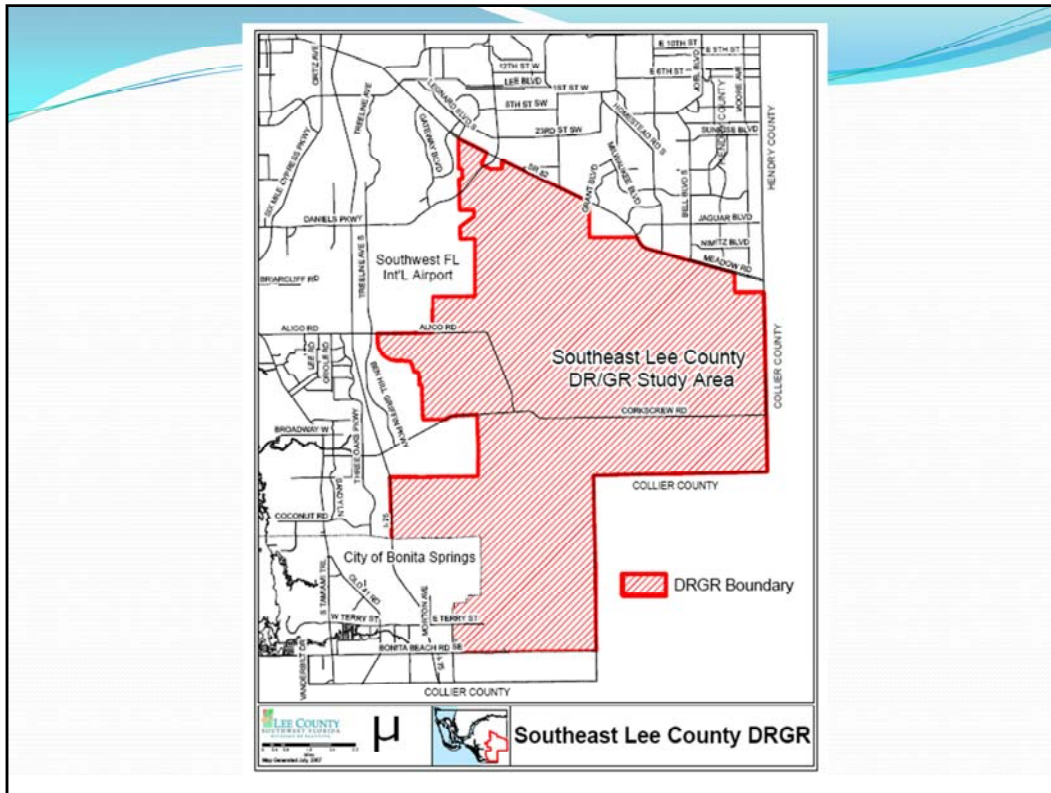


Introduce self and organization

Theme: I urge the Task Force to recommend that the Florida legislature refrain from replacing the local authority over mining with direct State control, but rather establish a program of cooperative aggregate development with the limited number of Florida counties that have the high quality, hard limerock that road building requires.

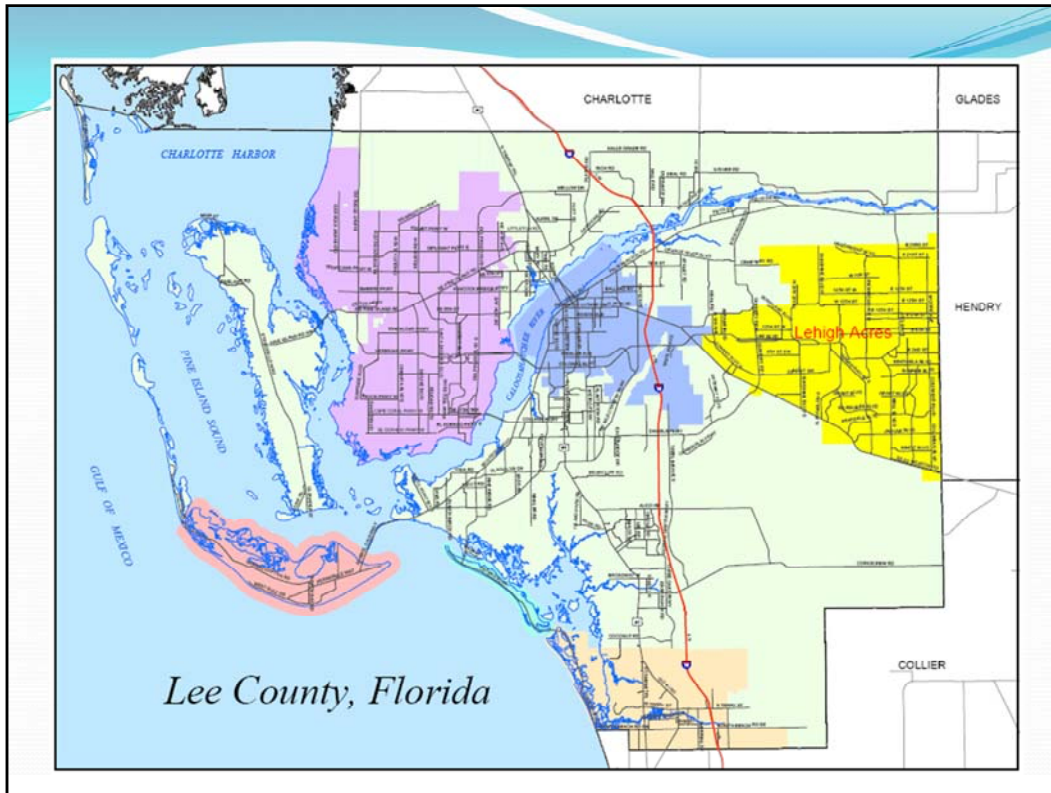
A general policy that applies to all 67 Florida Counties makes no sense when only 22 counties have any aggregate and only half a dozen counties have the high quality, hard rock that FDOT needs. Each resource area is unique in terms of all the factors that should be considered when making such decisions, not simply the availability of hard rock.

The limerock area in Lee County demonstrates many of the reasons why a cooperative State-Local government program is good public policy for the State of Florida. The following characteristics of the Lee County aggregate area need to be considered in making aggregate development decisions for this area:



Lee County governs a 96,000-acre swath of upland, wetlands, and environmentally sensitive areas that are designated Density Reduction / Groundwater Resource. This swath was designated in 1989 at the direction of the DCA. Development within the DRGR is currently limited to 1 to 10 housing units per acre and agricultural and mining operations.

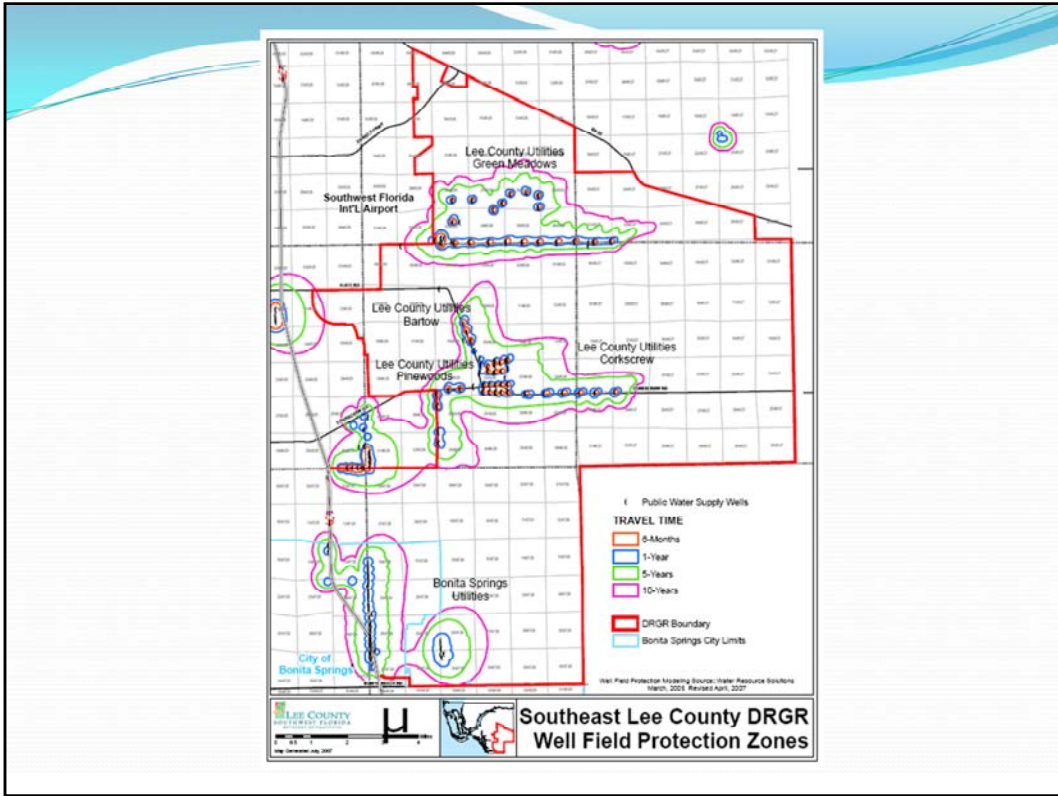
This density reduction designation is necessary because Lee County has the largest number of pre-platted residential lots of any county in Florida....



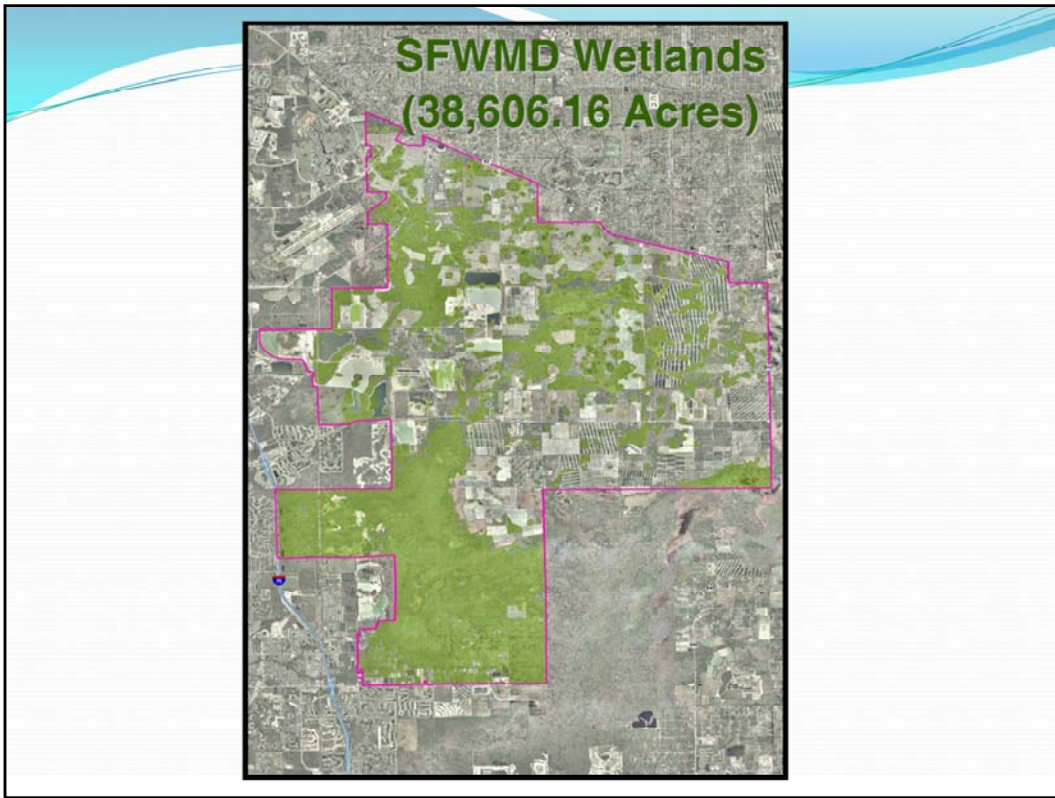
The combined build-out population of the two communities of Cape Coral and Lehigh Acres alone is over 700,000 residents.

During the present decade Lee County's population has expanded from 435,000 to an estimated 571,000 while the permanent population of the Estero community, located just downstream of the DR/GR, has increased from 9,500 in 2000 to an estimated 27,000 currently, a near three-fold increase in just 7 years.

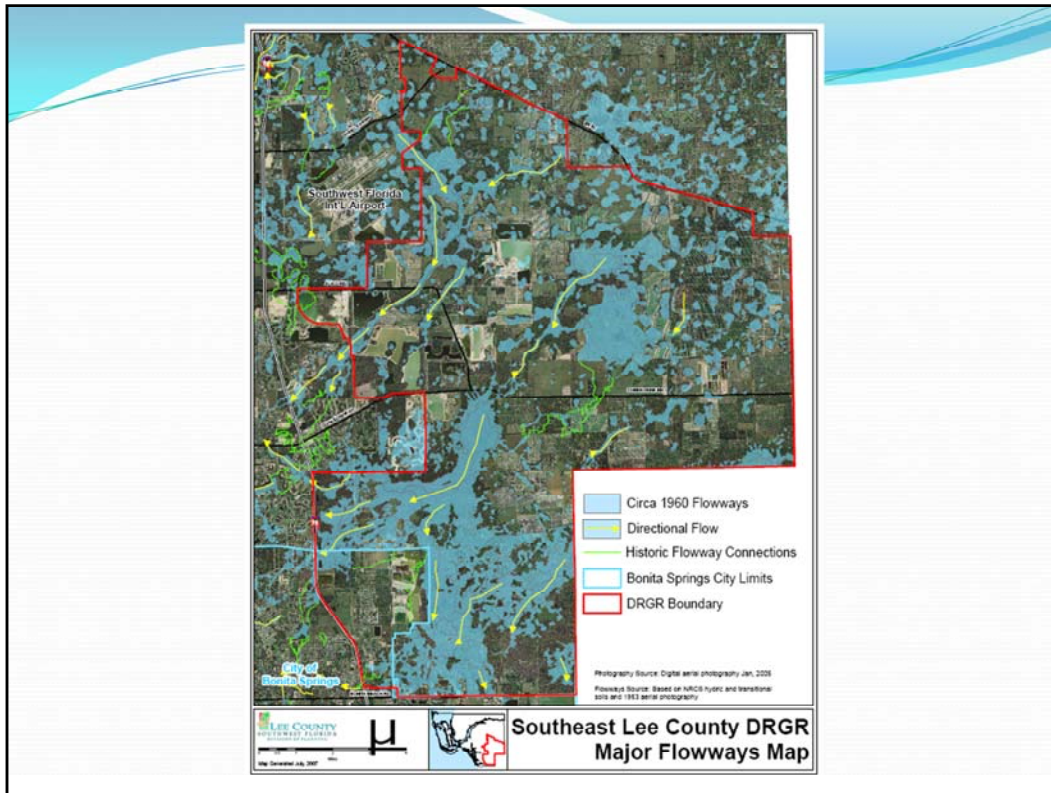
The DRGR ...



... is the primary source of drinking water for the south Lee County with two major well fields.



Wetlands comprise a good portion of the total land area of the DR/GR with the remainder being primarily agriculture, rural residential and mining uses.

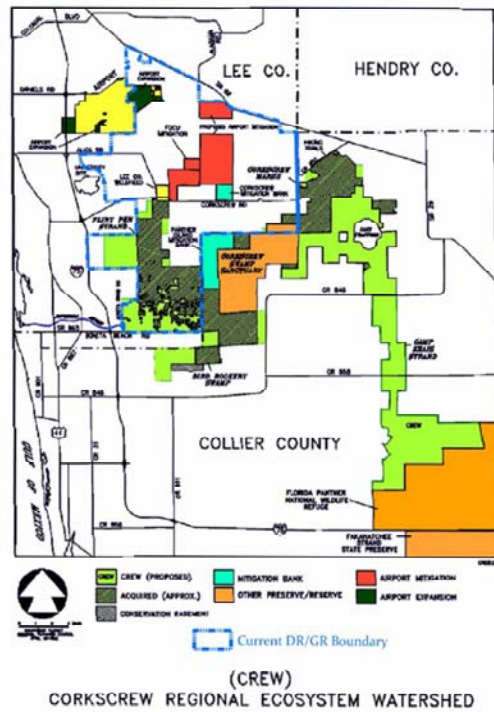


Natural surface water flowways have been altered considerably from historic patterns, but generally follow a northeast to southwest flow. This slow-moving sheetflow during wet season is critical to groundwater recharge and allows natural wetland systems adequate time to filter impurities and consume excess nutrients before stormwater reaches sensitive estuarine waterways such as Estero Bay, Imperial River, and Cocohatchee River.

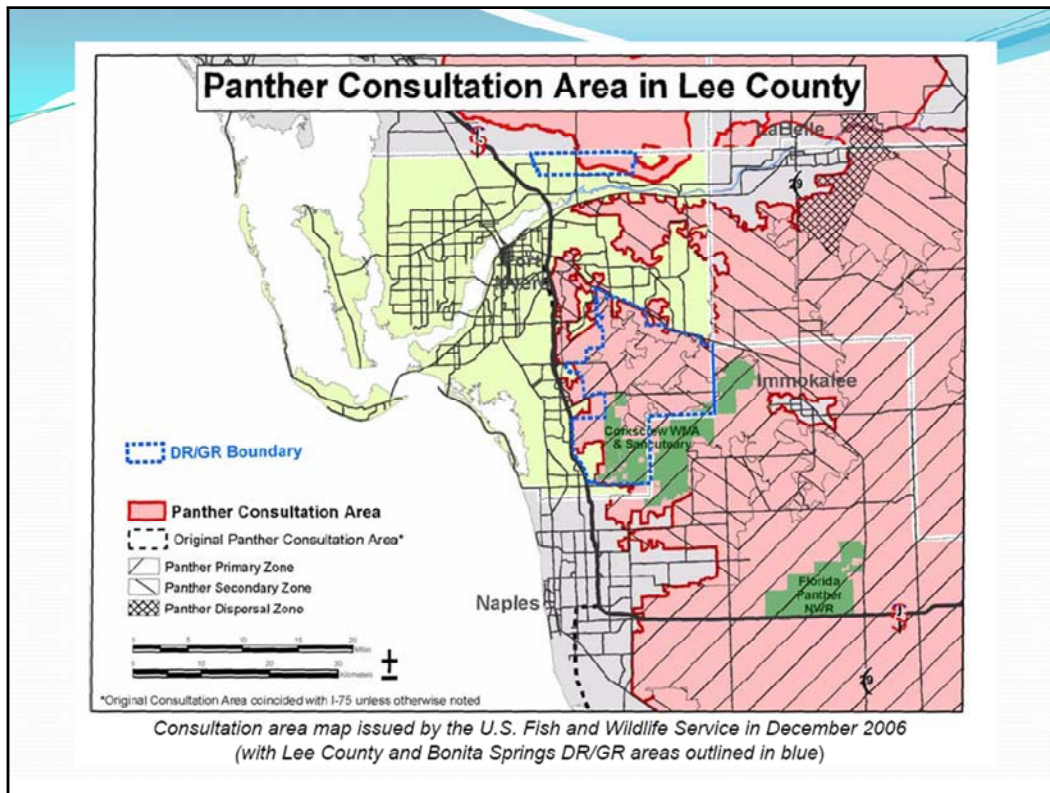
Ecological character

CONNECTIONS:

- DR/GR lands provide a large contiguous habitat area that is important to wide-ranging species.
- DR/GR lands contain extensive areas of interconnected wetlands.
- DR/GR lands provide important connections to nearby and farther-reaching ecosystems.
- DR/GR lands connect both hydrologically and ecologically to nearby bays and coastal ecosystems.



The DRGR provides unique and valuable ecological character not found elsewhere in Lee County. McLane Environmental just completed a review of the technical studies of the DRGR area. Some gaps remain, but the evidence is overwhelming that in addition to irreplaceable groundwater resources, equally valuable resources are above ground.



Nearly the entire DR/GR is included within Primary and Secondary Zones of the Florida Panther Consultation Area. The wildlife habitat along Corkscrew Road is used heavily by the panther. Unfortunately, two panthers have been killed on Corkscrew Road within the last 18 months.



The area is important to other listed species including the wood stork, black bear, sandhill crane, indigo snake, gopher tortoise, crested caracara, and others.



The most significant nesting area for the endangered woodstork is the Audubon Corkscrew Sanctuary located approximately 3 miles south of here.

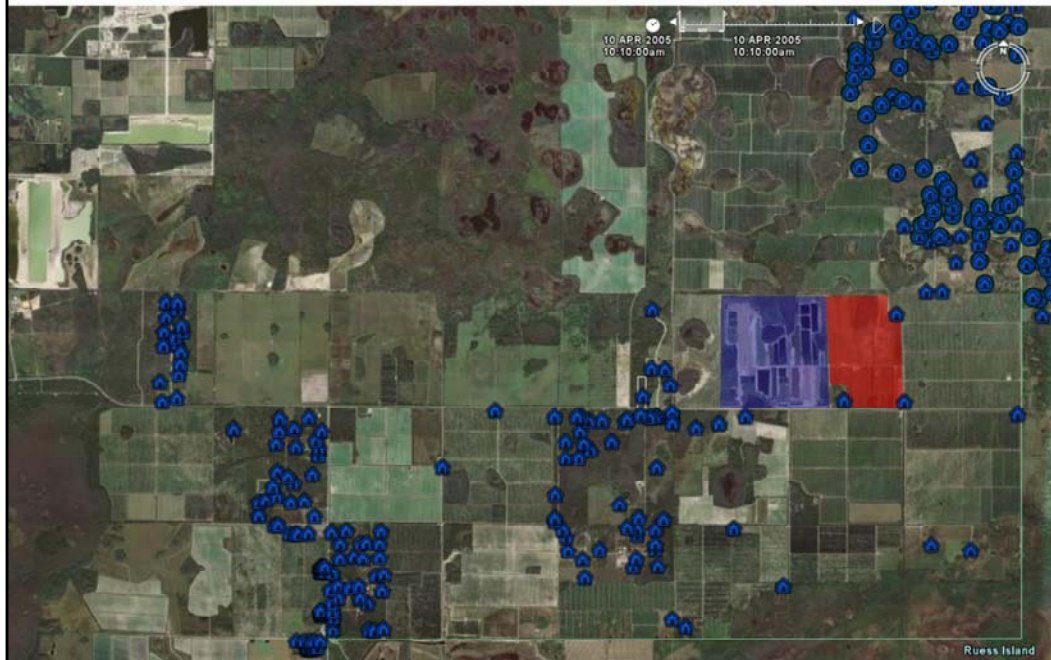


The Corkscrew Rural Community values the aesthetic qualities that define our neighborhood such as peace & quiet, safety, green spaces, ecological integrity.

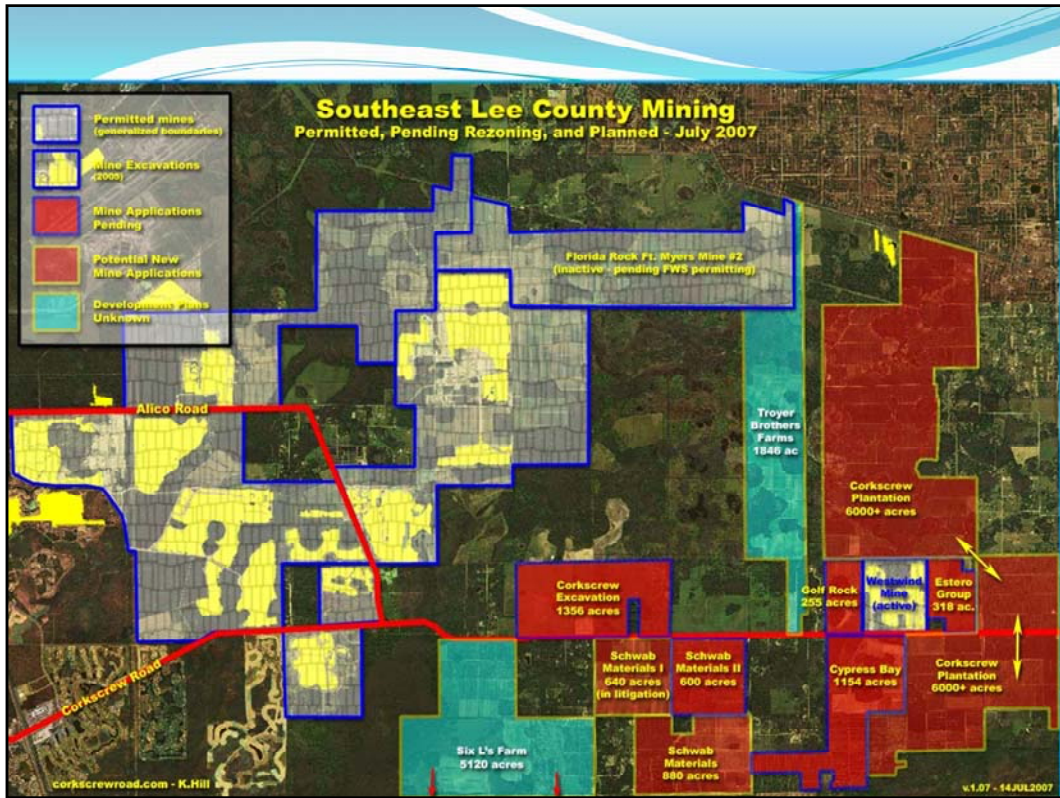


We also value agriculture and the economic and cultural qualities it provides.

Corkscrew Rural Community



Corkscrew is a rural residential community – one neighborhood. We extend from Burgundy Farms Road east to the County Line. We are not a large community in population – only about 300 households. By virtue of lot sizes and housing clusters separated by AG uses, our community is spatially large in size. But we are a neighborhood. We consider one another neighbors. We wave to one another on the road. We socialize together. Our children play together, go to school together, ride the same school buses.



This is a map of existing, permitted, and planned mines in the DRGR. We view these plans as a grave threat to all of the qualities we regard as important to our community and quality of life.

Traffic safety









Mining industry debris



Road damage from heavy
dump trucks

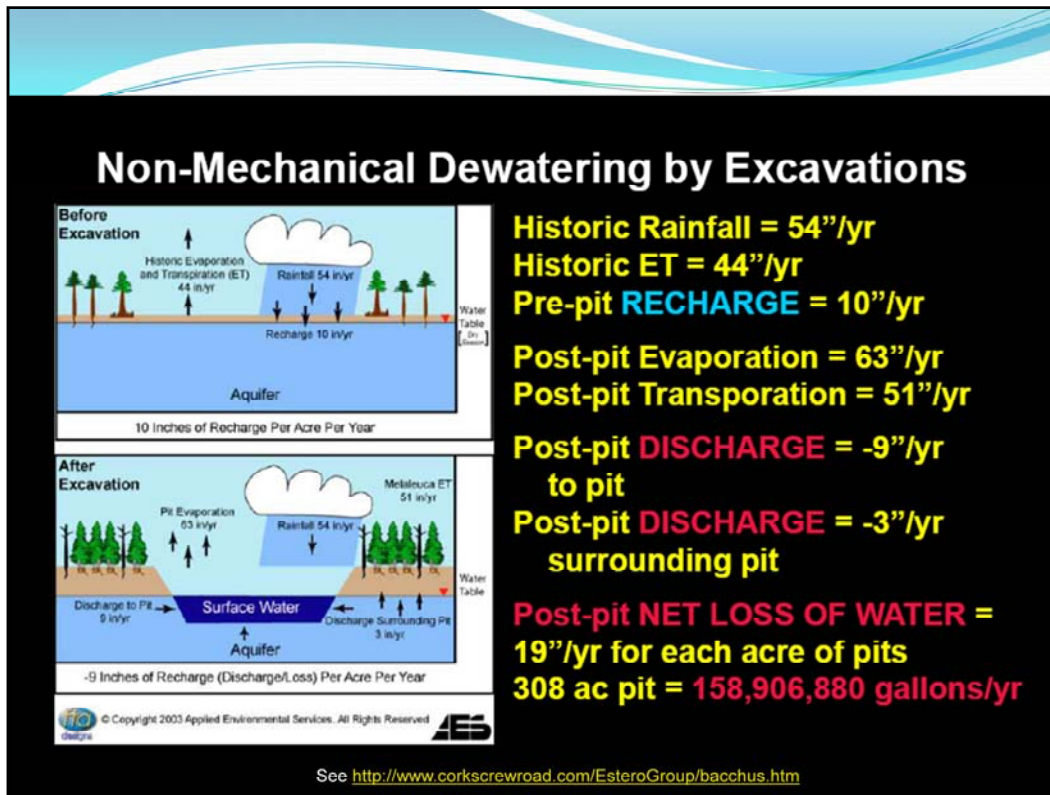


Review and Summary of Studies Containing Information Relating to DR/GR Lands - Southeastern Lee County, Florida

(McLane Environmental 5/07)

- “This project team also found that there were a few **major components** of the overall character of the DR/GR lands that were **not described** in sufficient depth in the documents reviewed as part of this project ... **ecological impacts associated with mining activities...**” (p. ES-9)

McLane findings -...



Miners have their consultants. We have ours.

[Dr. Sydney T. Bacchus, PhD](#), a [Hydroecologist](#) with Applied Environmental Services, LLC, provided testimony on behalf of Corkscrew Road residents in the Estero Group Mine zoning case on July 19th. [Her presentation](#) described her study of the ecological impacts to onsite and offsite wetland systems caused by non-mechanical dewatering of the surficial and Florida aquifers which occurs as a result of mining excavations.

Dr. Bacchus' research on the ecological impacts of mining on lands in Lee County's DR/GR has been published in peer-reviewed journals, including the Geological Society of America, and the National Wetlands Newsletter.

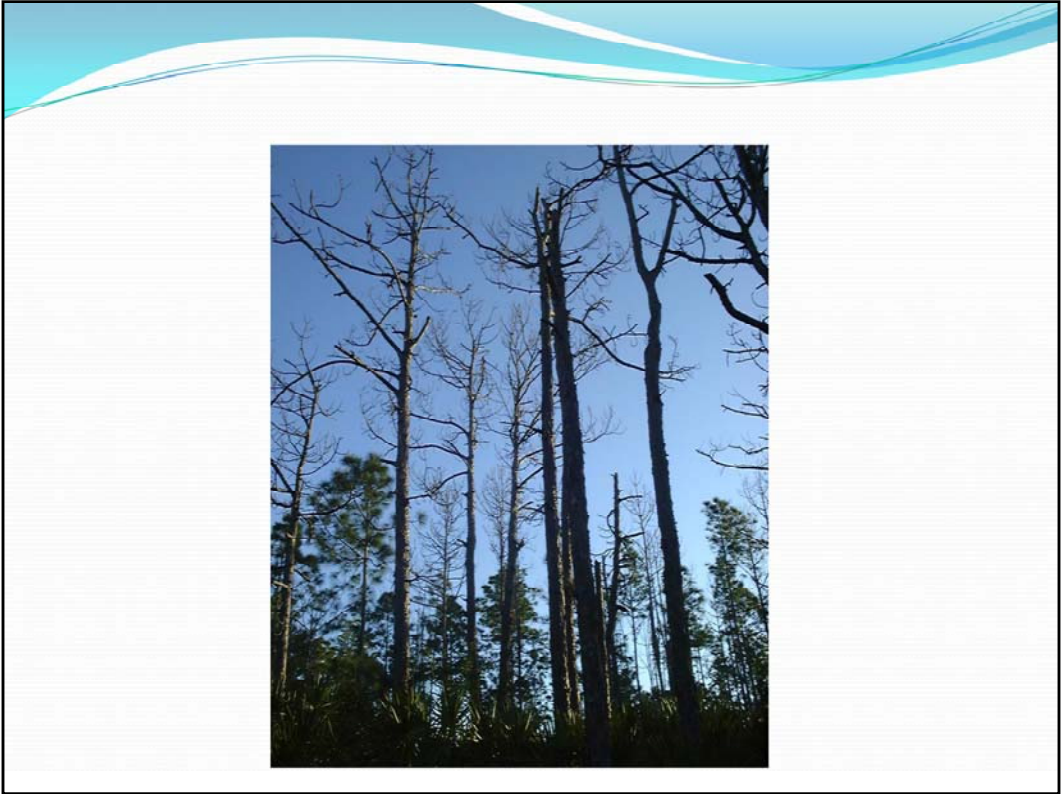
Dead trees – Hill property

1988



2003





Uplands Schmidt Property



(by: Bacchus 2007)

The Corkscrew Community requests that the Aggregate Task Force recommend to the State Legislature a comprehensive study of aggregate extraction, including:

- o Participation by all appropriate agencies & groups.
- o Reinforcement of the overarching principle that aggregate extraction must consider not only aggregate location, but environmental, planning and quality of life issues.
- o An understanding that Florida is consuming rock at an unsustainable rate.
- o A "need" versus "supply" assessment, including documentation of the current supply of aggregate and how much has already been permitted but not yet extracted.
- o A formal definition to the term "need" should be provided.
- o A joint investigation with all agencies to determine if mining can be done where rock is located and if it can be done environmentally.
- o A focus on water issues and what mining does to the quantity and quality of groundwater.
- o Explore land use planning and resource availability implications of mines that close early to convert to residential or other uses.
- o Explore alternative construction materials and sources now, instead of waiting until current resources are depleted.
- o Improve regional planning that will decrease the need for new road corridors.
- o Explore opportunities for increased recycling of aggregate materials.

request the Aggregate Task Force recommend to the State Legislature a comprehensive study of aggregate extraction, including:

- o Participation by all appropriate agencies & groups: EPA, FWS, DCA, FWC, DEP, all WMD's, local governments, environmental organizations, community organizations, & other interested stakeholders.
- o Reinforcement of the overarching principle that aggregate extraction must consider not only aggregate location, but environmental, planning and quality of life issues.
- o An understanding that Florida is consuming rock at an unsustainable rate.
- o Collection of data on the exact amount of aggregate extraction currently permitted. While the FDOT Aggregate Study implies a severe shortfall of materials, especially in light of the Lake Belt decision, there must be solid data to reference regarding material availability. For example, the 1994 Lee County Evaluation and Appraisal Report (EAR), Volume 1, page III-92 states:

The County has zoned 15,475 acres for mineral extraction. The Division of Zoning and Development Review estimates that, at the current annual rate of excavation of 4.42 million cubic yards, the county's approved mining operations will meet its needs for the next 73 years.

Such data must be made available as part of any review of additional extraction needs.

- o A "need" versus "supply" assessment, including documentation of the current supply of aggregate and how much has already been permitted but not yet extracted.
- o A formal definition to the term "need" should be provided. We must distinguish between need for Florida, versus the need of mines to sell to other areas of the country and internationally for profit. If aggregate is a scarce resource for the current and future needs of Florida, then the ramifications of exporting aggregate outside of Florida must be assessed.
- o A joint investigation with all agencies to determine if mining can be done where rock is located and if it can be done environmentally, again, to supply Florida, not the world.
- o A focus on water issues and what mining does to the quantity and quality of groundwater. The question of whether mines actually store or leak water is still uncertain and unresolved. This is one of the important issues that must be explored.
- o Land use planning and resource availability implications of mines that close early to convert to residential land uses must be explored.
- o Implications of the fact that we will run out of rock one day, but we will need our water resources forever. Thus, alternatives must be explored now, instead of waiting until current resources are depleted.
- o Alternatives including not only alternative materials for road construction, but also better regional planning that will decrease the need for new road corridors. In addition, alternative means of transportation, such as rail, should be explored.
- o Explore opportunities for increased recycling of aggregate materials. While 10 million tons of aggregate materials are recycled and re-used each year, the State should look at innovative mechanisms for increasing the amount of materials that can be recycled and provide incentives for reaching potential recycling benchmarks.
- o Mapping of the areas where DOT grade aggregate is located and exploration of the areas, to determine if a larger, centralized area for mining, versus mines scattered throughout the State, is a viable option. Such a planning effort could then look at transporting materials to their destination and could incorporate rail and ports



Summary

Lee County is now entering a new era where national and international mining companies are trying to reserve future rights for mining on a scale never before seen in Lee County. The decisions made in the next two years will determine the future of DR/GR lands, not just for the next generation or two when mining is taking place, but far into the future.

Preemption via Legislation is short term solution to a resource shortfall, while the long term implications of disrupting the local land use planning process would result in long-term negative impacts to the environment and residents.

Lee County should have an opportunity to strike a sustainable balance for all interests in the DRGR by implementing sound planning techniques including new regulations, incentives, and acquisition and restoration of land.