Lake Belt area is used throughout the State, but is used primarily in central and southern Florida. Approximately 140 million tons of limestone is used annually throughout Florida, with 125 millions tons of that material originating within the State of Florida. Continued construction of housing units, nonresidential building space, roads, and infrastructure will result in the continued demand and need for high-quality construction materials throughout Florida for the foreseeable future.

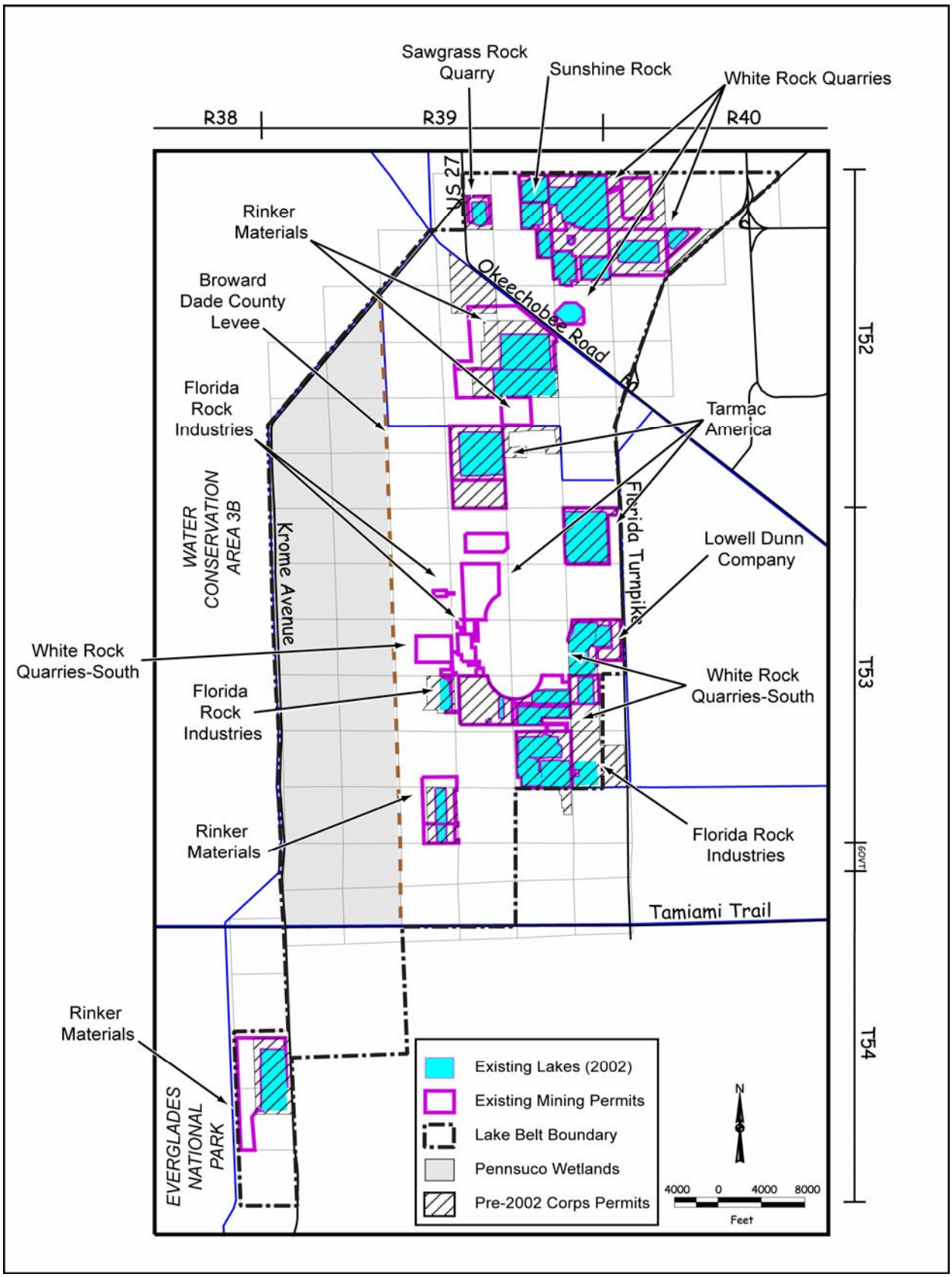

Figure 1–2. Lake Belt Outline

1.4 AGENCY GOAL OR OBJECTIVE FOR THIS SEIS

The objectives of the *Lake Belt SEIS* are to:

- Comply with the Order of the U.S. District Court for the Southern District of Florida in *Sierra Club* v. *Flowers*, Case No. 02-23427-CIV-Hoeveler (U.S. District Court 2006a) and the Court's recent Order of July 2007, supplementing the Court's Order of March 2006 (U.S. District Court 2007), as summarized in Section 1.1, Project History

- Evaluate the existing environmental condition and potential future impacts associated with the excavation of limestone from the Lake Belt area

- Evaluate the existing socioeconomic condition and potential future impacts associated with the excavation of limestone from the Lake Belt area

- Describe and assess alternatives to limestone mining in the Lake Belt area (i.e., non-Lake Belt area sources of limestone)

1.5 RELATED ENVIRONMENTAL DOCUMENTS

A number of environmental plans, programs, and documents were evaluated for consideration of relevant issues in the *Lake Belt SEIS*. Based on the close proximity of the Lake Belt region to the ENP, WCA-3A and -3B, and Comprehensive Everglades Restoration Plan (CERP) study areas, there are numerous studies available that address a wide range of environmental issues. The programs and reports listed below were reviewed for potential applicability to the Lake Belt area environmental issues. These reports were utilized to varying degrees in performing the analyses presented in this SEIS. Some of the reports were integral to the technical aspects of this SEIS (i.e., identification of feasible mitigation projects), while some were relied upon more generally (e.g., to gain perspective as to the regional setting, or with regard to possible future projects).

Final Programmatic Environmental Impact Statement for Limestone Mining – Freshwater Lakebelt Plan, Miami-Dade County, Florida (2000)

The *Final Lakebelt PEIS*, issued in May 2000, is the USACE's NEPA document for which this SEIS is being prepared (as described in Section 1.1). The *Final Lakebelt PEIS* evaluated the potential impacts of a full mine-out plan within the Lake Belt area that was anticipated to take 50 years to complete (a total of approximately 14,300 acres to be mined). The *Final Lakebelt PEIS* had sections describing existing conditions (Chapter 3) and evaluating impacts (Chapter 4) on a broad list of public interest factors. The document also had appendices providing more detailed information on listed species, hydrology, water quality, vegetation and soils, wildlife, alternative sources of construction materials, land use, socioeconomics, coastal zone management, and compliance with Section 404 guidelines.

The *Lake Belt SEIS* relies upon the source materials in the *Final Lakebelt PEIS* as appropriate, with new and/or refined evaluations conducted for the *Lake Belt SEIS* to address the deficiencies in the *Final Lakebelt PEIS* (as identified in the Court decision and broadly summarized in Section 1.1). Additionally, the information available in the *Final Lakebelt PEIS* was evaluated for its current relevance, given the amount of time that has lapsed since that document was prepared and finalized. For example, the *Final Lakebelt PEIS* was published in 2000 and presented cover-type maps that were based on aerial photographs collected in 1992 and 1994, rendering the source data 13 to 15 years old; this SEIS evaluates the appropriateness of using that information for an up-to-date evaluation.

In summary, this SEIS relies upon the information in the PEIS where appropriate, expands upon it where necessary, and replaces it with a new and different approach and/or datasets where necessary to address the technical deficiencies in the PEIS.

Lake Belt Annual Reports (Annual 2002 to Present)

These annual reports are required pursuant to Special Conditions on the existing USACE permits, and are prepared by MacVicar, Federico & Lamb Inc., on behalf of the Miami-Dade Limestone Products Association (MDLPA). The first report was provided for the first year of the permits, 2002, and they have been prepared annually to date. There is a 1-year lag time in report submittal because they are prepared with the current aerial photographs; this means that the report summarizing a particular year's mining and mitigation activities would be available a year following the end of the year of interest (for example, the report describing activities conducted from April 2004 to February 2005 was available in January 2006). The reports describe changes in mining, wetland reclamation, and changes in littoral area acreages that have occurred since the previous report. In addition, the reports also summarize the amount of mitigation fees remitted to the Florida Department of Revenue, the amount of mitigation acreage funded through the interagency Lake Belt Mitigation Committee, the ecological balance between the wetland impacts and wetland mitigation, and data related to the NWWF Monitoring Program.

Three-Year Review of Lake Belt Mining Permits (2006)

The April 2002 ROD and the permits that were issued upon completion of the ROD (the existing USACE permits) required a review of the permits every 3 years for the 10-year duration of the permits. The purpose of the 3-year review was to provide the opportunity for the USACE, in coordination with other Federal agencies, to evaluate new information pertaining to impacts, to assess any issues pertaining to implementation of the work authorized by the permits, and to evaluate cumulative impacts or any other environmental issue of concern pertaining to the permitted activities. The first 3-year review was delayed by the USACE in an attempt to incorporate the results of the Miami-Dade County wellfield study; when that study was not completed, USACE issued the first review on April 19, 2006, and the next review is scheduled to be released shortly after the second 3-year review period concludes in March of 2008. The 3-year review process includes evaluation of the permitted activities for impacts on wellfield protection, seepage management, water quality, wetlands mitigation, and wildlife habitat. The evaluation is based upon currently available information, including the results of environmental monitoring, compliance records, and comments provided by the EPA and U.S. Fish and Wildlife Service (FWS).

Biological Assessment of the Existing Lake Belt Permits (2006)

This document was prepared by the USACE in August 2006 and provided to the FWS for use in preparing its biological opinion related to the existing USACE permits. The USACE evaluated the impacts that the permits may have on listed species, specifically the wood stork, Eastern indigo snake, Everglades snail kite, and Cape Sable seaside sparrow.

Biological Opinion for the Continued Mining of Limestone within the Lake Belt Mining Region of Miami-Dade County (2006)

The Biological Opinion, issued on August 31, 2006, was developed by the FWS in accordance with Section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 153 1 et seq.), to evaluate the effect permitted-mining activities in the Lake Belt area could have on the wood stork and other federally listed species that may occur in the region. The opinion concluded that although the endangered Cape Sable seaside sparrow, endangered Everglades snail kite, and the threatened Eastern indigo snake may occasionally appear in habitats near the project area, mining in the Lake Belt area is not likely to adversely affect these species. After reviewing the status of the wood stork, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, the FWS concluded the mining activities authorized in the existing USACE permits are not likely to jeopardize the continued existence of the wood stork. Additionally, the Biological Opinion confirmed that no critical habitat has been designated for the wood stork and that, therefore, none would be affected.

Miami-Dade County Lake Belt Plan (1997 and 2000)

As discussed in the *Final Lakebelt PEIS*, the Florida Legislature established the Northwest Miami-Dade County Freshwater Lake Plan Implementation Committee (now referred to as the Miami-Dade County Lake Belt Implementation Committee) in 1992 to develop the Miami-Dade County Lake Belt Implementation Plan. The goals of the Plan were to enhance water supply for Dade County and the Everglades, maximize efficient recovery of limestone while promoting the social and economic welfare of the community and protecting the environment, and educating the public about the benefits of the Plan. Formation of the Committee and development of the Lake Belt Plan are state-sponsored activities that do not circumvent the need for the USACE to evaluate permit applications for Lake Belt area mining activities in accordance with NEPA and the applicable CWA regulations. However, the Committee conducted a substantial amount of planning and interagency coordination that are documented in the Plan (Phase I 1997 and Phase II 2000).

The Phase I Master Plan was completed in 1997. It provides background information and presents technical information developed by the Committee (e.g., biological data, modeling results). The Phase I Master Plan presents the Committee's recommendations, which include designation of areas suitable for mining and mitigation (i.e., Pennsuco Wetlands); identification of areas where additional analyses would be required; and a proposal to levy a fee on mining to pay for mitigation (a recommendation that was subsequently adopted by the Florida Legislature). This information lays the foundation for evaluation of the impacts being evaluated in the *Lake Belt SEIS* and is reflected in the mining alternatives developed by the MDLPA based on the regional planning framework documented in the Phase I Master Plan.

In 1999, the Legislature laid out a number of mandates to be addressed in the Phase II Master Plan, which was completed in December 2000. Among these were wellfield protection, water management, mining interests, non-mining interests, environmental enhancements, recreation, and land ownership. The Phase II Master Plan includes action items that need to be accomplished to ensure each of these issues is comprehensively addressed. Also included in the Phase II Master Plan is the Implementation Committee's "2050 Vision for the Lake Belt."

Lake Belt Mitigation Plan (1999)

The Miami-Dade County Lake Belt Mitigation Plan was enacted in 1999, F.S. 373.41492(9)(a). The main outcome of the Plan was establishment of a per-ton fee to be collected on all limestone and sand sold from the Lake Belt area, establishment of a Mitigation Committee, and the requirement for the Committee to prepare annual mitigation reports. The funds collected pursuant to this Plan are used for mitigation to compensate for unavoidable impacts from the mining activities. The Plan states, "Such mitigation may include the purchase, enhancement, restoration, and management of wetlands and uplands, the purchase of mitigation credit from a permitted mitigation bank, and any structural modifications to the existing drainage system to enhance the hydrology of the Miami-Dade County Lake Belt Area." In addition to the per-ton mitigation fee collected to fund mitigation activities, Section 373.41492(9)(a), amended in 2006, also provides for collection of a water treatment plant upgrade fee designed to fund improvements to the water treatment plants receiving water from the NWWF.

The Mitigation Committee includes a broad spectrum of members, with representatives from Federal (including USACE, EPA, and FWS representatives) and state agencies, non-government organizations, and the MDLPA. The Committee is responsible for overseeing all mining fee and mitigation program elements, including making decisions on how the funds are to be spent and tracking suitable mitigation projects. The annual reports document these decisions and are submitted to the governing board of the South Florida Water Management District (SFWMD). The annual reports published by the Lake Belt Mitigation Committee document the state of the Lake Belt Mitigation Trust Fund, collections, expenditures and encumbrances to date, and the mitigation actions taken as a result of Committee action. The most recent annual report, published in March 2007 addresses activities conducted in 2006.

The mitigation options reviewed in Chapter 5 of this *Lake Belt SEIS* were provided by MDLPA but reflect the ongoing evaluation of potentially suitable mitigation sites being conducted by the Mitigation

Committee. General and specific information on mitigation contained in the Lake Belt Mitigation Plan and in the Committee's annual reports were utilized in formulating Chapter 5 of this *Lake Belt SEIS*.

Multi-Species Recovery Plan for South Florida (1999)

The Multi-Species Recovery Plan was prepared to help fulfill the first and second major objectives of the South Florida Ecosystem Restoration Initiative, namely, to restore and maintain the biodiversity of native plants and animals in the upland, wetland, estuarine, and marine communities of the south Florida ecosystem; and to recover threatened and endangered species in the south Florida ecosystem. Included are recovery plans for the wood stork, Eastern indigo snake, Cape Sable seaside sparrow, and other species of concern. The geographic scope of the Multi-Species Recovery Plan encompasses all of the counties in southern Florida and includes all of the Lake Belt area as well as adjoining areas such as WCA-3B and the ENP.

This *Lake Belt SEIS* considered information from the Multi-Species Recovery Plan in the evaluation of potential impacts on threatened and endangered species in Chapter 4 and mitigation options in Chapter 5. The information contained in the Plan was integrated into the Biological Assessment (USACE 2006) and Biological Opinion (FWS 2006a) that were prepared for this SEIS, which reflect the most current information and conclusions regarding potential impacts of mining activities in the Lake Belt region on listed species.

Miami-Dade County Northwest Wellfield Protection Plan (2000)

The NWWF, located within the Lake Belt area, is the largest drinking water wellfield in the State of Florida and supplies about 40 percent of the drinking water for Miami-Dade County. The NWWF Protection Plan establishes protection zone boundaries, limits the types of businesses that can be sited in the Lake Belt area, and lays out measures to prevent the introduction of waterborne contaminants into the groundwater around the wellheads and to help prevent the reclassification of the Wellfield from supplying groundwater to one that supplies "groundwater under the direct influence of surface water." The Plan limits the siting of limestone mines within the protection zones and requires periodic sampling of water within the lakes and canals in the Lake Belt area to ensure that they are not transporting increased levels of contaminants into the Biscayne Aquifer.

Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement (April 1999)

The *Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement* (April 1999 *Final Feasibility Report*) recommended a comprehensive plan for the restoration, protection, and preservation of the ecosystem of central and southern Florida. This plan is also known as the CERP. The primary goal of the CERP is the restoration, preservation, and protection of the south Florida ecosystem while providing for other water-related needs of the region such as flood protection and water supply. The CERP contains more than 60 major components that involve creation of approximately 217,000 acres of reservoirs and wetland-based water treatment areas. These components will vastly increase storage and water supply for the natural system, as well as for urban and agricultural needs. Included in the CERP is the potential creation of large reservoirs within the Lake Belt area (using the lakes created as a result of limestone mining that could be used to store water for supplemental delivery to the ENP and WCA-3 and maintain the water level in the canals in and around the Lake Belt; thereby, reducing the need for water deliveries from the WCAs and Lake Okeechobee. Another potential change would be the enhancement of the Dade-Broward Levee within the Lake Belt area to reduce seepage to the east from the Pennsuco Wetlands, enhance hydroperiods in the Pennsuco Wetlands, and enhance recharge to the NWWF.

Central and Southern Florida Project Draft Third Supplemental Environmental Impact Statement Tamiami Trail Modifications, Modified Water Deliveries to Everglades National Park

The proposed action in this EIS, published in March 2007, involves the USACE securing property along Tamiami Trail and providing structural modifications and additions to the existing Central and Southern Florida Project. In particular, the proposal would elevate the roadbed of Tamiami Trail west of Krome Avenue and build several miles of bridges to allow water to flow south into the ENP. The proposed modifications will improve water deliveries for ecosystem restoration in the ENP. This SEIS presents hydrological and land use information relating to the ENP, the Tamiami Trail, and Florida Power and Light Company lands that could affect activities being considered in the *Lake Belt SEIS*.

Combined Structural and Operational Plan for the Modified Water Deliveries and C-111 Projects, Draft 3d SEIS (March 2007)

The authorized plan of improvements consists of structural modifications and additions to the existing Central and Southern Florida Project to restore more natural hydrologic conditions in the ENP, which have been altered by construction of roads, canals, and levees. The Modified Water Deliveries project is one of the foundation projects for CERP and consists of the 8.5 Square Mile Area Flood Mitigation, Tamiami Trail Modifications, Conveyance and Seepage Control Features, and the Combined Structural and Operational Plan. These projects include features to convey water from one place to another, provide mitigation for flooding impacts, and provide seepage control. Some of these projects could affect hydrology in the Lake Belt area. They also include mitigation actions proposed by the MDLPA to offset possible impacts resulting from the potential implementation of certain alternatives being evaluated in this *Lake Belt SEIS*.

1.6 DECISIONS TO BE MADE

The mining companies operating in the Lake Belt area propose to impact approximately 13,600 acres of wetlands for land clearing and other activities associated with limestone mining operations. This includes the existing mining permits and additional applications for mining received after initiation of this SEIS. The information compiled in this SEIS will be used by USACE to determine whether the activities being conducted under the existing USACE permits should continue or cease, and if additional mining activities should be authorized by USACE. The alternatives under consideration are discussed in detail in Chapter 2 and include three increments of increased mining throughout the Lake Belt area that were provided by MDLPA, the No Action Alternative (cessation of current mining activities being conducted pursuant to the existing USACE permits as of signature of the ROD for this SEIS), and several alternatives that limit the extent of the incremental MDLPA alternatives for specified objectives.

1.7 SCOPING AND ISSUES

On October 4, 2006, a Notice of Intent was published in the *Federal Register* (see Appendix A) announcing the USACE's intention to prepare a SEIS on the potential impacts of further limestone mining within the Lake Belt area. The scoping period was October 4, 2006, through November 17, 2006. On October 19, 2006, a public scoping meeting was held at the Miami-Dade Fire Rescue Headquarters in Doral, Florida. Comments received during the scoping period included oral comments provided at the scoping meeting, and written comments provided to the USACE at the scoping meeting or after the meeting. In total, the USACE received comments from 12 interested parties and individuals during the scoping period. These included the Florida Department of Transportation, Miami-Dade County Department of Environmental Resource Management, the ENP, the Sierra Club, Florida Transportation Builders Association, the South Florida Chapter of the Associated General Contractors, Floridians for Better Transportation, the Florida Concrete and Products Association, SelectBuild Construction, the Miami-Dade Limestone Products Association, and a private citizen.

The comments received during the scoping period are summarized as follows:

1. Other alternatives besides that proposed by the mining industry need to be considered and evaluated (Chapter 2).

2. The SEIS should consider all of the issues raised in the lawsuit filed as a result of the original PEIS issued on this proposal, including seepage concerns that could lessen the amount of water flowing into the Everglades, the effect of proposed mining on the Biscayne Aquifer and drinking water in Miami-Dade County, and the effect of proposed mining on endangered species in the area (Chapter 4).

3. Mitigation options beyond those presented in the Pennsuco Wetlands need to be developed (Chapter 5).

4. There is a continued need for limestone to support building needs throughout Florida. The economic impact on Miami-Dade County and the State of Florida from a stoppage of mining in the Lake Belt needs to be evaluated (Chapter 4).

5. Other supplies of limestone outside of the Lake Belt could be available and need to be considered to fill the demand for this material (Chapter 4).

1.8 PERMITS, LICENSES, AND ENTITLEMENTS

Table 1–1 lists the current environmental permits (i.e., mining, air) issued by the USACE, Florida Department of Environmental Protection, and the Miami-Dade Department of Environmental Resource Management related to mining activities in the Lake Belt area. These permits involve work that is considered part of Alternative 2 as discussed in Chapter 2, Section 2.2.

Table 1–1. Permits Issued for Limestone Mining in the Lake Belt Area

Company	USACE	FDEP	DERM	Notes
Vecellio & Grogan, Inc.	SAJ-2000-2284	175273	FW87-105 FW87-105A FW89-105 FW92-139 FW94-048 FW95-003	Operates White Rock Quarries
Sunshine Rock, Inc.	SAJ-2000-2285	175226	CC-895	
Sawgrass Rock Quarry, Inc.	SAJ-2000-2286	175268	CC-878	
Tarmac America, Inc.	SAJ-2000-2287	175263	FW87-036	
White Rock Quarries - South	SAJ-2000-2346	175257	FW90-11 FW00-119	Formerly Continental Florida Materials, Inc.
APAC, Inc.	SAJ-2000-2366	175232	CC-516 FW01-022	Formerly Pan American Construction. Beginning in 2005, operated by White Rock Quarries – South.
Florida Rock Industries, Inc.; currently doing business as Vulcan Materials Company	SAJ-2000-2367	175235	FW96-057(Sec22) FW88-138(Sec26)	
Kendall Properties and Investments	SAJ-2000-2369	175262	FW97-112	
Rinker Materials of Florida, Inc.	SAJ-2000-2373	FEC:0175244 SCL:0175252	FEC:FW89-107 (Sec23S) FW93-075 (Sec23N) FW97-022 (Sec14&15S) FW94-138 (Sec22) SCL:FW92-052	CEMEX has tendered an offer and received support from more than 50 percent of Rinker shareholders, and Rinker is expected to become part of CEMEX in the near future. The offer closed on June 22, 2007.

Key: DERM=Miami-Dade Department of Environmental Resource Management; FDEP=Florida Department of Environmental Protection; USACE=United States Army Corps of Engineers.

Source: Rosenfeld 2006a.