

SUSTAINING FLORIDA'S ECONOMY WHILE PROTECTING OUR ENVIRONMENT

THE STATUS OF THE LAKE BELT PLAN

Overview: On March 22, Judge William M. Hoeveler, a Federal judge in Miami, issued an opinion in *Sierra Club v. Flowers* that jeopardizes limestone mining in an area that provides over 45% of the construction aggregates requirements of the Florida peninsula and supports two of the state's largest cement plants providing approximately 25% of the state's cement demand. The judge issued an opinion that the US Army Corps of Engineers and the US Fish and Wildlife Service did not properly follow procedures in evaluating and authorizing continued limestone mining operations in a 78 square mile area northwest of Miami commonly known as the Lake Belt. The permits in question are for mines operating under the Lake Belt Plan.

What Is the Lake Belt Plan? – The Lake Belt Plan is a long-term, comprehensive plan for an area northwest of Miami that limits the area available for mining, levies a fee on mining to fund environmental restoration and requires the preservation of environmental land. The Plan has widespread and strong support of public, elected officials, and private stakeholders. It was developed by a group that included broad community representation including representatives of Florida Audubon, Friends of the Everglades and the Sierra Club. In the end, the Sierra Club representative cast the lone vote against the Plan.

Do the groups that filed the lawsuit offer another plan to consider? – No. In stark contrast, the special interest groups that challenged the permits have presented no plan at all. They advocate a mining shut-down, which would result in serious economic harm to Florida and to families and businesses throughout the State. Any shutdowns would also negatively affect the environment.

How long has there been mining in the Lake Belt area? – Since the 1950s.

How does the Lake Belt Plan protect the environment? – The Lake Belt Plan creates a large buffer for the protection of the Florida Everglades. This buffer is the result of land trades, land acquisition and restoration made possible by a mining fee paid by Lake Belt miners. Also, a critical element of the Comprehensive Everglades Restoration Plan is the use of a portion of the mined Lake Belt lands for water reservoirs to store water for use in nourishing the Florida Everglades.

Will the Lake Belt Plan protect Miami-Dade County's drinking water supply? – Yes. Miami-Dade Water and Sewer Department chose to locate its largest well field in proximity to mining operations that have been ongoing for over a half century because mining is a logical neighbor to well fields. Unlike many well fields, there are no nearby sources of chemicals, animal waste, or other potential contaminants. Additionally, there is a large setback requiring that no mining activity take place within almost a half mile of the County's wells.

Why is it Important to Keep Mining In the Lake Belt? – Stopping or significantly curtailing Lake Belt mining will have disastrous consequences for Florida's economy. It will dramatically increase the time, cost and viability of virtually every construction project in the peninsula of Florida – including government infrastructure necessities like roads, highways and schools, as well as hurricane reconstruction and protection and our communities' housing and affordable housing needs. Annually the Lake Belt provides 50 million (45%) of the 110 million tons of high quality limestone needed to meet the aggregate needs in Florida's peninsula. Without these materials, the construction industry will come to a halt and hundreds of thousands of Floridians will lose their jobs.

What is the solution? – Florida's economy, a long range plan with the support of local and state agencies and environmental groups, and the future of one of the state's oldest and most important industries should not be imperiled while federal agencies and a federal judge review a permitting process and actions taken over a ten year period. The Judge has remanded the permit process to the agencies for review consistent with the

court's findings. There is a hearing on May 10 to determine remedies, including a possible injunction, that could significantly limit or stop mining until these permitting issues are resolved. An injunction is unnecessary. The Lake Belt mining companies have and will continue to work with the Federal agencies to address environmental and other public interest issues. The solution is to allow continued mining while the legal and regulatory processes continue.