

FLORIDA LAWS RELATED TO MINING

Florida Statutes (Online Sunshine)

- Chapter 120: Administrative Procedure Act
- Chapter 163: Intergovernmental Programs
- **Chapter 253: State Lands**
- Chapter 334: Transportation Administration
- Chapter 337: Contracting, Acquisition, Disposal and Use of Property
- **Chapter 369: Conservation**
- **Chapter 373: Water Resources**
- **Chapter 376: Pollutant Discharge Prevention and Removal**
- **Chapter 378: Land Reclamation**
- **Chapter 380: Land and Water Management**
- **Chapter 403: Environmental Control**
- Chapter 552: Manufacture, Distribution, and Use of Explosives

Florida Rules & Regulations

- [Florida Administrative Code](#)
- Chapter 14-103: Construction Aggregates
- Chapter 40A-2: Regulation of Consumptive Uses of Water
- Chapter 40B-1: General and Procedural Rules
- Chapter 40B-2: Permitting of Water Use
- Chapter 40B-4: Environmental Resource and Works of the District Permits
- Chapter 40B-400: Environmental Resource Permits
- Chapter 40C-1: Organization and Procedure
- Chapter 40C-2: Permitting of Consumptive Uses of Water
- Chapter 40C-4: Environmental Resource Permits: Surface Water Management Systems
- Chapter 40C-41: Surface Water Management Basin Criteria
- Chapter 40C-42: Environmental Resource Permits: Regulation of Stormwater Management Systems
- Chapter 40D-1: Procedural
- Chapter 40D-2: Consumptive Use of Water
- Chapter 40D-4: Individual Environmental Resources Permits
- Chapter 40D-8: Water Levels and Rates of Flow
- Chapter 40D-40: General Environmental Resource Permits

FLORIDA RULES & REGULATIONS (CONT.)

- **Chapter 40E-1: General and Procedural**
- **Chapter 40E-2: Consumptive Use**
- **Chapter 40E-4: Environmental Resource Permits**
- **Chapter 40E-40: General Environmental Resource Standard Permits**
- **Chapter 40E-41: Surface Water Management Basin & Related Criteria**
- **Chapter 62-4: Permits**
- **Chapter 62-40: Water Resource Implementation Rule**
- **Chapter 62-302: Surface Waters Quality Standards**
- **Chapter 62-312: Dredge and Fill Activities**
- **Chapter 62-330: Environmental Resource Permitting**
- **Chapter 62-340: Delineation of the Landward Extent of Wetlands and Surface Waters**
- **Chapter 62-343: Environmental Resource Permit Procedures**
- **Chapter 62-345: Uniform Mitigation Assessment Method**
- **Chapter 62-520: Ground Water Classes, Standards, and Exemptions**
- **Chapter 62-550: Drinking Water Standards, Monitoring, and Reporting**
- **Chapter 62-660: Industrial Wastewater Facilities**
- **Chapter 62C-35: Certification to Administer Reclamation Rules**
- **Chapter 62C-36: Limestone Reclamation Requirements**
- **Chapter 62C-39: Reclamation Requirements for Solid Resources
Other Than Phosphate, Limestone, Heavy Minerals, and Fuller's Earth**
- **Chapter 68A-27: Rules Relating to Endangered or Threatened Species**
- **Chapter 69A-2: Explosives**

Conditions for Issuance of Permits

9.1 Section 40C-4.301, F.A.C., Conditions

- 9.1.1 In order to obtain an individual, standard, or conceptual environmental resource permit, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, or abandonment of a surface water management system:
- (a) Will not cause adverse water quantity impacts to receiving waters and adjacent lands;
 - (b) Will not cause adverse flooding to on-site or off-site property;
 - (c) Will not cause adverse impacts to existing surface water storage and conveyance capabilities;
 - (d) Will not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters;
 - (e) Will not adversely affect the quality of receiving waters such that the water quality standards set forth in chapters 62-3, 62-4, 62-302, 62-520, 62-522 and 62-550, F.A.C., including any antidegradation provisions of sections 62-4.242 (1)(a) and (b), 62-4.242(2) and (3), and 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in sections 62-4.242(2) and (3), F.A.C., will be violated;
 - (f) Will not cause adverse secondary impacts to the water resources;
 - (g) Will not adversely impact the maintenance of surface or ground water levels or surface water flows established in Chapter 40C-8, F.A.C.;
 - (h) Will not cause adverse impacts to a work of the District established pursuant to section 373.086, F.S.;
 - (i) Will be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed;
 - (j) Will be conducted by an entity with the financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the permit, if issued; and
 - (k) Will comply with any applicable special basin or geographic area criteria established in chapter 40C-41, F.A.C.

ENVIRONMENTAL RESOURCE PERMIT

AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

Permit Number:

Project Name:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

Name (please print) Signature of Professional Date

Florida Registration Number: _____ (Affix Seal)

Company Name

Company Address

City, State, Zip Code

Telephone Number

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

FEDERAL RULES & REGULATIONS

- **Clean Water Act (Wetlands, Water Quality, NPDES, etc.)**
- **Federal Mine Safety and Health Act of 1977**
- **Coastal Zone Management Act**

LIMESTONE MINING IN SOUTH FLORIDA



Reclaimed Mines



VOLUNTEER NATIVE SPECIES



Groundwater Fluctuations in Response to Rainfall

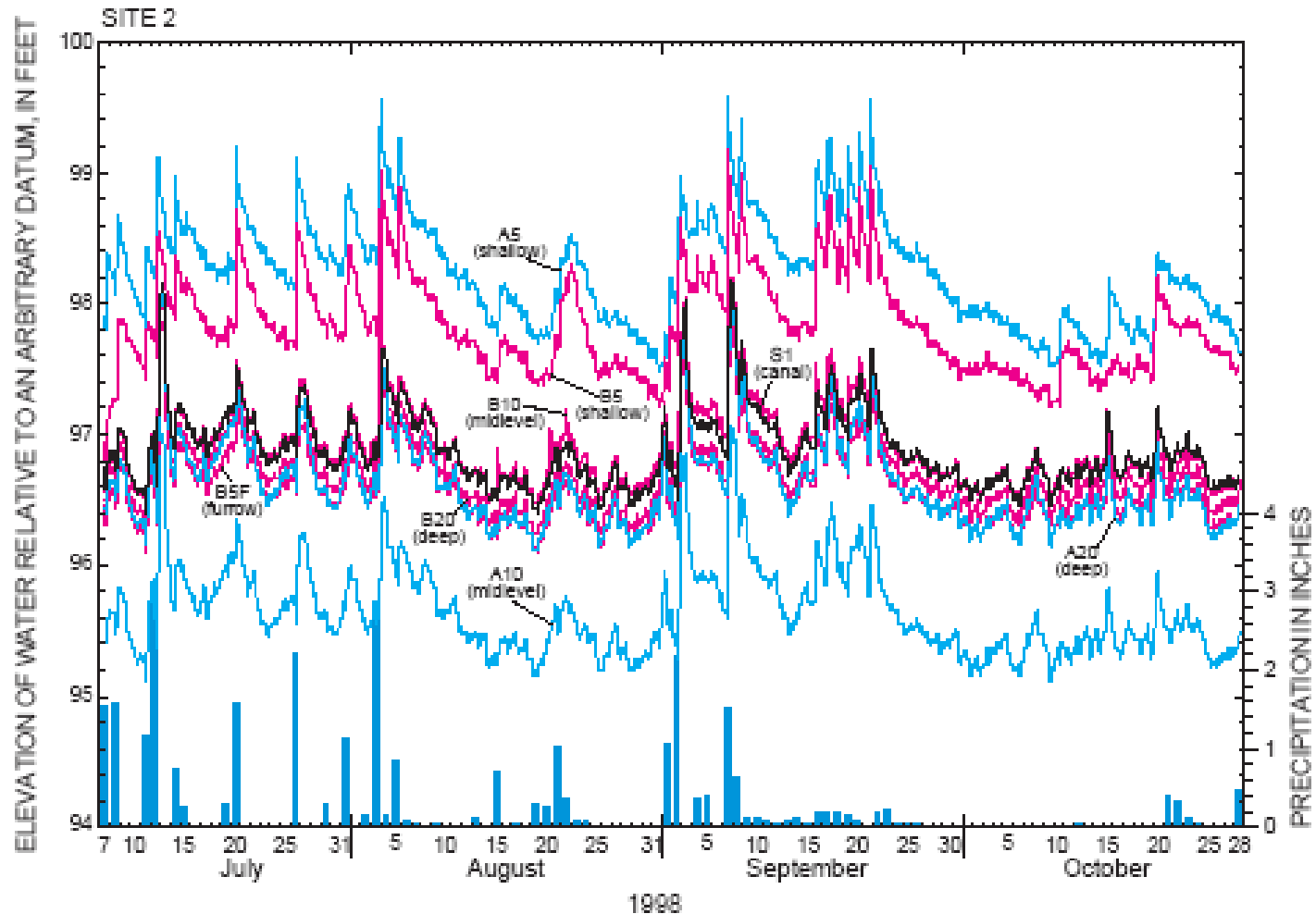


Figure 7. Hourly water levels in wells and canal at site 2, July through October 1998, Indian River County, Fla.

Agricultural Drainage Control



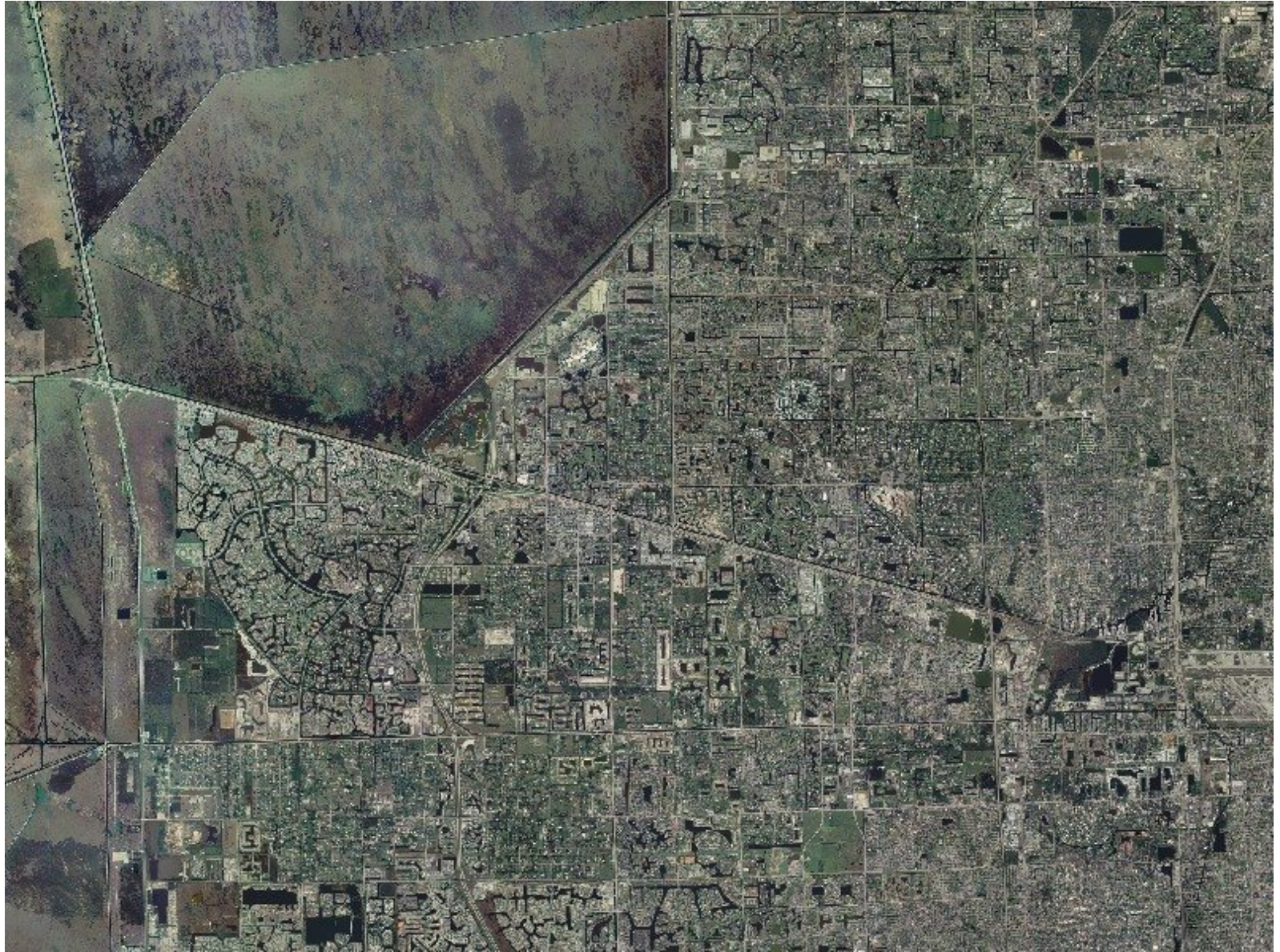
MINE RECLAIMED AS STORMWATER POND



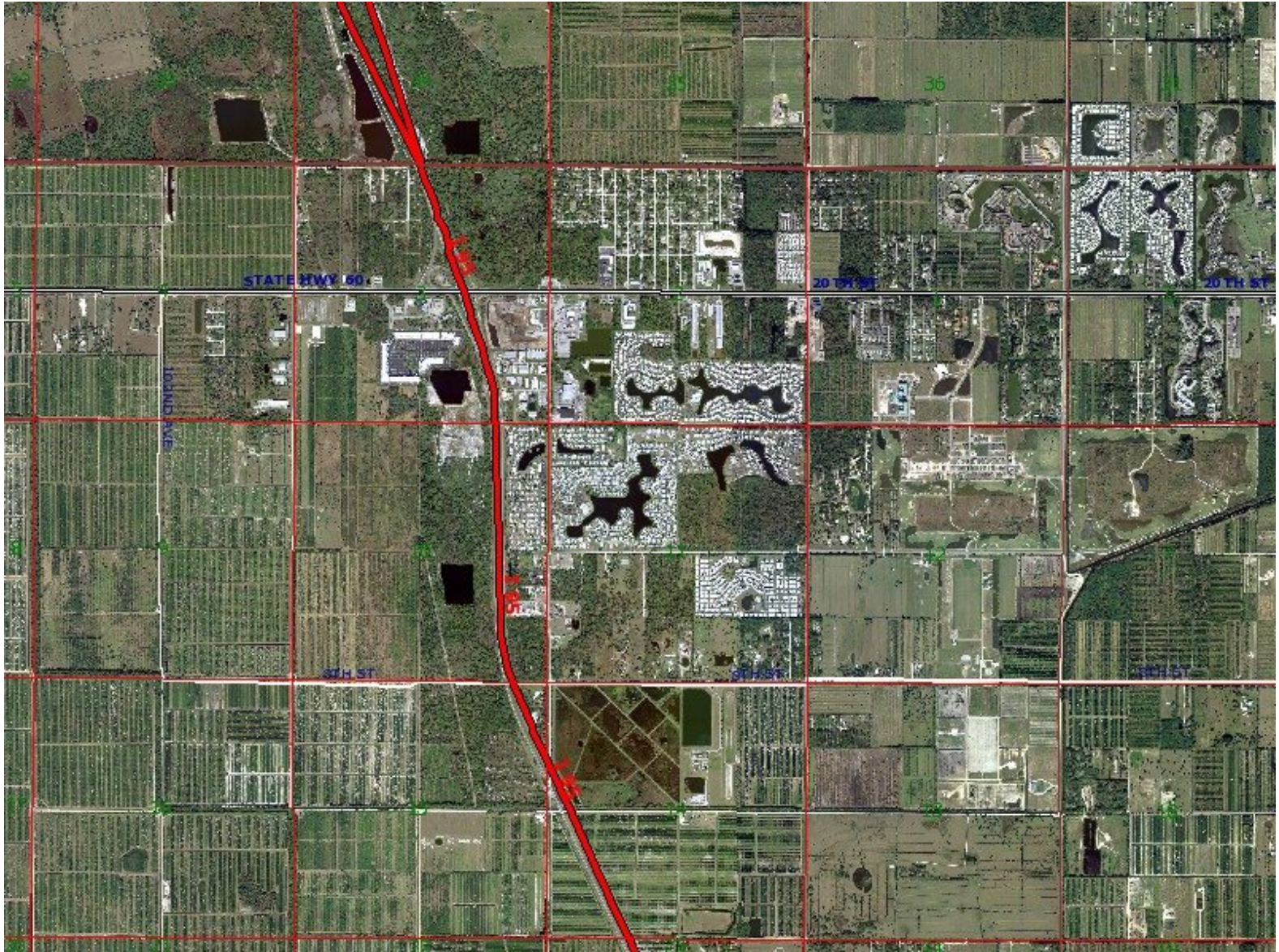
PALM BEACH COUNTY EDGE OF EVERGLADES



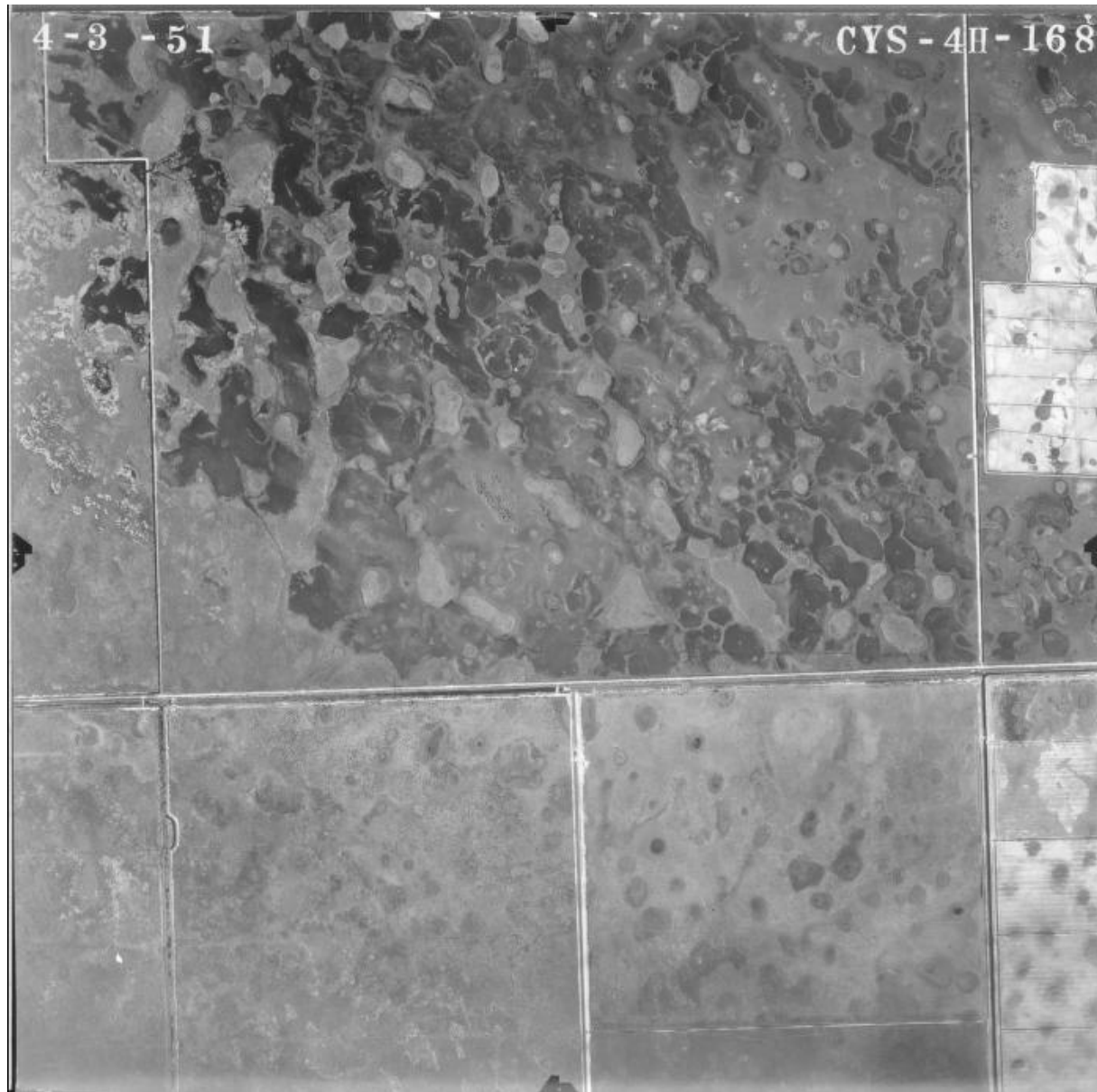
WESTERN BROWARD COUNTY



WESTERN VERO BEACH



SW OF FELLSMERE-1951



Question 2: Are there BMPs for this type of mining operation that should be included in the county's regulations?

Chapter 6

Stormwater and Erosion and Sediment Control Best Management Practices for Developing Areas

Taken from "The Florida Development Manual: A Guide to Sound Land and Water Management", Florida Department of Environmental Regulation, June 1988.

http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/eroded_bmp.pdf
(693 PAGES)

CONCLUSIONS & RECOMMENDATIONS

- **ASSESSMENT OF EXISTING REGULATIONS**
 - DEVELOPED OVER LONG PERIODS BASED ON EXPERIENCE AND SCIENTIFIC ADVANCES
 - BEST TO RELY ON STATE AND FEDERAL AGENCIES, WITH LOCAL PARTICIPATION AND REVIEW
- **POTENTIAL ADDITIONAL REGULATIONS**
 - SOME CLEAN-UP ITEMS AS NOTED BY STAFF SHOULD BE CONSIDERED
 - PRIMARILY NOT ENVIRONMENTAL
- **POTENTIAL ADDITIONAL REPORTING REQUIREMENTS**
 - COUNTY NEEDS TO BE KEPT INFORMED
 - COUNTY NEEDS TO REVIEW MONITORING DATA AND SUBMITTED REPORTS
 - COUNTY NEEDS TO PARTICIPATE IN INSPECTIONS AND ENFORCEMENT
- **SOME DUPLICATION OF EFFORT BETWEEN LOCAL AND STATE AGENCIES JUSTIFIED**
 - THE MORE EYES ON A SITUATION, THE LESS LIKELY A MISTAKE WILL GO UNCOVERED
- **STATE AGENCIES HAVE EXTENSIVE TECHNICAL EXPERTISE AS WELL AS DIVERSIFIED EXPERIENCE IN THE REGION**
 - MAKE SURE THEY DO THEIR JOB—KEEP THEM VIGILANTE—SQUEAKY WHEELS GET GREASE
- **ADDITIONAL MONITORING AND REGULATORY OVERSIGHT IS JUSTIFIED**
 - REGULAR REPORTING OF DATA AND EVENTS, COUPLED WITH COMPLIANCE MONITORING AND CONSISTENT ENFORCEMENT—COUNTY STAFF SHOULD PARTICIPATE

