



July 25, 2019  
Kleinfelder Project No.: 20193939.001A

Ms. Terri Stokes Via FedEx  
Department of Planning and Zoning  
Zoning Division  
789 Providence Boulevard  
Brooksville, Florida 34601

**SUBJECT: VULCAN CONSTRUCTION MATERIALS – BROOKSVILLE QUARRY  
MASTER OPERATION PLAN APPROVAL (MOPA) APPLICATION**

Dear Ms. Stokes:

The current Hernando County MOPA (15-02) for the Vulcan Materials Company, Brooksville Quarry site expires in November 2019. The site is currently authorized for mining by Hernando County Master Mining Plan Approval (MAMPA), dated July 26, 1994, MOPA 90-3 and Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) 231417-009. Pursuant to Hernando County Code of Ordinances Section 19-32, a new application is required every (5) years to maintain the MOPA for a site. The subject application requests authorization to continue the mining operation at Brooksville Quarry, which includes five (5) mining areas: Anticipated Mining 2020, Anticipated Mining 2021, Anticipated Mining 2022, Anticipated Mining 2023 and Anticipated Mining 2024.

Five (5) copies of the following are provided in support of the MOPA application for the referenced site:

- Signed and notarized authorized agent affidavit,
- Completed, signed and notarized Hernando County MOPA Application Form,
- MOPA Support Document and Appendices, and
- Check #1000495892 in the amount of \$9,726.50.

The fee for the MOPA was calculated at a rate of \$50 per acre of area to be included in the mining footprint as summarized in the table below:

<b>Mining Area</b>	<b>Acreage</b>
Anticipated Mining 2020	52.95
Anticipated Mining 2021	29.41
Anticipated Mining 2022	26.62
Anticipated Mining 2023	51.17
Anticipated Mining 2024	34.38
<b>Total</b>	<b>194.53</b>
<b>Application Fee</b>	<b>\$9,726.50 = 194.53 acres x \$50/acre</b>

Should you require any additional information, please do not hesitate to contact me at email  
lداugherty@kleinfelder.com or 352.554.8089.

Sincerely,

**KLEINFELDER**



Lisa F. Daugherty  
Project Manager

Enc: MOPA Application Package  
Check #1000495892 in the amount of \$9,726.50.

cc: Ms. Traci Johns, Vulcan Construction Materials  
File



**VULCAN CONSTRUCTION MATERIALS  
BROOKSVILLE QUARRY  
HERNANDO COUNTY, FLORIDA  
MINE OPERATION PLAN APPROVAL  
2019 APPLICATION  
20193939.001A**

**July 24, 2019**

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**ONLY THE CLIENT OR ITS DESIGNATED REPRESENTATIVES MAY USE THIS DOCUMENT AND ONLY FOR THE SPECIFIC  
PROJECT FOR WHICH THIS REPORT WAS PREPARED.**

A Report Prepared for:

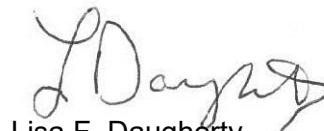
Hernando County Development Department  
Code Enforcement  
20 North Main Street, Room 162  
Brooksville, Florida 34601-2807

**VULCAN CONSTRUCTION MATERIALS  
BROOKSVILLE QUARRY  
HERNANDO COUNTY, FLORIDA  
MINE OPERATION PLAN APPROVAL  
2019 APPLICATION**

Prepared by:

  
\_\_\_\_\_  
Alexis Seecharan  
Ecologist

Reviewed by:

  
\_\_\_\_\_  
Lisa F. Daugherty  
Project Manager

**KLEINFELDER**  
1166 Camp Avenue  
Mount Dora, Florida, 32757  
Phone: 352.383.1444  
Fax: 352.383.3877

July 24, 2019  
20193939.001A

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# AUTHORIZED AGENT AFFIDAVIT

I Vulcan Construction Materials hereby grant authorization to Kleinfelder  
(Contractor) (Authorized Agent)

to act in my behalf with the Hernando County Building Division while conducting activities related to obtaining permits. These activities specifically include signing all documents requiring signature of "contractor".

Kleinfelder is to be considered an agent of my business and  
(Authorized Agent)

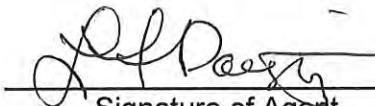
therefore the signature of said agent is binding and causes me to assume all responsibilities connected to or associated with the signature as they may relate to my contracting business.

Vulcan Construction Materials relieve the Hernando County Building of,  
(Contractor)

and agree to hold the Hernando County Building Division harmless from, any and all responsibility, claims or other actions arising from or related to the Division's acceptance of the above agent's signature for permit-related activities. I further understand that it is my sole responsibility to grant and terminate any such authorization and to ensure that the Division receives timely notice of any such grant or termination.



Signature of Contractor



Signature of Agent

N/A

State Certification or Registration Number

N/A

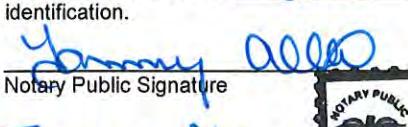
County Certification Number (if applicable)

\*\*PLEASE NOTE: BOTH SIGNATURES MUST BE NOTARIZED\*\*

Notary for Contractor's Signature:

State of Florida County of Clay

The foregoing was acknowledged before me this 4  
day of June, 2019, by Traci Johns, who is personally known  
to me, or who produced driver license as  
identification.

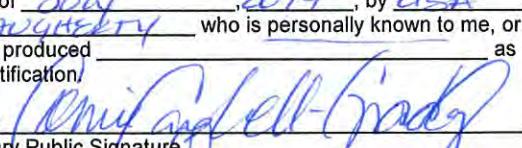
  
Notary Public Signature



TAMMY ALEXANDER  
Notary Public, State of Florida  
Commission No. GG307546  
Commission Expires 03/04/2023

Print, Type, or Stamp Name of Notary

Notary Public Signature

  
Print, Type, or Stamp Name of Notary

\* The original of this affidavit should be kept in the possession of the above designated "Authorized Agent". This affidavit need only be produced to Hernando County when signing documents in the presence of a permit representative. When you sign a permit application be prepared to produce this affidavit, it will be copied and placed in the appropriate permit application.\*

\*\*The Division, at its discretion, may require a contractor or license-holder to personally apply for or obtain a building permit notwithstanding any authorization allowing another person to apply for or obtain any permit on behalf of a contractor, qualifier, or license-holder.



**HERNANDO COUNTY DEVELOPMENT DEPARTMENT**  
**Government Center/Administration Building**  
**20 N. Main Street, Room 162**  
**Brooksville, FL 34601-2807**  
**Master Operation Plan Approval (MOPA) Application**

**Date** June 4, 2019

**This application, with all exhibits attached, must be completed and filed with this office and approved as sufficient prior to staff notification as required in Section 19-32 of the Hernando County Ordinance 93-13.**

- 1. Mining company and address:** Vulcan Construction Materials, Brooksville Quarry  
PO BOX 10387 (16313 Ponce de Leon Blvd)  
Brooksville, FL 32001
- 2. Designated responsible person:** Traci Johns
- a. Address:** 10151 Deerwood Park Boulevard, Suite 120 Jacksonville, FL 32256  
**b. Telephone:** 904-482-2457 mobile
- 3. Date of Existing Master Mining Plan Approved:** July 26, 1994
- 4. The following information must be attached:**
  - a.** **A recent aerial photograph of area to be mined- see Figure 2 of 2019 MOPA Report**
  - b.** **Proposed MOPA with information consistent with Section 19-32 - attached**
  - c.** **Environmental assessment consistent with Section 19-32(e) -See Section 3.1 of 2019 MOPA Report**
  - d.** **Copies of all permits issued by other regulatory agencies relating to mining operations - See Attachment A**
  - e.** **Copies of applications and reports provided to state and federal regulatory agencies concerning water quality and quantity and air quality- See Attachment A**
  - f.** **A list of property owners within 150' of areas to be mined under this MOPA - N/A**
  - g.** **Copies of Blaster and User Permits – N/A Reference Section 2.0 of 2019 MOPA Report**
  - h.** **A report on the mining operators exploration and intended use of new technology to reduce adverse human response to mining. Reference Section 2.0 of 2019 MOPA report**
- 5. Reclamation Plan consistent with Section D and the MAMPA. – N/A -Reference Section 4.0 of 2019 MOPA report**
- 6. Submittals for MOPA modifications must indicate if the above information applies to property to be added under the modification application. The following information or documentation must be included for modifications: This submittal is for the renewal of an existing MOPA.**
  - a.** **A legal description of the subject property,**
  - b.** **Copy of deeds or leases, - N/A**
  - c.** **Copy of all zoning or rezoning approvals, including Comprehensive Plan amendments.**

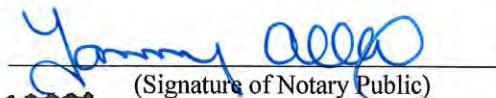
7. This application will be reviewed for sufficiency within thirty (30) days and written notification will follow. Any insufficient items will result in notification and the application due date will be extended to afford the opportunity to submit sufficient information.
8. This application and all supporting documentation offered for review are true and bona fide copies. All information contained herein is correct to the best of my knowledge.



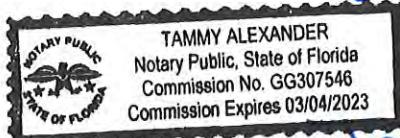
\_\_\_\_\_  
Signature of Applicant

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 4 day of,  
June, 20 19, by Traci Johns



Tammy Alexander  
(Signature of Notary Public)



Tammy Alexander  
(Print, Type, or Stamp Commissioned  
Name of Notary Public)

Personally Known        OR Produced Identification       

Type of Identification Produced Driver license

**VULCAN CONSTRUCTION MATERIALS**  
**BROOKSVILLE QUARRY**  
**HERNANDO COUNTY, FLORIDA**  
**HERNANDO COUNTY DEVELOPMENT DEPARTMENT**  
**MINE OPERATION PLAN APPROVAL**  
**2019 APPLICATION**

**1 INTRODUCTION**

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The Brooksville Quarry (the Property) has been mined for over 50 years by various entities and is currently occupied by Vulcan Construction Materials (VCM) and Cemex Construction Materials Florida, LLC (Cemex). The Property provides limestone aggregate products and consists of approximately 3669.40 acres including approximately 268.9 acres of processing plant facilities. The Property is located at 16313 Ponce de Leon Boulevard, south of County Road 476, southwest of US 98, south of the Hernando/Citrus County line, in Brooksville, Hernando County, Florida (**Figure 1**). The following includes only information relating to the VCM Brooksville Quarry mining operations.

The Property is currently authorized for mining by Hernando County Master Mining Plan Approval (MAMPA) M-94-4 (July 26, 1994), Hernando County Mining Operation Plan Approval (MOPA) 15-02, and Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) 231417-001.

The purpose of this document and the supporting materials is to request a five (5) year renewal of the Hernando County MOPA, per Hernando County Code of Ordinances Section 19-32.

This document is representative of the changes which have occurred at the Brooksville Quarry over the last five (5) years (2009-2014) and the activities proposed to occur over the next five years (2020-2024). Hardrock mining and processing activities, which are currently within the approved MAMPA, are proposed to continue on the Project between 2020 and 2024.



An authorized agent affidavit from VCM authorizing Kleinfelder to act as their agent for the purpose of the MOPA renewal application is attached.

## 2 2020-2024 MINING ACTIVITIES

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The mining areas for the next five (5) years (the Project) are depicted under the 2019 Mine Operations Plan (**Figure 2**) and will include the following five (5) areas:

- I. The anticipated 2020 mining area is located in the south west portion of the Property and is  $\pm$  52.95 acres in extent. This area was disturbed between 1978 and 1993 and is subject to the 1978 Hernando County Mining Ordinance.
- II. The anticipated 2021 mining area ( $\pm$  29.41 acres), is located within the southeast portion of the Property. This area was disturbed after 1993 and is subject to the 1993 Hernando County Mining Ordinance.
- III. The anticipated 2022 mining area (+/- 26.62 acres) is located in the southeast corner of the Property. This area was disturbed after 1993 and is subject to the 1993 Hernando County Mining Ordinance,
- IV. The anticipated 2023 mining area (+/- 51.17 acres) is located within the south central portion of the Property. This area was disturbed after 1993 and is subject to the 1993 Hernando County Mining Ordinance,
- V. The anticipated 2024 mining area (+/-34.38 acres) is located within the north-central portion of the Property. This area was disturbed prior to 1978 and is exempt from the Hernando County Mining Ordinance. This area may also be subject to blasting in order to excavate hardrock reserves. Should blasting be required, a blasting permit will be secured.

The five (5) mining pits referenced above may or may not be mined during the next five (5) years. No other mining is proposed over the next five (5) years outside of the areas identified on the 2019 Mine Operation Plan (**Figure 2**), which depicts the areas of mining for years 2020-2024. The current mining operation is predominantly hardrock excavation. The extent of material removed within these areas over the next five (5) years will be determined by the available supply and market demand, within the permitted vertical mining depth of 30-100 feet National Geodetic Vertical Datum (NGVD).

The mining process at the limestone sand mines typically involves a two phase approach, the first phase being the hardrock phase and the second phase being the softrock phase. Prior to either mining phase, the overburden must first be removed and stockpiled. Once this task is

complete, the mining of the hardrock is initiated. During this mining phase, the hardrock is first extracted via blasting. The hard rock material is blasted into sizes suitable to load and transport to the processing facility. The hard rock material is loaded into haul trucks by heavy machinery. When all of the hardrock has been extracted, the second phase of mining is initiated which involves the mining of softrock. The softrock reserve is located directly beneath the hardrock layer. Because of the soft consistency of this material, it is excavated directly by heavy machinery. It is then transported to the processing facility using haul trucks.

Dust suppression by means of a water truck will be utilized as necessary to reduce the potential of fugitive dust. There have been no known complaints regarding noise or vibration associated with the ongoing mining operation.

Pursuant to Hernando County Mining Code, Chapter 19, Section 19-51, a minimum setback of 100' shall be obtained from the mining areas to the permitted property lines. Setbacks and the distances from the mining areas to the closest residential structures have been added the 2019 Mine Operation Plan. The nearest residences to the Project are located greater than 250 feet from Anticipated Mining Areas 2021 and 2023. (**Figure 2A – 2019 Mine Operation Plan Setback Map**).

## 2.1 BLASTING

VCM terminated the blasting permit for the Project in 2013, and no blasting has occurred since 2007. At this time blasting is not anticipated on the Project; however, blasting may be required in the future. As such, VCM requests that blasting be allowed for all the mining areas under this MOPA. Additional requisite permits will be obtained from all other regulatory agencies and provided to the County prior to any blasting.

### 3 REGULATORY PERMITS, APPLICATIONS, AND REPORTS

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A list of permits authorizing the current operation is included in **Appendix A**. Additionally, copies of all State and federal permits issued or renewed during the last five (5) years, as well as current applications and completed reports relating to State or Federal permitting requirements have been provided in **Appendix A**. All documents issued by Hernando County, as well as permits issued by State or federal agencies, prior to 2009, have been submitted with previous MOPA applications and are on file with the County.

#### 3.1 ENVIRONMENTAL ASSESSMENT

The areas proposed for mining are within historic mining pits and have been previously disturbed. The mining locations identified within this MOPA have been mined over the past 20+ years and are therefore unlikely to provide suitable habitat for listed species known to inhabit Hernando County. On May 15, 2019 Kleinfelder conducted a threatened and endangered (T&E) species survey to determine the potential for the occurrence of any protected flora and fauna within lands immediately adjacent to the anticipated mining areas (**Appendix B**). No threatened or protected species were observed during this survey. Based upon habitat preference, known geographic distribution, and the existing conditions identified within the survey areas, the potential for listed species to occur within the Project has been deemed low.

Invasive plant species were identified during the T&E survey of the Project including cogon grass (*Imperata cylindrica*). According to Section 19-72 (b) of the Hernando County Ordinance provides final reclamation standards for mining areas subject to the 1993 Mining Ordinance. According to Part 1(e) of this section, “if nuisance exotic vegetative species have occurred naturally in the area and the effects are determined by the department to be hazardous to reclamation efforts, the operator must use acceptable control mechanisms to eliminate the nuisance species.”

This MOPA application only addresses Anticipated Mining Areas 2020-2024, and does not include the final reclamation of the anticipated mining areas 2020-2024. However, the reclamation process utilized by VCM and Cemex, involves the placement of fill materials from onsite sources on the existing grade in order to achieve the required sloping. In this method,

any invasive plant species are essentially buried under the fill material. Upon completion of the sloping, the area is either sodded or planted with grass seed, to help control erosion and sedimentation of the slopes.

Additionally, a number of existing site conditions assist with the onsite containment of cogon grass, specifically in association with the Anticipated Mining 2021, 2022 and 2023 areas. These areas are bounded by steep slopes along the perimeter of the Anticipated Mining Areas that are at least 40 feet below surrounding land surface. Due to the situation of these Anticipated Mining areas being below natural grade, it is unlikely that wind will disperse cogon grass seeds offsite. Additionally, a 100' setback is provided along the property boundary. This setback is at existing grade and is characterized as forested. This 100' wide forested area would act as wind break and further prevent the dispersal of cogon grass seeds offsite. Furthermore, the heavy machinery utilized on the Property is generally contained to the site during the mining process.

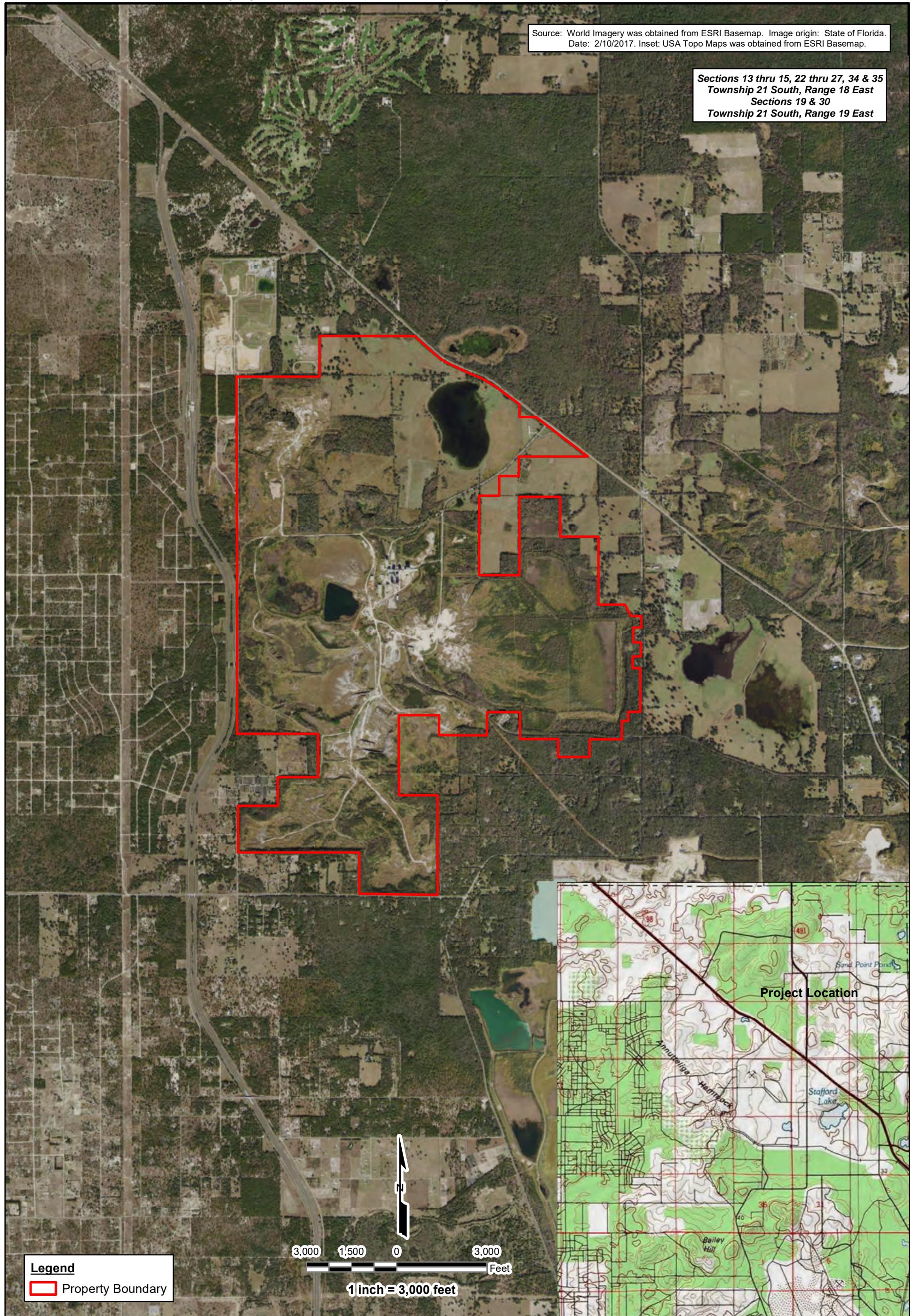
Additionally, per the 2015 MOPA VCM has agreed to do the following and will continue to perform the following activities in order to prevent the spread of cogon grass:

- Wash equipment prior to removal from the Property, including transport to another facility; and,
- Conduct an annual inspection of the onsite forested setback along Centralia Road for cogon grass. If cogon grass is identified, the area will be treated.

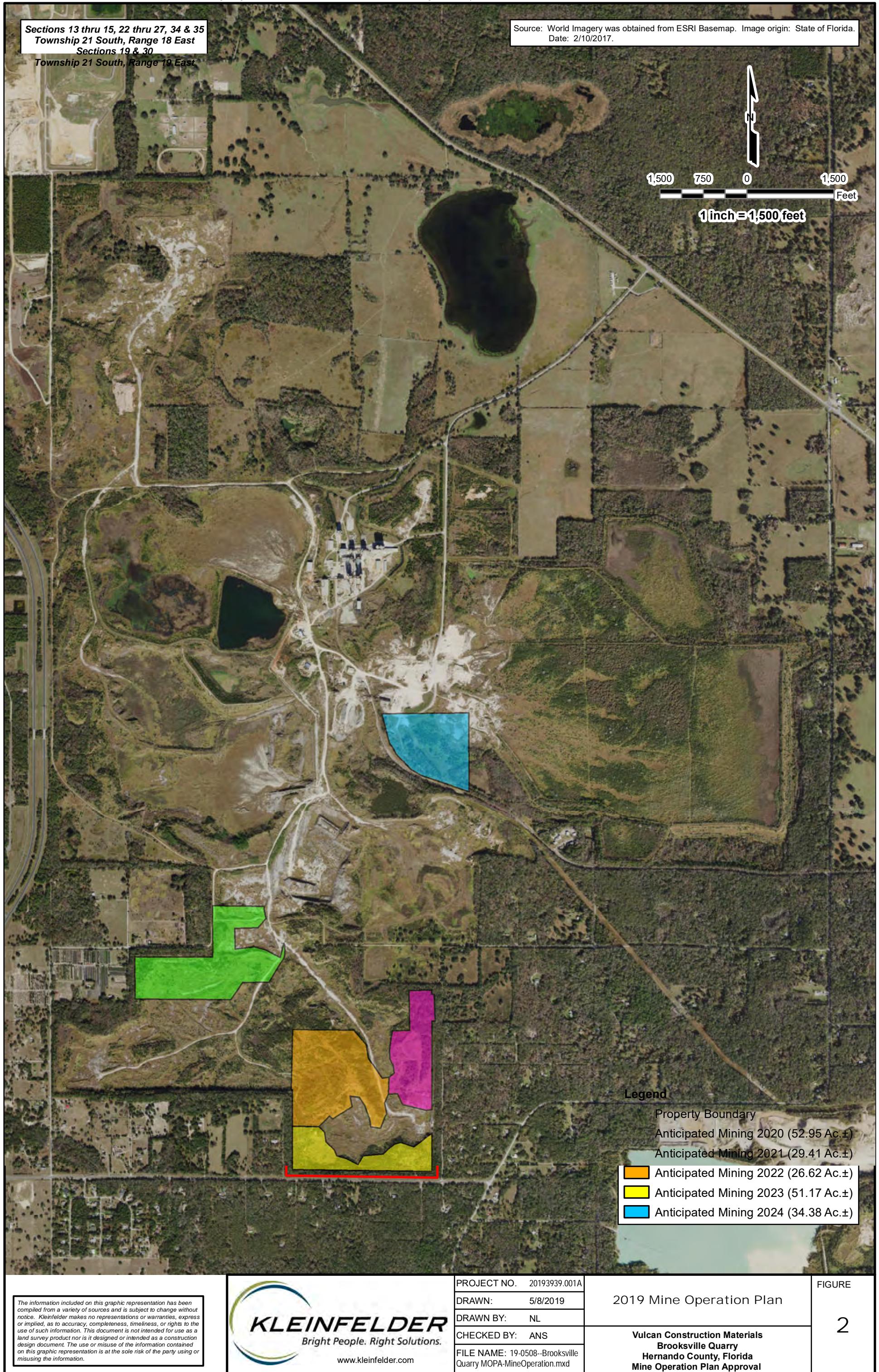
#### 4 RECLAMATION ACTIVITIES

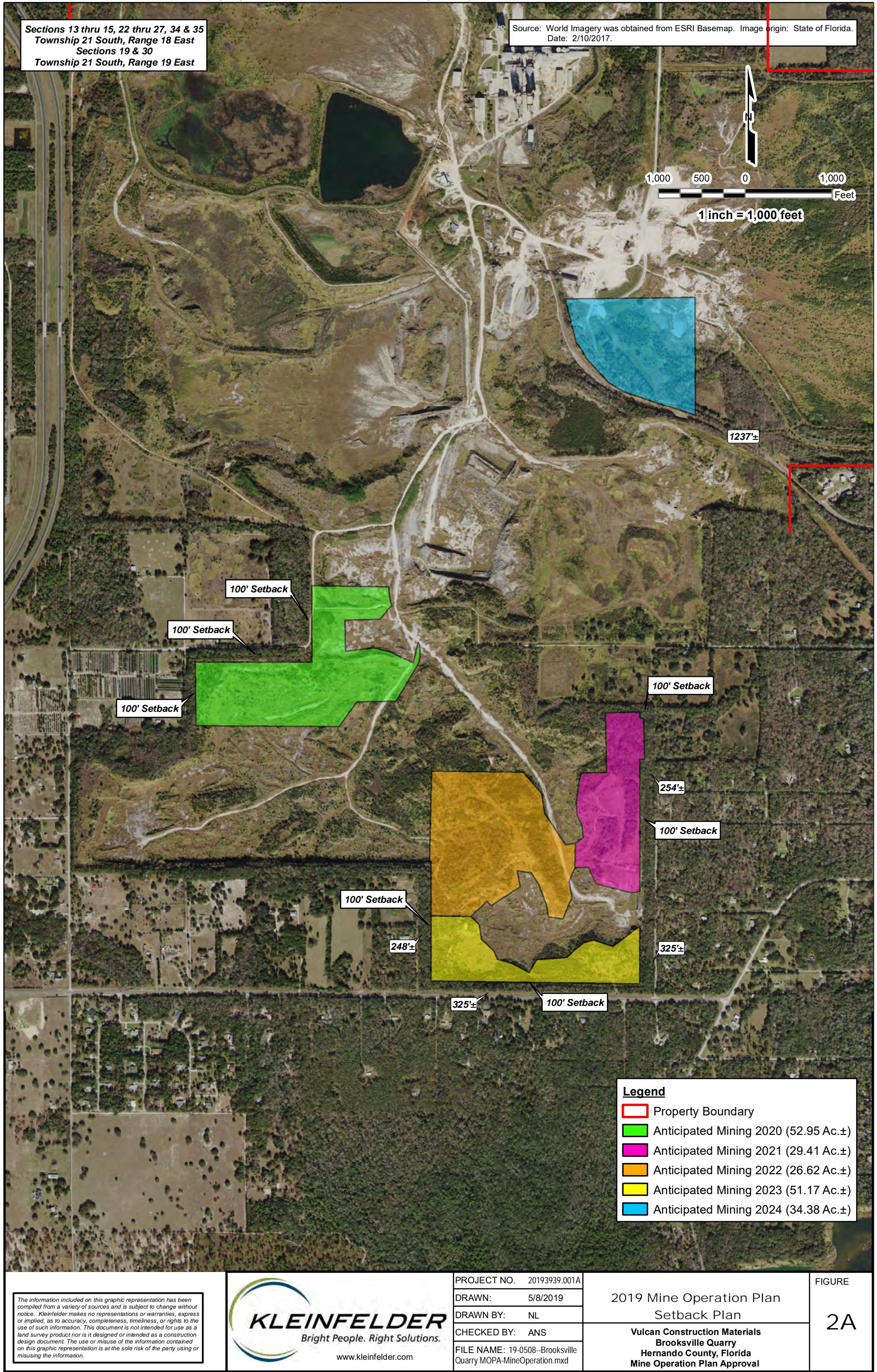
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VCM has no reclamation requirements for the Property. Cemex, the property owner, is responsible for all requisite reclamation. Pursuant to the current MAMPA, MOPA, and ERP, Cemex, the property owner, is responsible for all requisite reclamation on the Property (**Appendix A**). No reclamation has been completed by VCM during the previous five (5) years (2015 – 2019).



The information included on this graphic representation has been compiled from a variety of sources and is subject to change without notice. Kleinfelder makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.





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## APPENDIX A

### REGULATORY PERMITS

**Vulcan Construction Materials Brooksville Quarry Permit List**

- 1. Hernando County Master Mining Plan Approval (MAMPA) 000273 expires July 26, 2019.**
- 2. Hernando County Mining Operation Plan Approval (MOPA) 15-02, expires July 14, 2020\*\***
- 3. FDEP - Environmental Resource Permit (ERP) 231417-009, issued February 27, 2019, expires January 15, 2032\*\***
- 4. FDEP – Storage Tank Registration Placard, Facility ID 8736440, expires June 30, 2020\*\***
- 5. Southwest Florida Water Management District – General Water Use Permit 20 002288.007, expires August 24, 2028\*\***

**\*\* indicates permits that have been issued between 2014 and 2019. Copies of these permits are provided in support of the MOPA application.**

# Board of County Commissioners

Hernando County



## DEVELOPMENT DEPARTMENT

ADDRESSING, Room 162 • (904) 754-4053       BUILDING, Room 162 • (904) 754-4050  
 CODE ENFORCEMENT, Room 161 • (904) 754-4056       LICENSING, Room 162 • (904) 754-4109  
 COMMERCIAL DEV., Room 161 • (904) 754-4096       ZONING, Room 162 • (904) 754-4055

### MAILING ADDRESS:

Government Center / Administration Building  
20 North Main Street, Room 162  
Brooksville, Florida 34601-2807

August 1, 1994

Vulcan/ICA  
Brooksville Rock Operations  
P.O. Box 10387  
Brooksville, FL 34601

Attention: Wally Anderson

Your application for a twenty-five (25) year Master Mining Plan Approval (MAMPA) was presented to the Hernando County Board of County Commissioners on July 26, 1994 and approved by that body. Enclosed is a MAMPA certificate for your records.

I wish to express great appreciation for the cooperation from you and your staff during the past several weeks which the application was reviewed. If we can be of service in the future, please contact me or Grant Tolbert.

Sincerely,

The signature is handwritten in cursive script, appearing to read "Ron Aliff".  
Ron Aliff  
Mining Coordinator

tsg

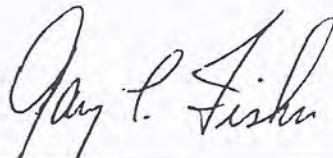
pc: Grant E. Tolbert, Development Services Director

Enclosure

HERNANDO COUNTY DEVELOPMENT DEPARTMENT  
Government Center/Administration Building  
20 N. Main Street, Room 162  
Brooksville, FL 34601-2807

MASTER MINING PLAN APPROVAL (MAMPA)  
FOR  
VULCAN / ICA

This Master Mining Plan was approved by the Hernando County Board of  
County Commissioners on July 26, 1994 and will remain valid  
until July 26, 2019.



Gary L. Fisher,  
Development Department  
(Reviewing Official)



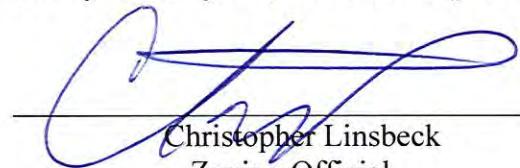
June Ester  
June Ester, Chairman  
Board of County Commissioners

HERNANDO COUNTY DEVELOPMENT DEPARTMENT  
MINING OPERATION PLAN APPROVAL (MOPA)

VULCAN MATERIALS COMPANY

BROOKSVILLE QUARRY

VULCAN Materials Company have met the provisions of Section 19-32 of Chapter 19 and Master Mining Plan M-94-3. In accordance with the Hernando County Mining Ordinance 93-13, this Mining Operation Plan Approval number 15-02 has been approved by Hernando County on July 14, 2015 for a period of five years.



Christopher Linsbeck  
Zoning Official



Jeb Bush  
Governor

# Department of Environmental Protection

## Brooksville Quarry ENVIRONMENTAL RESOURCE PERMIT

Colleen M. Castille  
Secretary

**PERMITTEES/AUTHORIZED ENTITIES:** Permit/Authorization No. 231417-001  
Michael A. Gonzales  
Cemex Cement, Incorporated  
16301 Ponce De Leon Boulevard.  
Brooksville, Florida 34614  
Date of Issue: November 7, 2005  
Expiration Date of Construction Phase:  
November 7, 2025  
County: Hernando  
Project: Vulcan/Cemex Limerock and Sand  
Mine  
James Pease  
Vulcan Construction Materials, L.P.  
1200 Urban Center Drive  
Birmingham, Alabama 35242

This permit is issued under the authority of Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an Environmental Resource Permit. Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity. This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act. This permit also constitutes certification compliance with water quality standards under Section 404 of the Clean Water Act, 33 U.S.C. 1344.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above-named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached General Conditions and Specific Conditions, which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms,

REPLY TO: Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, FL 32310-3760 850/488-8217

"Minn. Protection, Inc. Process"

Printed on recycled paper

U/IIV2400Y8

WYY0W0

conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification, as specifically described below.

#### ACTIVITY DESCRIPTION

The project is for a permit/water quality certification of a surface water management system at an operating limerock mine that has not been previously permitted, with associated wetland impacts. Mining operations at the site were exempt from the requirement to obtain a surface water permit, in accordance with the provisions of Chapter 40D-45, F.A.C., which was repealed by the Southwest Florida Water Management District on October 9, 2001. Pursuant to Chapter 40D-4, F.A.C., in order to continue mining operations, the operators had to have an application for an ERP deemed complete by the Department no later than May 1, 2005. The application was complete on April 14, 2005.

The mine property is owned and mined by Cemex Cement, Inc., but it is also mined by Vulcan Construction Materials, L.P., under a lease agreement. The total contiguous area under control of the two applicants is approximately 3,800.7 acres. The total area of the project within the permitted system will be 3,800.7 acres. Approximately 2,355.7 acres have already been disturbed by the mining of limerock, which consists of rock crushing and processing facilities, a cement plant, three currently active dry mining pits, tailings disposal areas and clay settling ponds. The processing plant facilities owned by Cemex and Vulcan total 268.9 acres. There will be no new impervious areas. The mine will contain all stormwater on site, up to a 25-year, 24-hour event.

The activities approved under this permit will allow the expansion of the system into an additional 586.6 acres in the northern portion of the mine in an area dominated by improved pasture. The proposed mining will disturb four small isolated herbaceous wetlands totaling 1.69 acres. In accordance with paragraph 3.2.2.1 of the Basis of Review for ERP Applications for the Southwest Florida Water Management District, these wetland losses do not have to be mitigated, due to their small size (less than 1/2 acre each).

The mining will also eliminate a narrow, 5.7-acre sand-bottomed flow-way. Mitigation for this flow-way will not be required since the drainage only carries water for a few days out of the year, and lacks any wetland characteristics or habitat value.

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The mine contains two bald eagle (*Haliaeetus leucoccephalus*) nests. Both of these eagle nests will be protected from the mining activity by a setback zone, in accordance with state and federal endangered species habitat management requirements.

The new mining will result in a large dry pit, and the creation of any new wetlands or surface waters, if they occur, would be incidental to mining. The sides of the pit will consist of sheer walls of limestone that will be reclaimed to meet the mandatory limestone mine reclamation requirements of rule 62C-36.008, F.A.C. Other mandatory areas of the mine where limestone extraction has not occurred will be reclaimed to a 4:1 slope (4 feet horizontal: 1 foot vertical). All other areas of the mine were disturbed prior to the effective date of the reclamation rule, and therefore will only have to meet any applicable county requirements.

The mine operates under Water Use Permit Nos. 2286.004 and 2288.004, issued by the Southwest Florida Water Management District, and a General Industrial Wastewater Permit, No. 012076-002, issued by the Department of Environmental Protection. The construction phase of this permit is for 20 years.

## ACTIVITY LOCATION

The project is located 8 miles northwest of the town of Brooksville, on the south side of US Highway 98, in Sections 13, 14, 22, 23, 24, 25, 26, 27, 34, and 35, Township 21 South, Range 18 East; and Sections 19 and 30, Township 21 South, Range 19 East, in Hernando County.

## GENERAL CONDITIONS

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the

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possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the Department.
7. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (if applicable), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
8. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
  - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
  - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
  - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

9. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of off-site property.
10. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
11. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Department forms. Additionally, if deviations from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.
12. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
13. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. The permittee shall be liable for compliance with the terms of the permit until a transfer is approved by the Department.

14. Should any other regulatory agency require changes to the permitted system, the Department shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.
15. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.
16. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.
17. The permittee is hereby advised that section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
18. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
19. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under subsection 373.421(2), F.S., provides otherwise.
20. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40D-4.351, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
21. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.

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22. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.
23. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

#### **SPECIFIC CONDITIONS**

1. **Permit Compliance.** The purpose of this permit is to authorize the creation of a surface water management system on certain described lands within the jurisdiction of the Department. In exchange for this authorization, the permittee is obligated to perform certain acts that are described herein. A material part of the reasonable assurances the Department is relying upon in issuing this permit is that the permittee will timely and completely implement all of the conditions of this permit. The permittee understands that its failure to completely and timely comply with all of the conditions of this permit may result in a revocation or suspension of the permit and, if appropriate, that the area be restored.
2. **Listed Species.** Permits shall be obtained from the Florida Fish and Wildlife Conservation Commission prior to the "taking" of any listed animal species. Listed animal species are those animal species listed in rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C. Taking means: taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any listed species, their nests or eggs, by any means, whether or not such actions result in obtaining possession.
3. **"Good Cause Rule".** The permittee is hereby advised that rule 62-343.100(1)(c), F.A.C., provides that for good cause and after notice to the permittee, the Department may require the permittee to conform to new or additional conditions to this permit. Circumstances that constitute "good cause" shall include any of the situations listed in the referenced rule.
4. **Drawing Conflicts.** If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

#### **Construction**

5. **Surface Water Storage Structures.** Any aboveground water management structures shall be constructed of clean fill, devoid of materials or vegetation that could allow water to be piped through the structure. Vegetated structures should be mowed annually. Topsoil storage piles or berms constructed as safety barriers shall not be utilized to store flowable

liquid, but may be used to divert stormwater to sumps. Water deeper than one foot above grade shall be pumped away from these structures as expeditiously as possible.

6. **Wetland Protection Measures.** Prior to stockpiling material, waste, or overburden in the vicinity of a wetland; or conducting any other earth-disturbing activity in the vicinity of a wetland, the permittee shall implement measures to protect on-site and off-site wetlands and surface waters from turbidity and sediment.
  - a. A minimum setback distance of 25 feet shall be maintained between any earth-disturbing activities, (including land clearing, mining, materials and waste stockpiling), and the limits of any un-permitted (avoided) wetlands.
  - b. If the Department makes a determination, after conducting an on-site inspection, that any of the avoided wetlands has been degraded by mining activities in the adjacent watershed, appropriate mitigation shall be required.
  - c. The boundaries of any wetlands adjacent to any earth-disturbing activities, or material or waste stockpiles, shall be identified in the field and clearly marked with stakes and flagging at a 50-foot or shorter interval.
  - d. The permittee shall instruct all personnel associated with the project that earth-disturbing activities, including the stockpiling of material or waste, shall not occur adjacent to wetlands or surface waters, where turbidity and sediment control devices are not present.
  - e. Best management practices for turbidity and erosion control shall be implemented and maintained, during earth-disturbing activities adjacent to wetlands, to prevent siltation and turbid discharges in excess of state water quality standards, pursuant to Chapter 62-302, F.A.C. Staked filter cloth, staked hay bales, or other turbidity and sediment control devices shall be installed, where appropriate. The toe of each staked filter cloth shall be buried and panels shall have at least a three-foot staked overlap area. All turbidity and sediment control devices shall be installed prior to the disturbance. All turbidity and sediment control devices shall be maintained until disturbed areas have sufficiently stabilized and vegetated to prevent water quality violations, or the movement of sediment into the wetlands.
  - f. The construction of any berms in the vicinity of wetlands or other surface waters shall only occur upland to turbidity and sediment control devices.

- g. Berms and other disturbed areas adjacent to wetlands or other surface waters shall be seeded, mulched, sodded or appropriately treated to facilitate the rapid growth of vegetation and stabilization of the area.
- h. All berms shall be removed as part of the final reclamation of each area.
7. **Protection of Karstic Conduits.** The applicant is responsible for minimizing and/or preventing any violations of state water quality standards for surface- and/or groundwater. If karstic conduits connected to waters of the state are penetrated and/or encountered during mining operations, the Department will be immediately notified and the applicant will take any and all measures necessary to prevent violations of state water quality standards, especially for turbidity parameters. Such measures may include the temporary and/or permanent cessation of mining operations; the plugging and/or backfilling of the solutional feature with neat, bentonite grout or other Department-approved materials; turbidity or water quality monitoring; replacement of affected water wells; physical-, chemical- and/or bio-remediation of the contaminant, etc.
8. **Sheer Walls.** Remaining sheer walls and back-filled sheer walls shall be sloped and stabilized to minimize erosion. Within areas subject to the requirements of Part IV, Chapter 378, F.S., remaining sheer walls and back-filled sheer walls shall be constructed and vegetated to the standards of Chapter 62C-36, F.A.C.
9. **Upland Revegetation.** Upland revegetation shall be established in the following manner:
  - a. Revegetation activities shall be initiated as soon as practical and completed no later than one year after the calendar year in which the final contours are established in an area and revegetation activities would not interfere with mining operations.
  - b. Mulching, contouring, and other suitable techniques shall be used to enhance stabilization. Should washes or rills develop after revegetation and before final release of the area, the permittee shall repair the eroded areas and stabilize the slopes.
  - c. The planting of native trees within the uplands to meet the reclamation performance standards of Chapter 62C-36, F.A.C., will not be inconsistent with this permit.

#### Monitoring and Reporting

10. **Submittals.** Unless otherwise specified, all notices, plans, reports or other documents or information required to be submitted to the Department in this permit shall be submitted to:

Bureau of Mine Reclamation  
2051 East Dirac Drive, Tallahassee, Florida 32310-3760  
(850) 488-8217, facsimile (850) 488-1254.

11. **Hazardous Spills.** Florida law requires reporting of oil and hazardous substances spills. Immediately report such spills to the Department's Division of Law Enforcement, Bureau of Emergency Response. State Warning Point: (850) 413-9911, (800) 320-0519, 24 hours. Department Tampa District Emergency Response Office: (813) 744-6462, 8 a.m. to 5 p.m. only.

12. **Annual Reports.** Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. The vegetation and water level monitoring reports shall be provided to the Department by January 31 of each year utilizing the "Annual Status Report Form" [Form No. 62-343.900(4), F.A.C.], and shall include a map and summary of activities conducted during the previous calendar year. The report shall also include a map and summary of work expected for the following calendar year. The first report is due January 31, 2006.

13. **Water Levels in Avoided Wetlands.** By January 2006, a staff gauge and piezometer shall be established and monitoring initiated at the avoided "Wetland Monitoring Area" depicted on Figure 8, in order to determine how the wetland is being affected by nearby mining. Water levels shall be recorded in the following manner:

Type:	Visual inspection or automatic data logging.
Frequency:	Biweekly, March through June, monthly for the remainder of the year, until the permitted mining and reclamation are complete.
Location:	At a piezometer and staff gauge located at the site depicted on Figure 8.
Compliance:	Water shall be maintained at levels to promote the growth and persistence of wetland species.

14. **Wetland Monitoring.** By June 1, 2006, the permittee shall submit a baseline monitoring report for the wetland and other surface waters located at the "Wetland Monitoring Area" shown on Figure 8. The report shall provide a map on a scale of one inch equals 400 feet or larger, depicting the landward jurisdictional limits of the wetland, as defined by Chapter 62-340, F.A.C. The map shall include a table of latitude/longitude coordinates for the wetland boundary points recorded every 100 feet along the wetland perimeter. The report shall include at least 5 color photographs of the wetland taken at various points evenly distributed along the jurisdictional perimeter.

The Department will periodically conduct site inspections, review the annual monitoring reports and consider other relevant information to determine whether the avoided wetlands

have been adversely impacted by the permitted activities. If the Department, at its discretion, determines that adverse impacts have occurred, the permittee shall provide adequate compensatory mitigation, as determined through the Uniform Mitigation Assessment Method (UMAM).

15. **Discharge Water Quality.** Any water discharged from the mine shall achieve the water quality standards of Chapter 62-302, F.A.C., for Class III waters at the point where the water leaves the project area.
16. **Water Quality Violations.** The following measures shall be taken immediately by the permittee whenever any water leaving the project area violates state water quality standards established pursuant to Chapter 62-302, F.A.C.:
  - a. cease all work contributing to the water quality violation;
  - b. modify the work procedures that were responsible for the violation, and repair any non-functioning containment devices;
  - c. notify the Department of the time the violation is first detected, the extent of the violation, and the corrective measures that have been and will be implemented. This notice shall be provided before the end of the next business day; and
  - d. continue monitoring at 8-hour intervals until samples no longer violate water quality standards.
17. **Quality Assurance.** In order to assure minimum field and laboratory quality assurance, methodological and reporting requirements, all field sampling shall follow the applicable collection and quality control protocols and requirements described in Chapter 62-160, F.A.C., and the appropriate Department of Environmental Protection Standard Operation Procedures.

#### 18. Monitoring Reports

- a. Each monitoring report shall include documents containing the following information:
  - 1) permit number;
  - 2) a statement describing the methods used in collection, handling, storage and analysis of the samples;
  - 3) a map indicating the sampling locations;

- 4) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data; and
- 5) a certification on the cover page of the following statement by the individual who supervised preparation of the report: "This report represents a true, accurate, and representative description of the site conditions present at the time of monitoring."

b. Any turbidity monitoring data shall be submitted to the Department within one week of analysis. Each monitoring report may include up to seven consecutive days of monitoring data. Monitoring reports shall also include the following information:

- 1) time of day samples taken;
- 2) direction of flow;
- 3) depth of waterbody;
- 4) depth of sample;
- 5) antecedent weather conditions; and
- 6) wind direction and velocity.

**19. Release.**

- a. All lands shall be reclaimed to a neat, clean condition by removing or adequately burying, where allowed by law, all visible debris, litter, junk, worn-out or unusable equipment or materials, as well as all poles, pilings, and cables.
- b. Large rocks and boulders shall be pushed into the lakes or placed in common locations at the mine surface or buried to a minimum depth of four feet.
- c. All temporary buildings, pipelines, and other man-made structures shall be removed with the exception of those that are of sound construction with potential uses that are compatible with the reclamation goals.
- d. Overburden should be utilized to reduce the occurrence of slopes steeper than four horizontal feet for each vertical foot.
- e. Mulching, contouring, and other suitable techniques shall be used to enhance stabilization. Should washes or rills develop after revegetation and before final release of the area, the operator shall repair the eroded areas and stabilize the slopes.
- f. Sheer walls and shorelines must meet the design standards of the permit.

20. **Conversion to Operations Phase.** The procedures for requesting a conversion of this permit from the construction phase to the operation phase and guidelines for the Department's response are provided herein. All documentation shall be submitted to the Department by certified mail addressed to Chief, Bureau of Mine Reclamation.

- a. Within thirty (30) days of the completion of construction of the system (including final reclamation) the permittee shall submit the following:
  - 1) a copy of the most recent annual report and a narrative describing how the reported data support the contention that each of the permit conditions has been met;
  - 2) an As-Built certification signed and sealed by a registered professional [Form 62-343.900(5), F.A.C., with accompanying as-built drawings]; and
  - 3) a written site inspection certification by a professional engineer [Form 62-343.900(6), F.A.C.].
- b. The permittee shall afford Department personnel the opportunity to schedule and conduct enough on-site inspections to determine whether the conditions are met. After this on-site inspection, the Department shall notify the permittee by certified mail that:
  - 1) The permit conditions have been completed and the surface water management system has been built in accordance with the approved plans; or
  - 2) The permit conditions have not been completed, identifying specifically those elements that do not meet the conditions; or
  - 3) The permit conditions cannot be determined at this time, identifying specifically the information lacking that prevents the determination from being made.
- c. After the permittee has received notification that the permit conditions have been completed and the surface water management system has been built in accordance with the approved plans, the permittee shall submit the following:
  - 1) a Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase [Form 62-343.900(7), F.A.C.]; and
  - 2) an Application for Transfer of Permit [Form 62-343.900(8) F.A.C.], if the permittee proposes to transfer the ownership or control of the site to another entity. This application will be reviewed in accordance with the procedures and timeline established in rule 62-343.130, F.A.C.

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James Pease, Vulcan Construction Materials, L.P.  
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Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Richard W. Cantrell

Richard W. Cantrell, Deputy Director  
Division of Water Resource Management  
2051 East Dirac Drive  
Tallahassee, Florida 32310-3760  
850/488-8217

Copies furnished to:

DEP, Southwest District, Environmental Resource Permitting  
DEP, Southwest District, Industrial Wastewater Section  
Southwest Florida Water Management District  
Hernando County Planning Department

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit,  
including all copies, was mailed before the close of business  
on November 7, 2005, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date pursuant to 120.52,  
Florida Statutes, with the designated Department Clerk,  
receipt of which is hereby acknowledged.

Angela Bright 11/7/2005  
Clerk Date

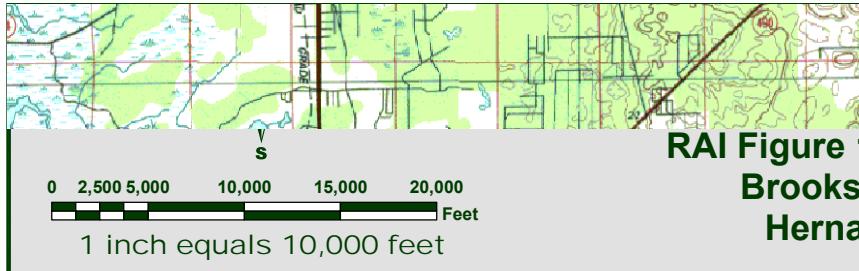
Prepared by: Alan Whitehouse  
Attached: 16 pages

Thomas Del Vechio, Cemex Cement, Inc.  
James Pease, Vulcan Construction Materials, L.P.  
Vulcan/Cemex Limerock and Sand Mine  
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#### **LIST OF ATTACHMENTS**

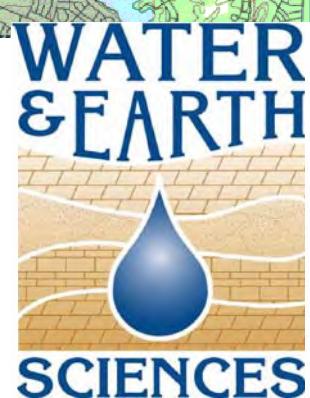
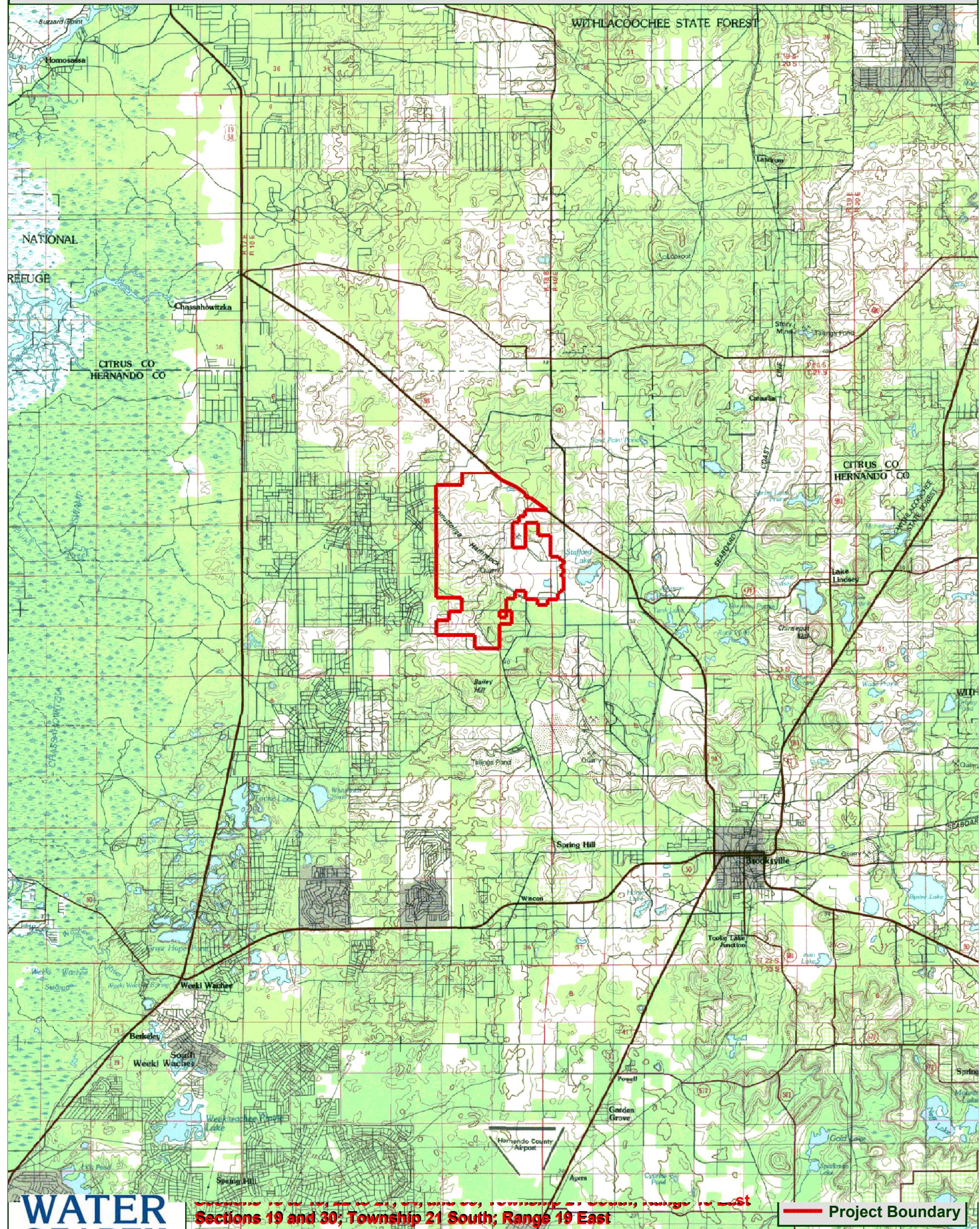
The following plan and figures are hereby attached to, and become part of this permit:

1. Figure 1. General Location Map, as signed and sealed on October 27, 2004
2. Figure 2. Mine Site Plan, as signed and sealed on October 27, 2004
3. Figure 3A. USGS Topographic Map, as signed and sealed on October 27, 2004
4. Figure 3B. USGS Topographic Colorized Map, as signed and sealed on October 27, 2004
5. Figure 4. Site Specific Topographic Map, as signed and sealed on October 27, 2004
6. Figure 5. NRCS Soils Map, as signed and sealed on October 27, 2004
7. Figure 6. 100-Year Flood Map, as signed and sealed on October 27, 2004
8. Figure 7. Land Use Map – Existing Conditions, as signed and sealed on October 27, 2004
9. Figure 8. Wetland Impacts
10. Figure 9. Pre-Development Drainage Basin Map, as signed and sealed on October 27, 2004
11. Figure 10. Existing Cross-Sections, as signed and sealed on October 27, 2004
12. Figure 12. Floridan Aquifer Flow Direction, as signed and sealed on October 27, 2004
13. Figure 13. Reclamation Plan Map, as signed and sealed on October 27, 2004
14. Figure 13A. Post-Mining Land Use Map
15. Figure 14. Typical Reclamation Cross Sections, as signed and sealed on September 28, 2004
16. Figure 15. Post Topography and Drainage Basins, as signed and sealed on March 4, 2005



**RAI Figure 1 -- General Location Map**  
**Brooksville Rock Mine/Plant**  
**Hernando County Florida**

Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 22, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence



Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

Source: Backdrop image represents a composit of the U.S. Geological Survey 30 Minute by 60 Minute Quadrangle Maps. Image obtained from SureMaps Raster in the form of a georeferenced TIF Image.  
Source Scale: 1 Inch = 8,333 Feet (1:100,000). Source Date: Varies.  
Boundary information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the site specific aerial photograph.

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax



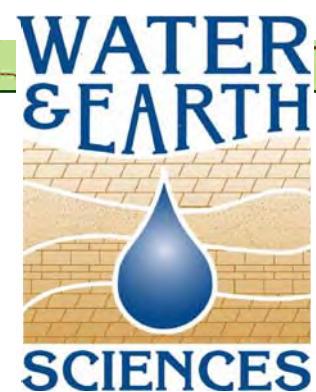
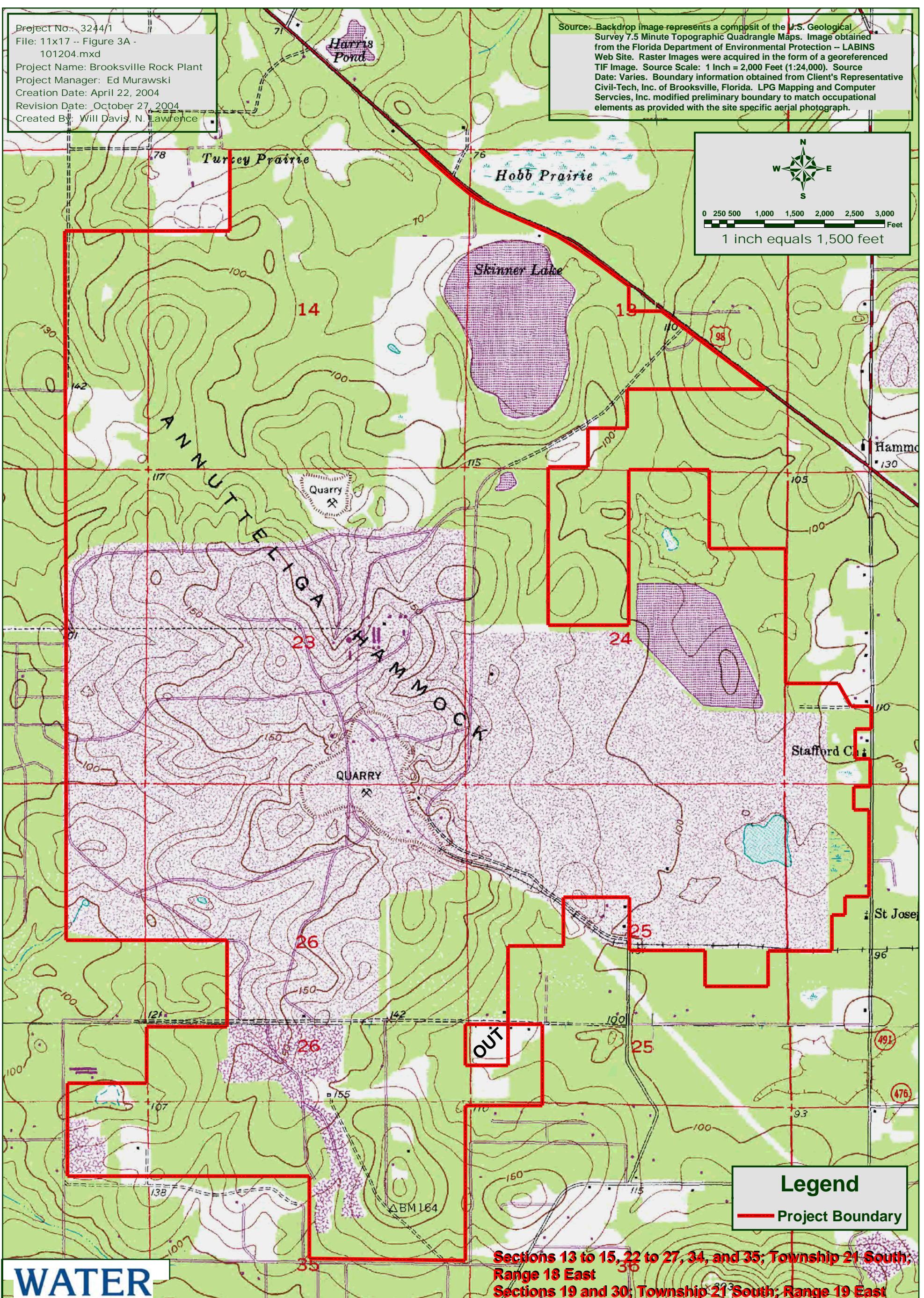
Project No.: 3244/1  
File: 11x17 -- Figure 3A -  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 22, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Source: Backdrop image represents a composite of the U.S. Geological Survey 7.5 Minute Topographic Quadrangle Maps. Image obtained from the Florida Department of Environmental Protection - LABINS Web Site. Raster Images were acquired in the form of a georeferenced TIF Image. Source Scale: 1 Inch = 2,000 Feet (1:24,000). Source Date: Varies. Boundary information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the site specific aerial photograph.



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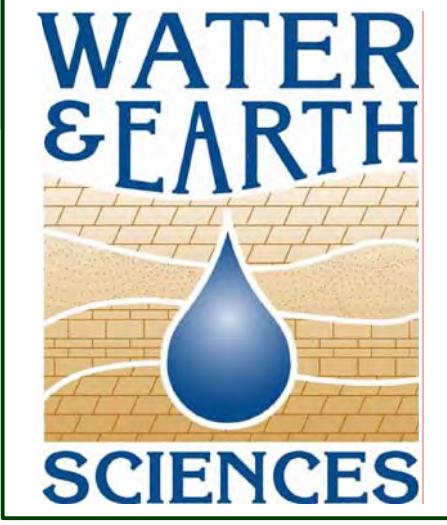
1 inch equals 1,500 feet



Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

**Vulcan/Cemex**  
RAI Figure 3A -- USGS Topographic Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
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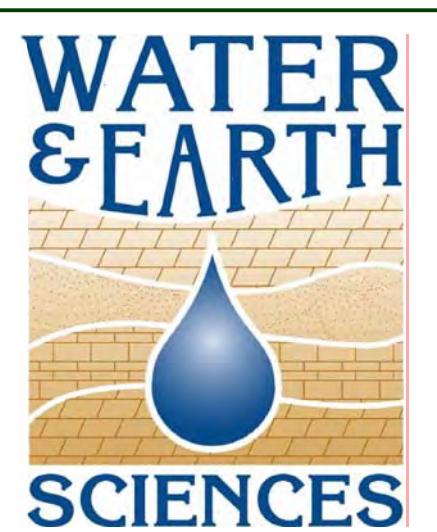
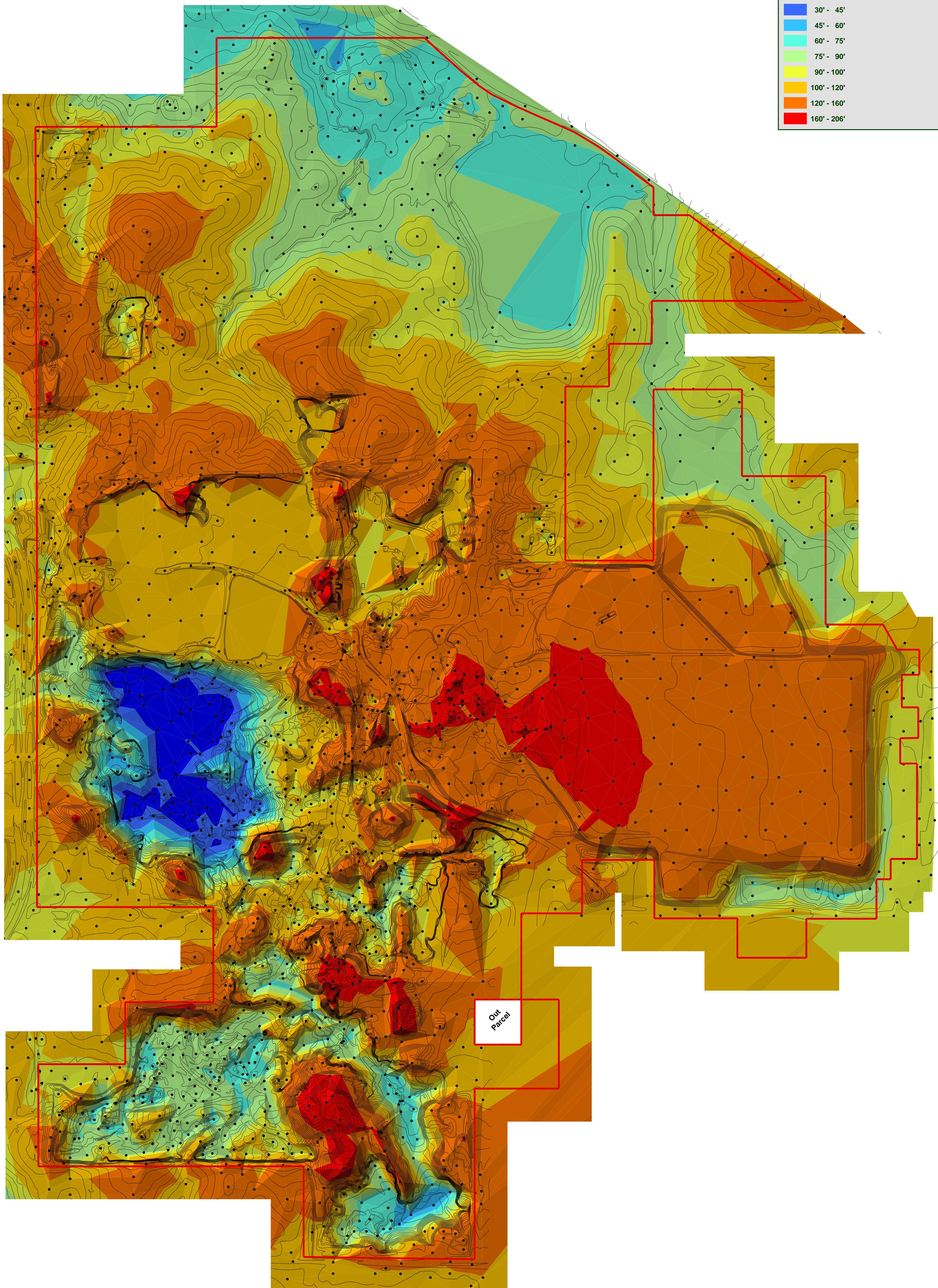
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Feet  
1 inch equals 700 feet

**Vulcan/Cemex**  
RAI Figure 3B -- USGS Topographic Colorized Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

Project No.: 3244/1  
File: 24x36 - Figure 3B -  
101204.mxd  
Project Name: Brooksville Rock  
Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting  
Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax

Source: Topographic information obtained from Client in the form of an AutoCAD Drawing File with Spot & Polyline Elevations denoted on Vertical Feet. Vertical Datum: NGVD 1929. Source Scale: Unknown. TIN created by LPG Mapping & Computer Services, from Original Source AutoCAD Drawing File. Imagery and approximate boundary information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the depicted aerial photograph. Image was received in the form of a Georeferenced TIF Image file. Source Scale: Unknown. Source Date believed to be January 2004.



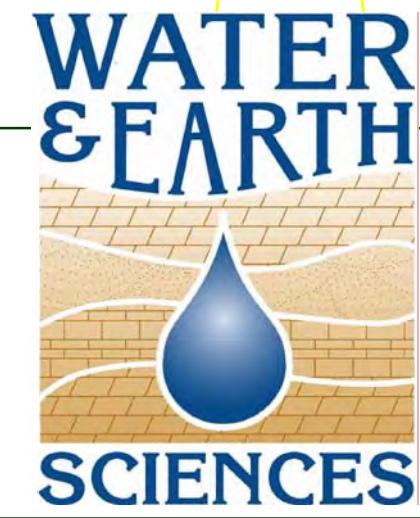
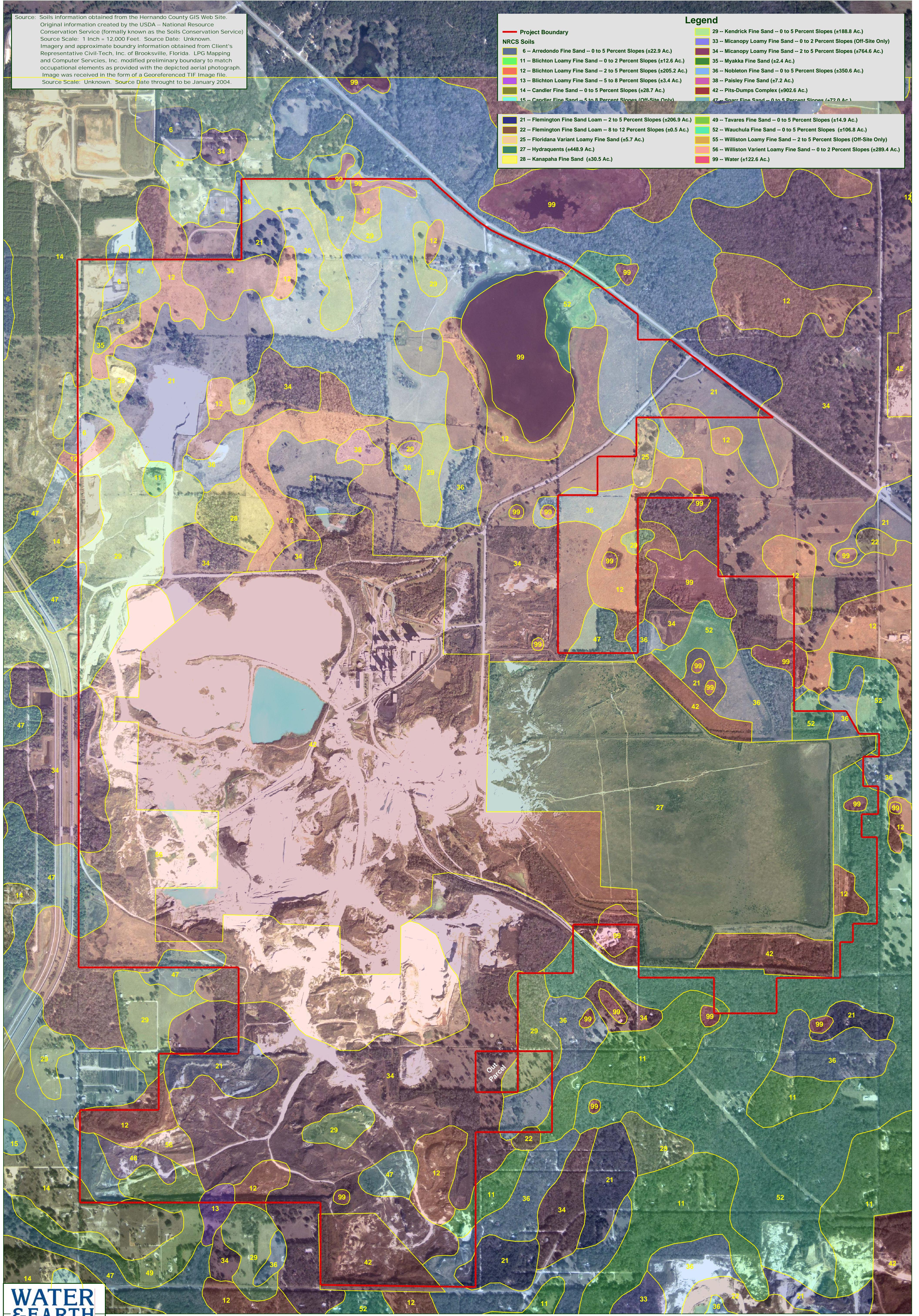
Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

N  
S  
W  
E  
0 250 500 1,000 1,500 2,000  
Feet  
1 inch equals 700 feet

**Vulcan/Cemex**  
RAI Figure 4 -- Site Specific Topographic Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

Project No.: 3244/1  
File: 24x36 -- Figure 4 -  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax



Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

0 250 500 1,000 1,500 2,000 Feet  
1 inch equals 700 feet

**Vulcan/Cemex**  
RAI Figure 5 -- NRCS Soils Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

Project No.: 3244/1  
File: 24x36 -- Figure 5 - 101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax

Project No.: 3244/1  
File: 11x17 -- Figure 6 --  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 22, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

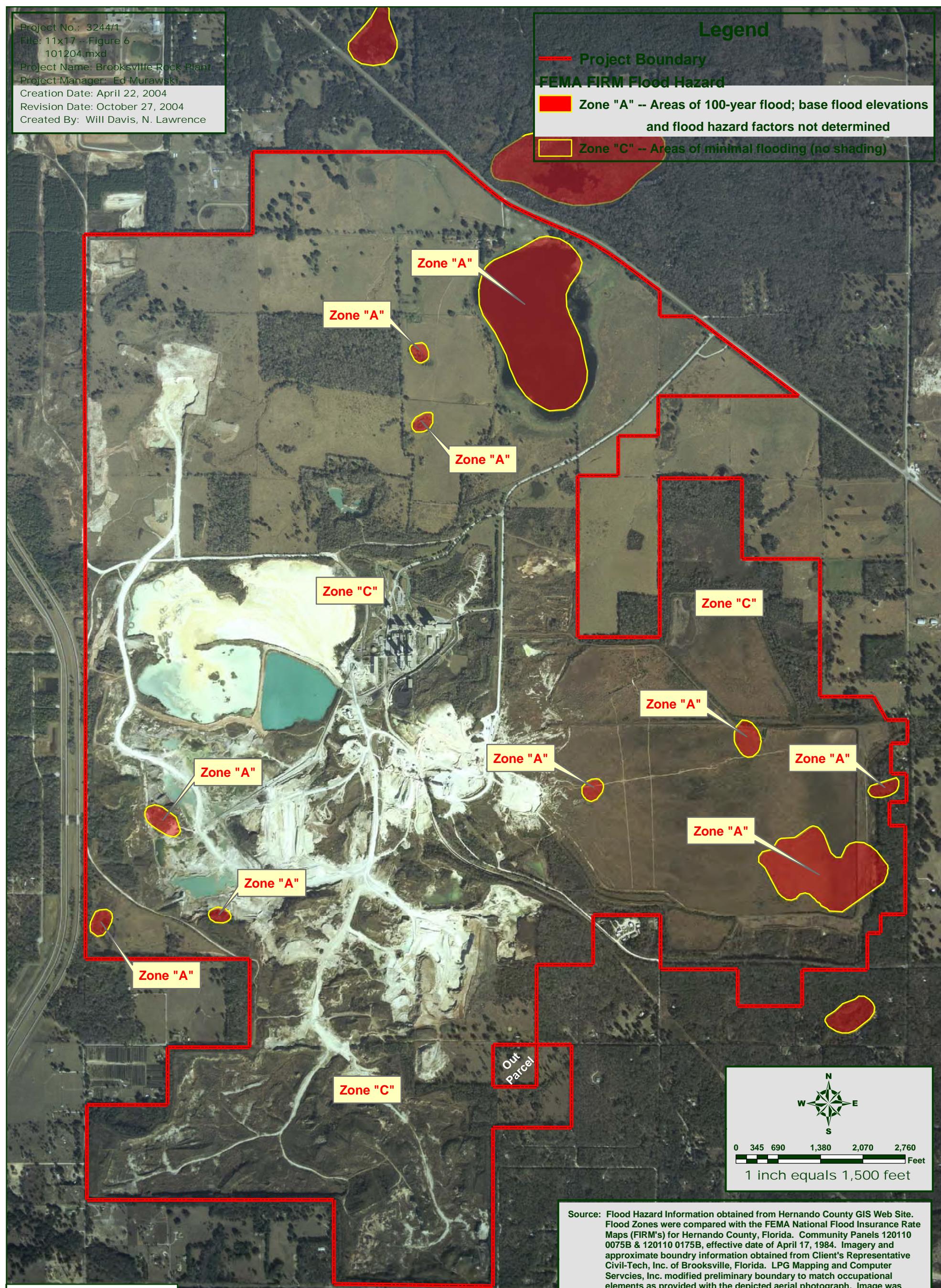
### Legend

Project Boundary

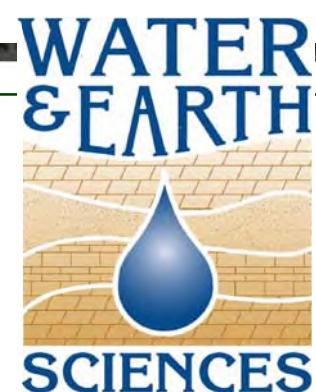
FEMA FIRM Flood Hazard

Zone "A" -- Areas of 100-year flood; base flood elevations and flood hazard factors not determined

Zone "C" -- Areas of minimal flooding (no shading)



Source: Flood Hazard Information obtained from Hernando County GIS Web Site. Flood Zones were compared with the FEMA National Flood Insurance Rate Maps (FIRM's) for Hernando County, Florida. Community Panels 120110 0075B & 120110 0175B, effective date of April 17, 1984. Imagery and approximate boundary information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the depicted aerial photograph. Image was received in the form of a Georeferenced TIF Image file. Source Scale: Unknown. Source Date estimated to be January 2004.

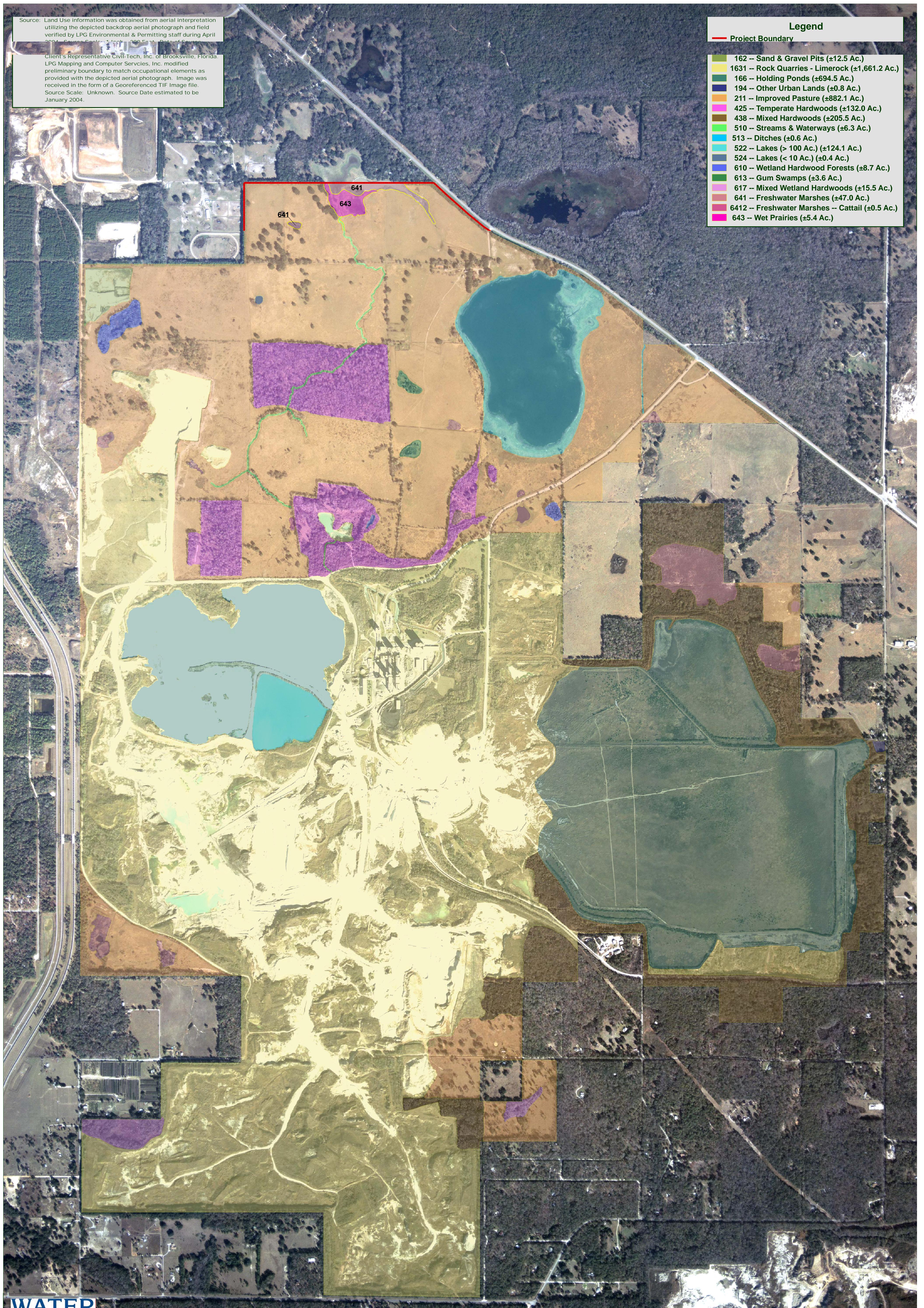


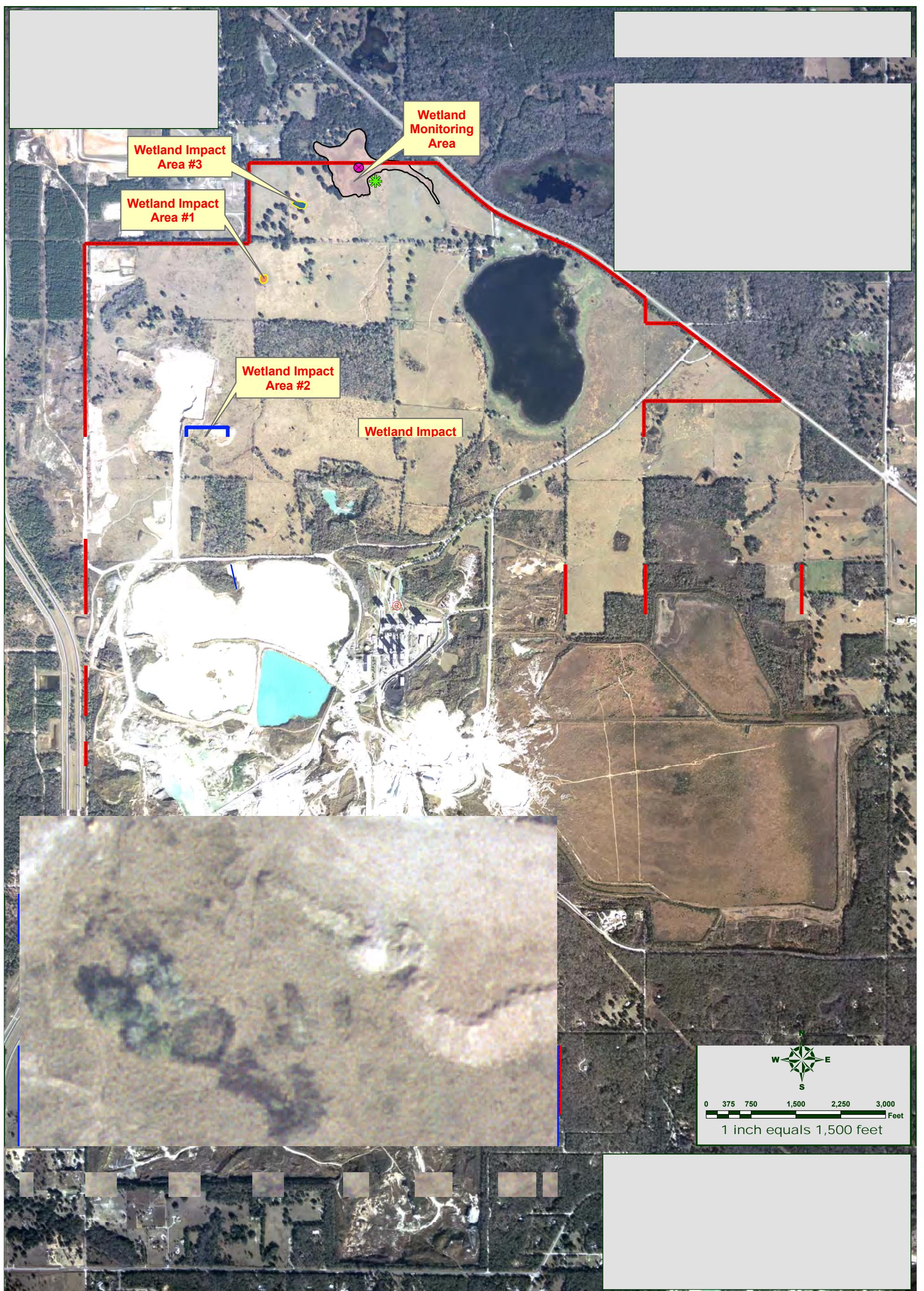
Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

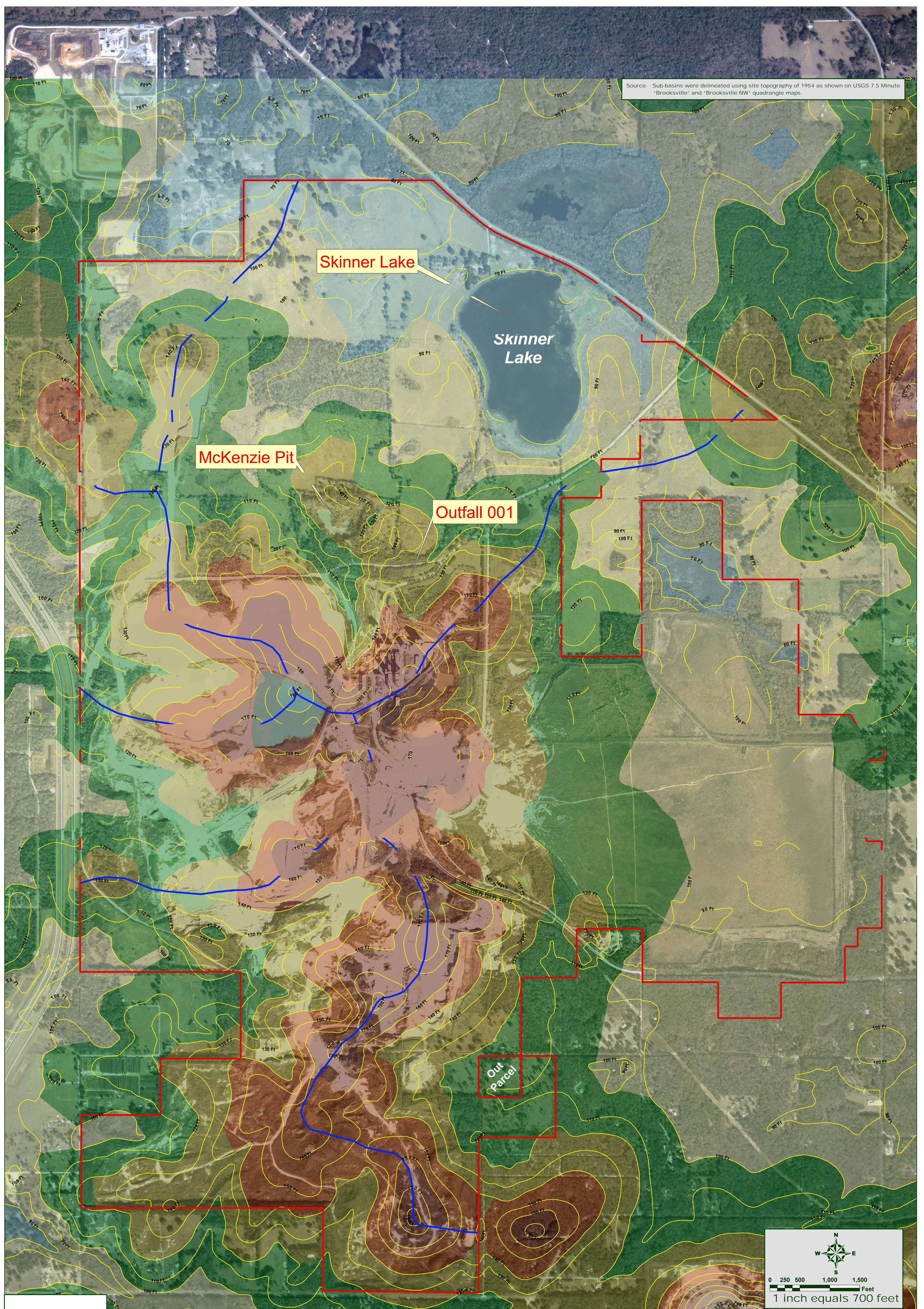
**Vulcan/Cemex**  
RAI Figure 6 -- 100-Year Flood Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

Environmental & Permitting Services, Inc.

1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax







## Vulcan/Cemex

RAI Figure 9 -- Pre-Development Drainage Basin Map  
Brooksville Rock Mine/Plant  
Hernando County Florida

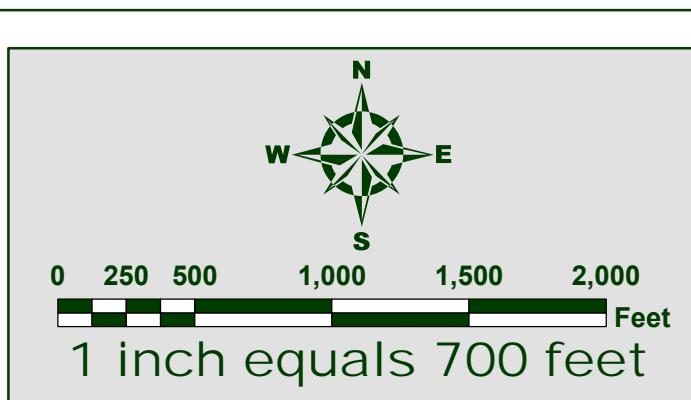
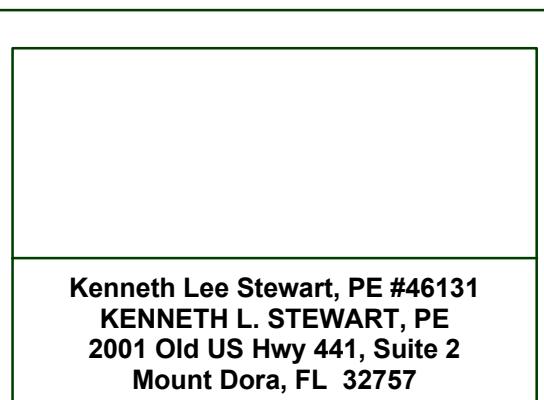
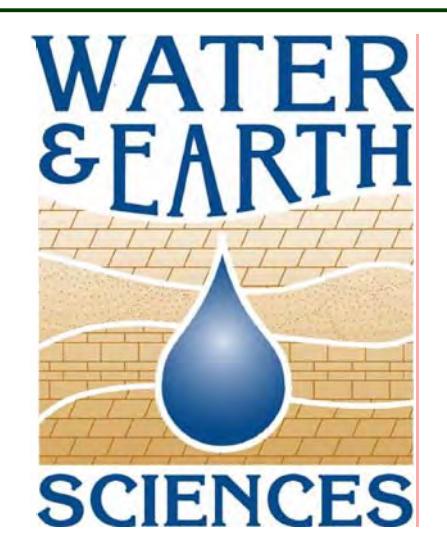
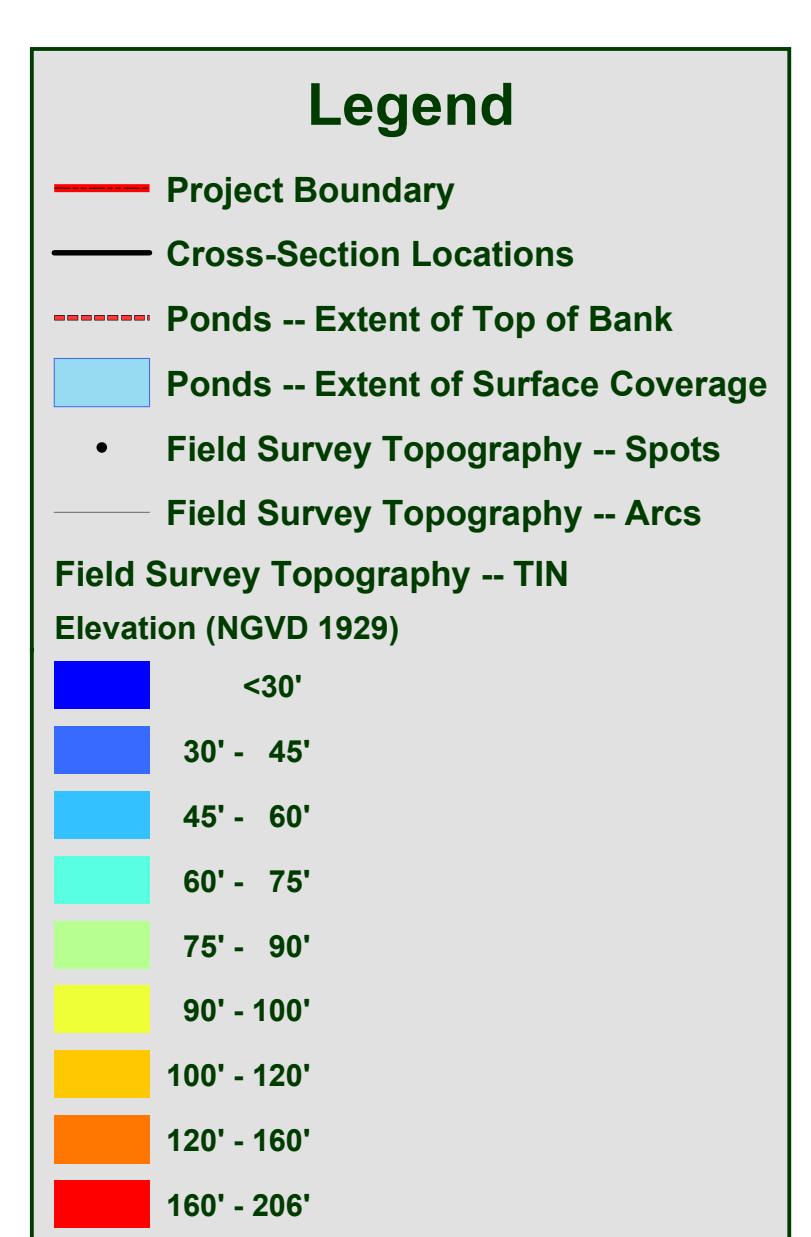
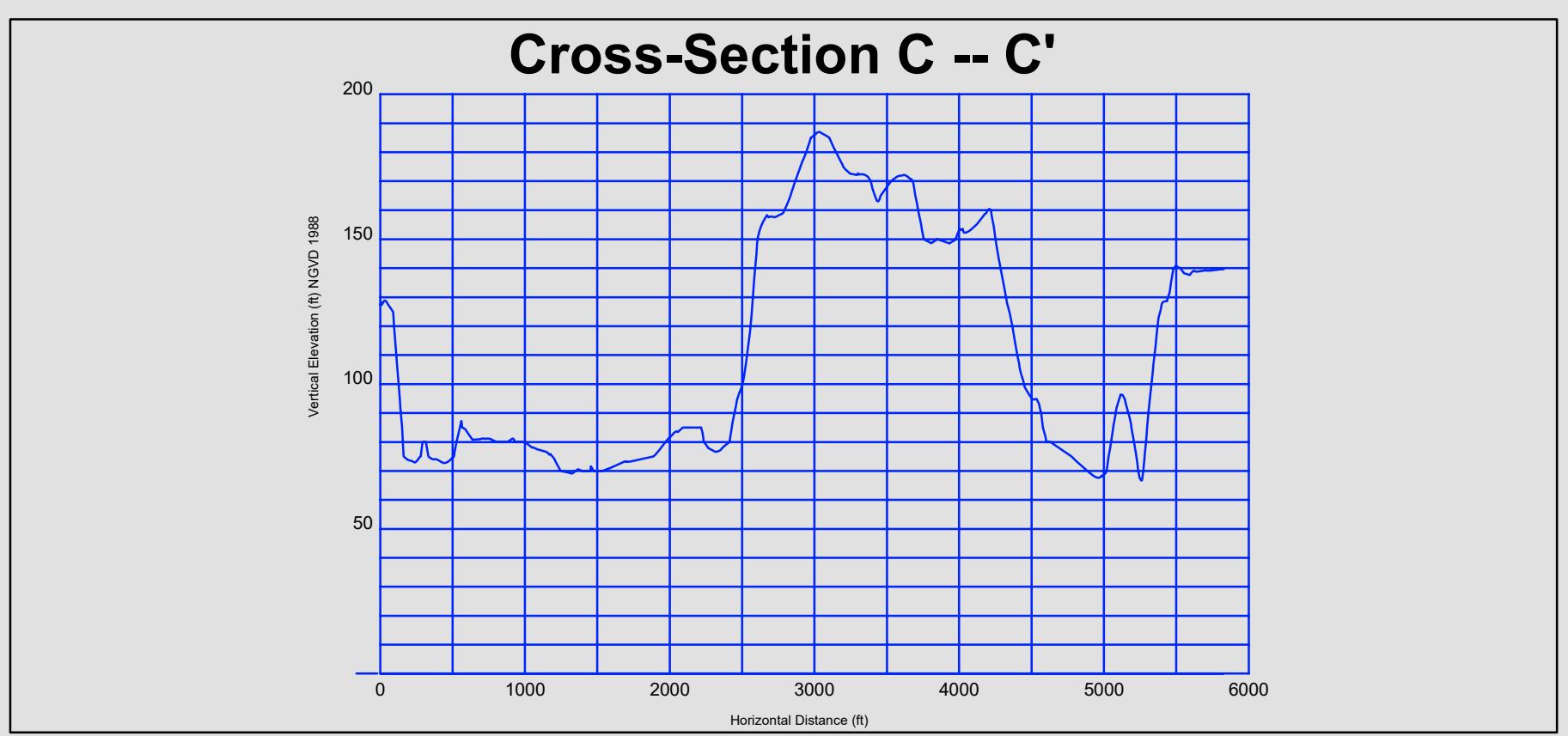
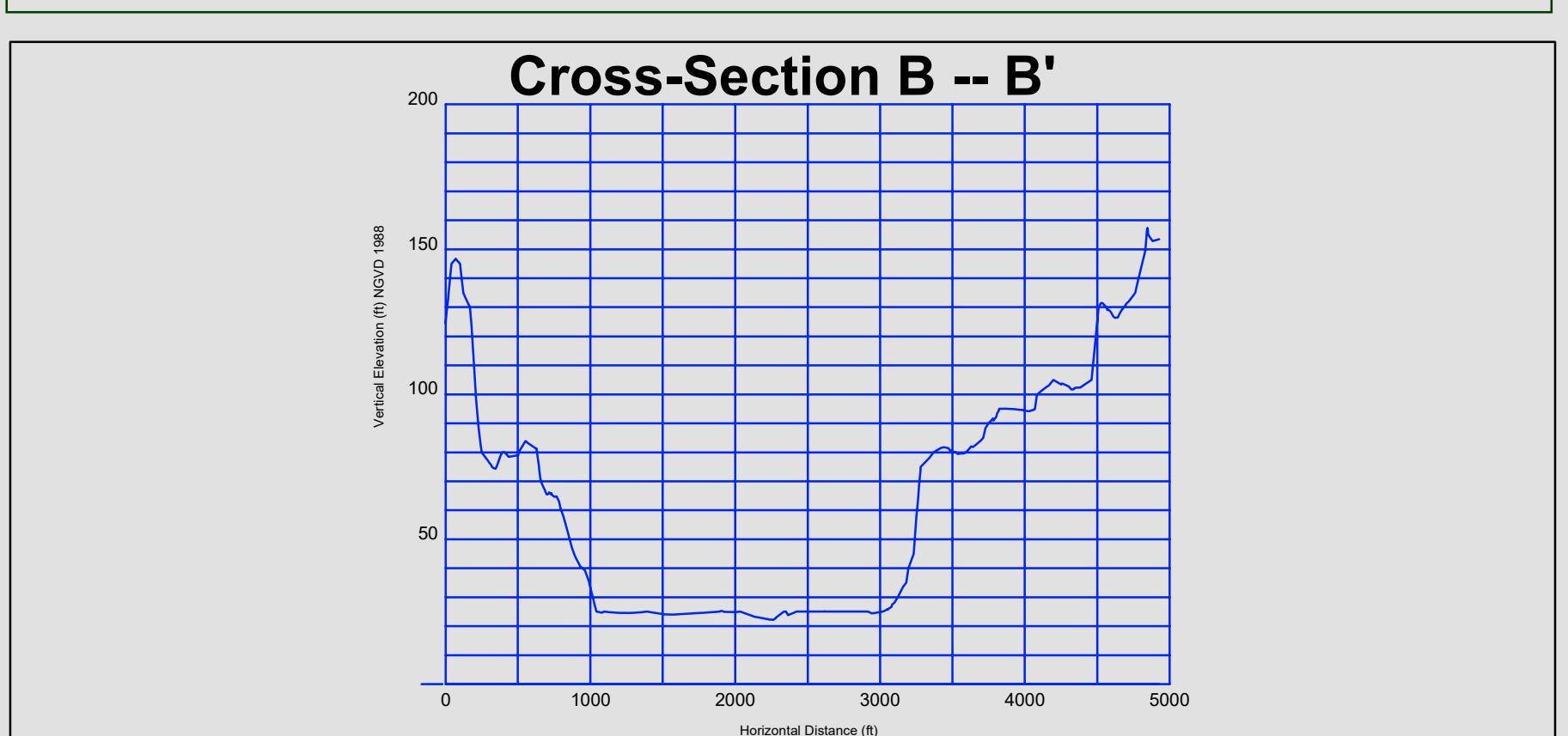
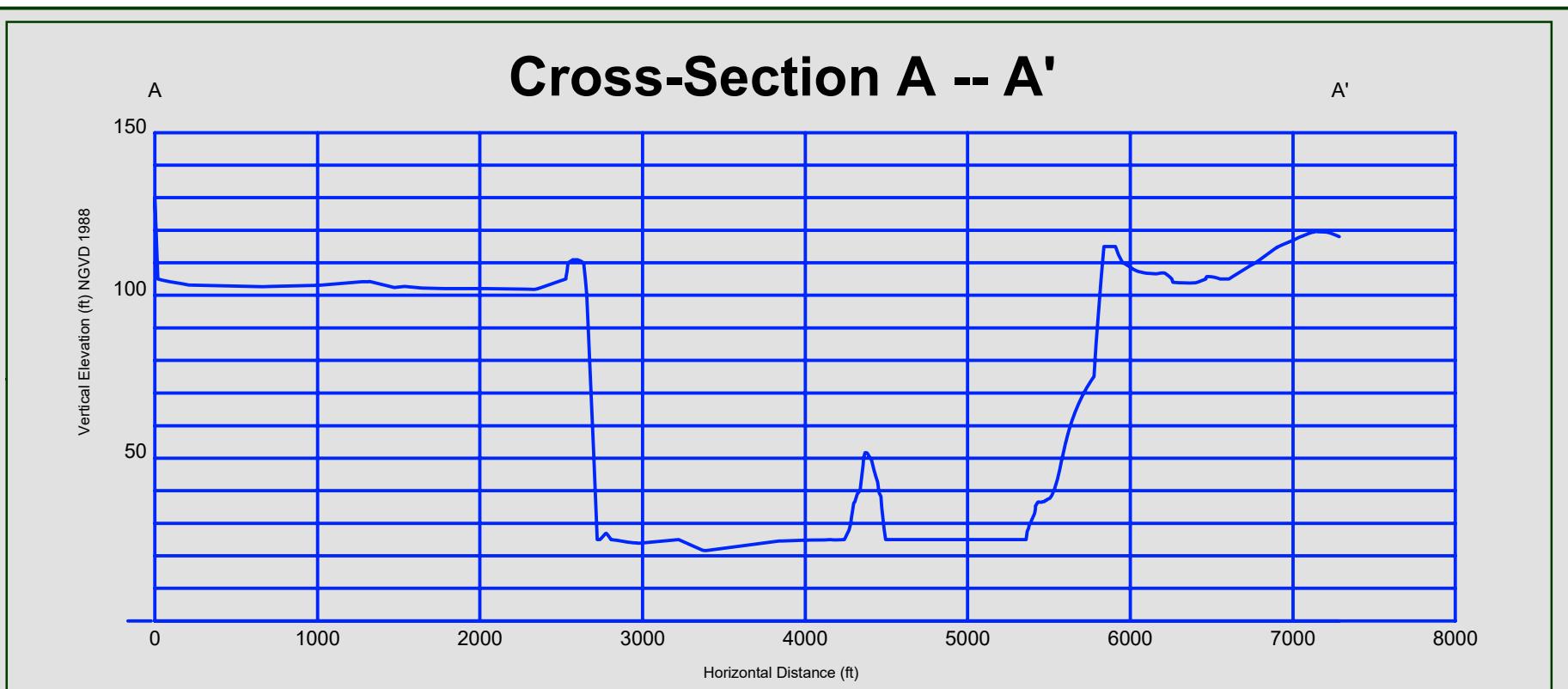
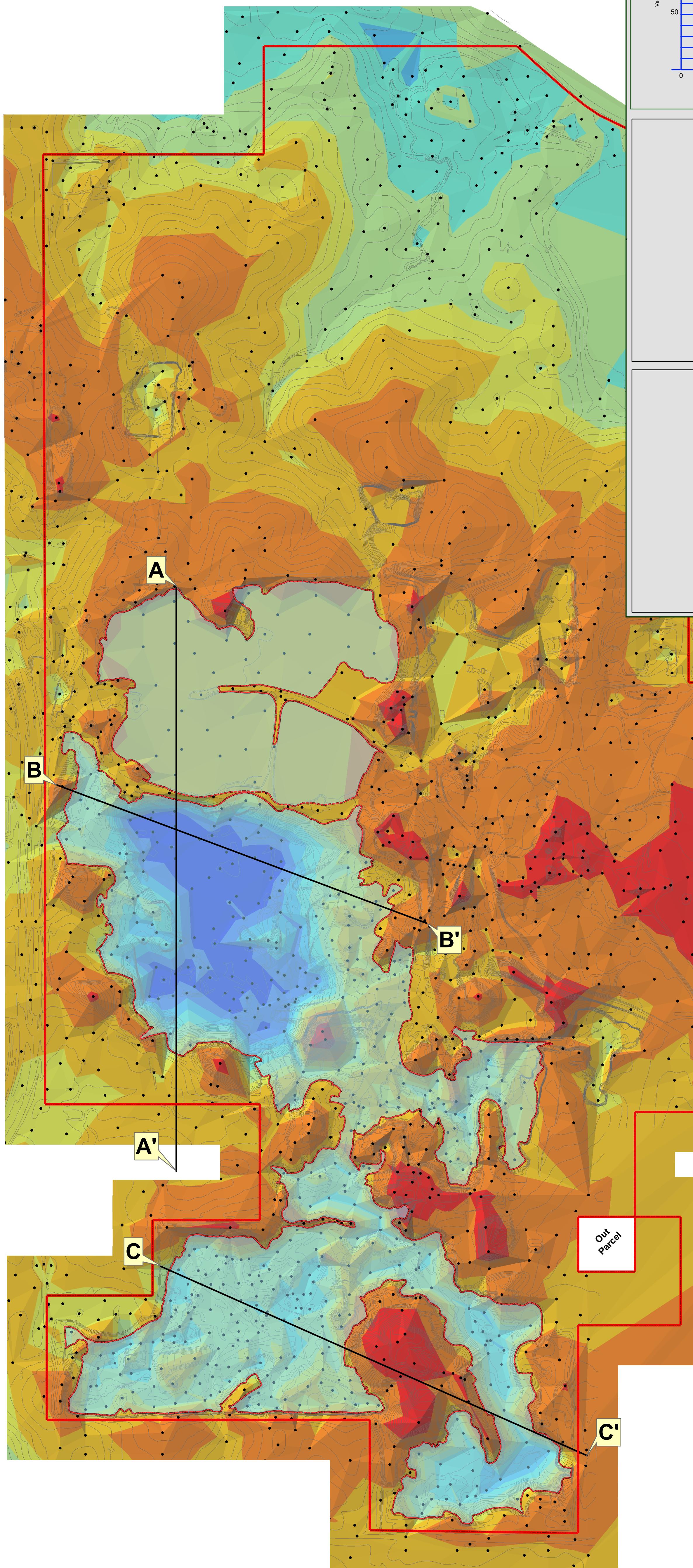
Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

Robert A. Kirkner, PG #252  
WATER & EARTH SCIENCES, INC.  
214 East Stuart Avenue  
Lake Wales, FL 33853

Project No.: 3244/1  
File: 24x36 -- Figure 9 -  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax

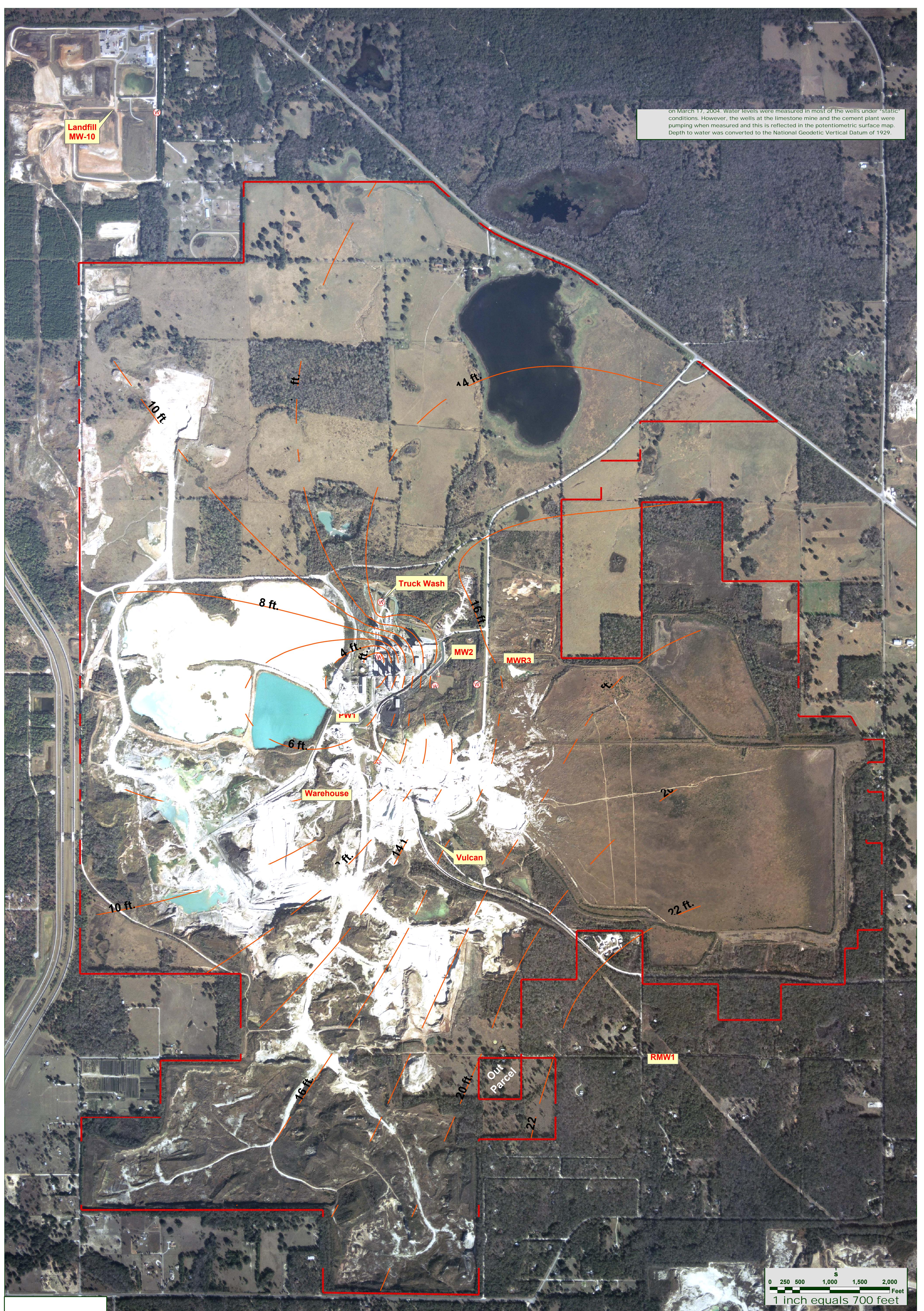
Source: Topographic information obtained from Client in the form of an AutoCAD Drawing File with Spot & Polyline Elevations denoted on Vertical Feet. Vertical Datum: NGVD 1929. Source Scale: Unknown. TIN created by LPG Mapping & Computer Services, from Original Source AutoCAD Drawing File. Imagery and approximate boundary information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the depicted aerial photograph. Image was received in the form of a Georeferenced TIF Image file. Source Scale: Unknown. Source Date believed to be January 2004.



**Vulcan/Cemex**  
RAI Figure 10 -- Existing Cross-Sections  
Brooksville Rock Mine/Plant  
Hernando County Florida

Project No.: 3244/1  
File: 24x36 -- Figure 10 -  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax



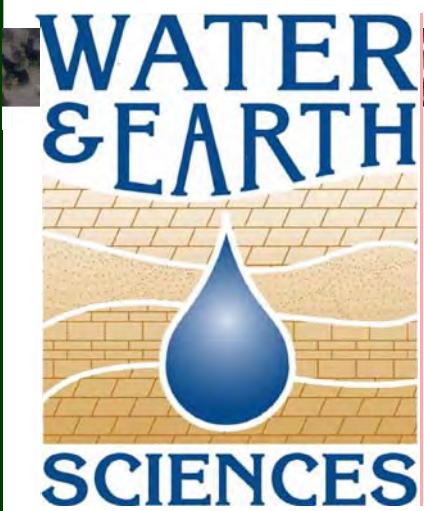
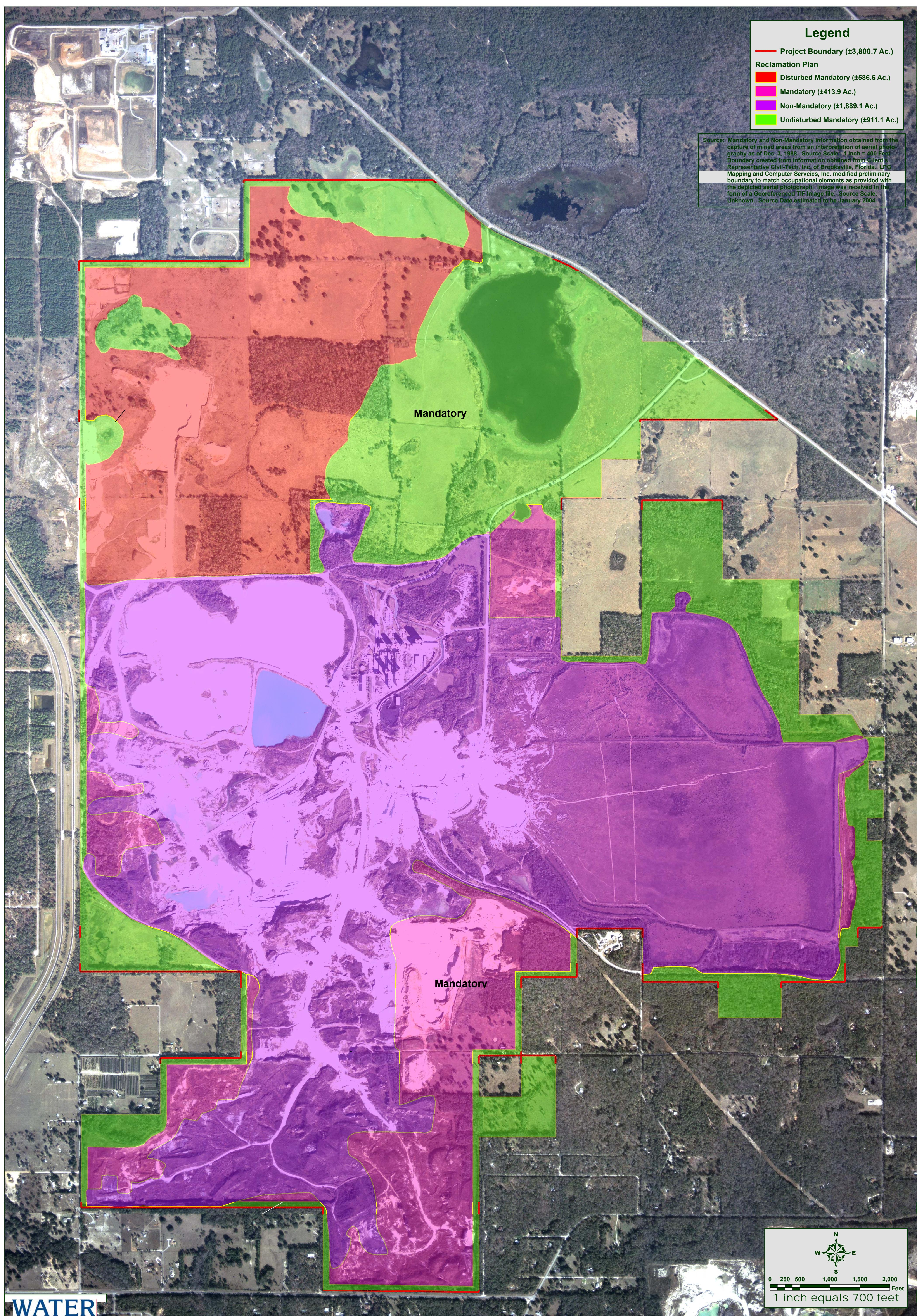
Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

Robert A. Kirkner, PG #252  
WATER & EARTH SCIENCES, INC.  
214 East Stuart Avenue  
Lake Wales, FL 33853

**Vulcan/Cemex**  
RAI Figure 12 -- Floridan Aquifer Flow Direction  
Brooksville Rock Mine/Plant  
Hernando County Florida

Project No.: 3244/1  
File: 24x36 -- Figure 12 -  
101204.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: Will Davis, N. Lawrence

Environmental & Permitting Services, Inc.  
1174 Camp Avenue Mount Dora, FL 32757  
(352) 383-1444 (352) 383-3877 Fax



Kenneth Lee Stewart, PE #46131  
KENNETH L. STEWART, PE  
2001 Old US Hwy 441, Suite 2  
Mount Dora, FL 32757

Robert A. Kirkner, PG #252  
WATER & EARTH SCIENCES, INC.  
214 East Stuart Avenue  
Lake Wales, FL 33853

## Vulcan/Cemex

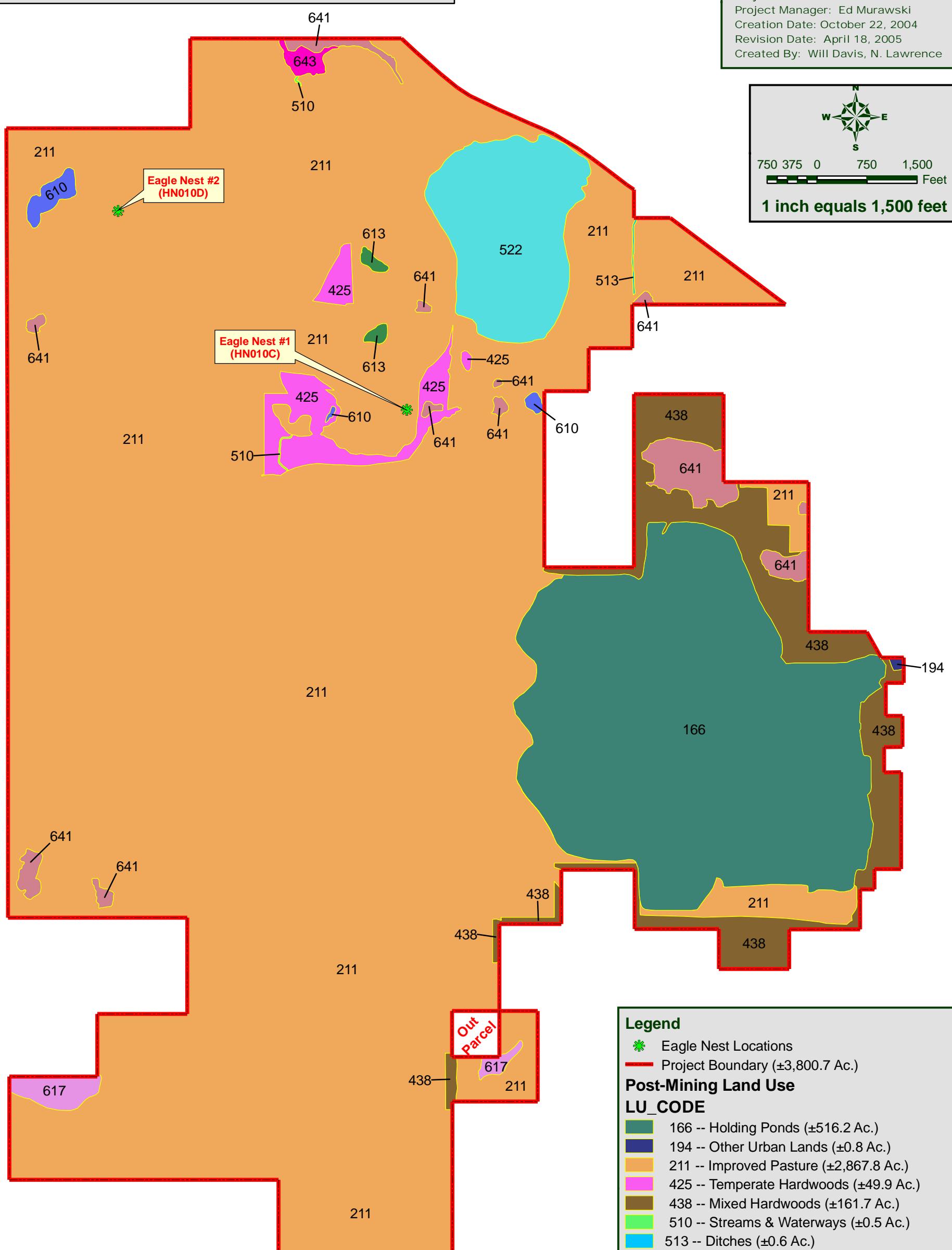
**RAI Figure 13 -- Reclamation Plan Map**  
**Brooksville Rock Mine/Plant**  
**Hernando County Florida**

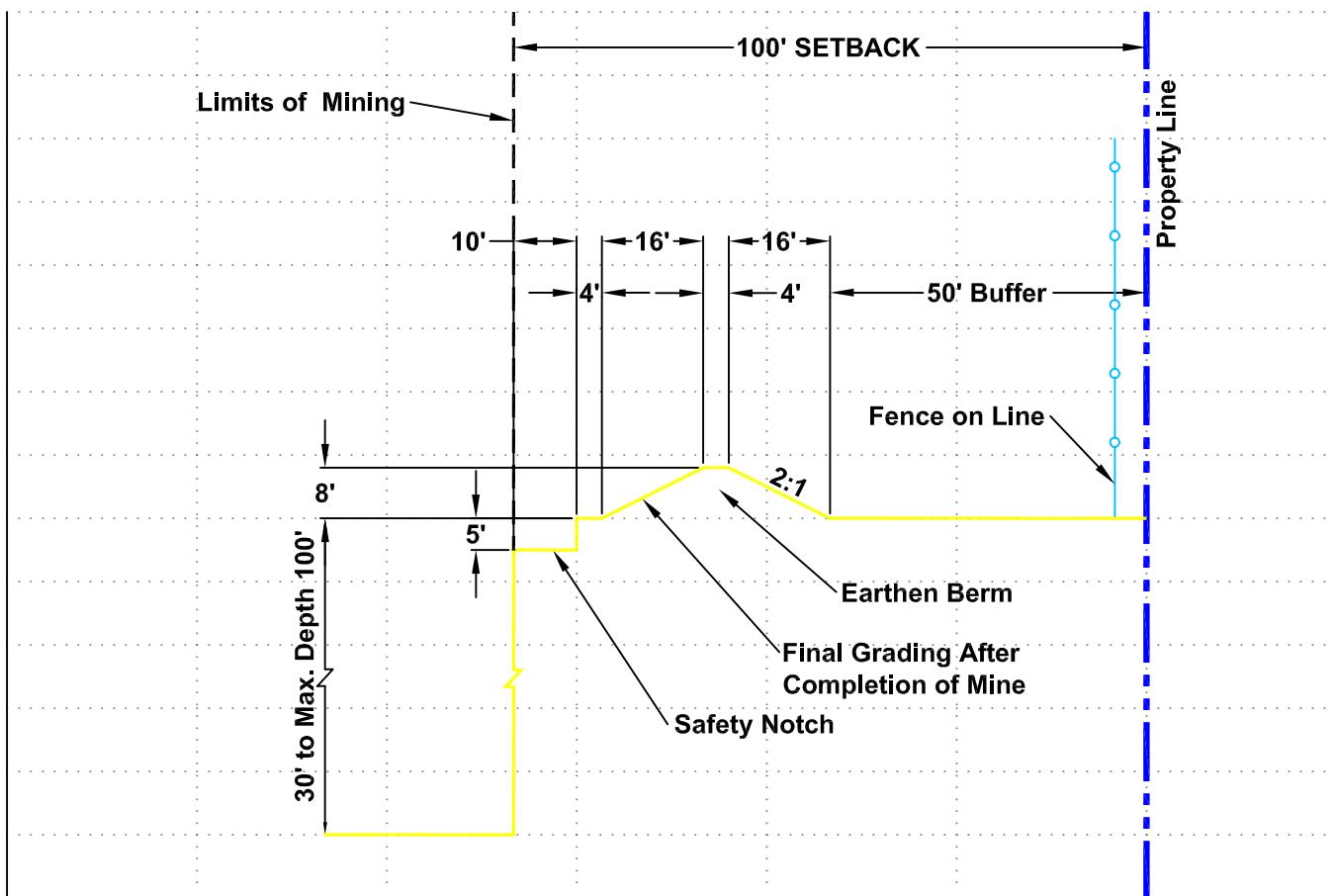
Project No.: 32441  
File: 24x36 -- Figure 13 -  
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Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: April 20, 2004  
Revision Date: October 27, 2004  
Created By: William C. Davis



Source: Land Use information was obtained from aerial interpretation utilizing the depicted backdrop aerial photograph and field verified by LPG Environmental & Permitting staff during April 2004. Source Scale: 1 Inch = 200 Feet. Date of Source: April 2004. Boundary created from information obtained from Client's Representative Civil-Tech, Inc. of Brooksville, Florida. LPG Mapping and Computer Services, Inc. modified preliminary boundary to match occupational elements as provided with the depicted aerial photograph. Image was received in the form of a Georeferenced TIF Image file. Source Scale: Unknown. Source Date estimated to be January 2004.

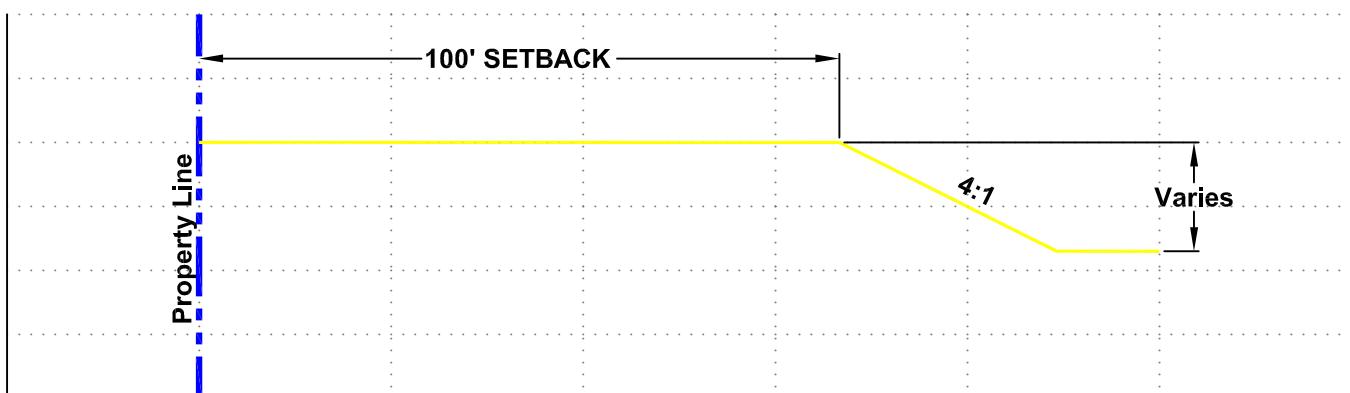
Project No.: 3244/1  
File: 11x17 -- Figure 13A - 041805.mxd  
Project Name: Brooksville Rock Plant  
Project Manager: Ed Murawski  
Creation Date: October 22, 2004  
Revision Date: April 18, 2005  
Created By: Will Davis, N. Lawrence





**TYPICAL SHEER WALL RECLAMATION CROSS-SECTION**

Scale: Horiz. 1" = 30'  
Vert. 1" = 30'



**TYPICAL SAND MINING RECLAMATION CROSS-SECTION**

Scale: Horiz. 1" = 30'  
Vert. 1" = 30'

VULCAN/CEMEX  
RAI FIGURE 14  
TYPICAL RECLAMATION CROSS-SECTIONS  
BROOKSVILLE ROCK MINE/PLANT  
HERNANDO COUNTY FLORIDA

Kenneth Lee Stewart, PE# 4613  
KENNETH L. STEWART, PE  
2001 OLD HWY 441, SUITE 2  
MOUNT DORA, FL 32757

Project#: 32441/1

File#: 3244102A

Date: 4/8/2004

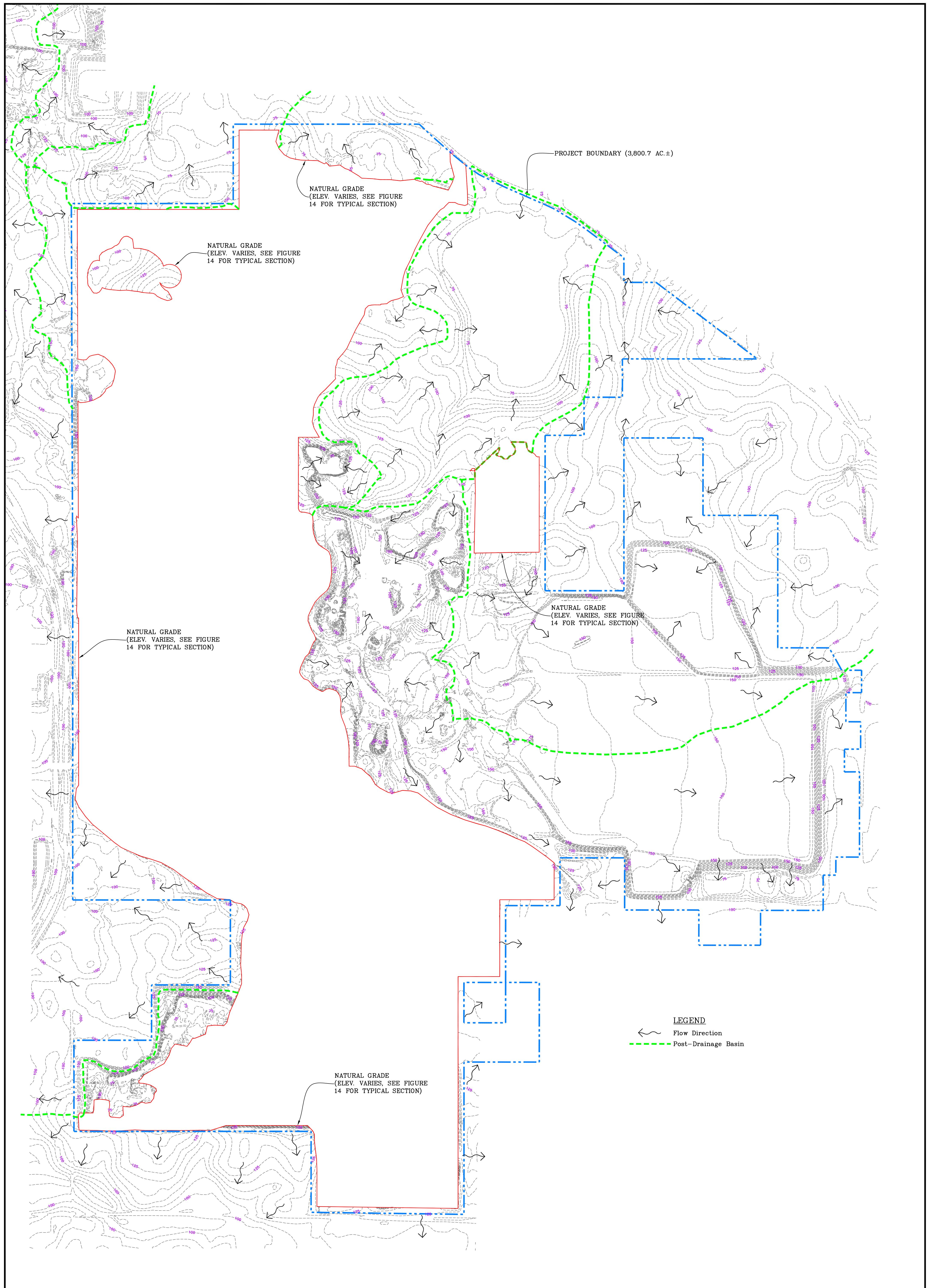
Rev.: 2/28/2005

Drawn: NTL



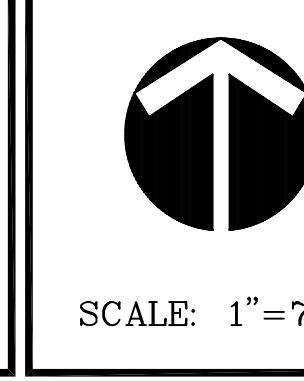
Environmental & Permitting  
Services, Inc.

1174 Camp Avenue, Mt. Dora, FL 32757  
(352)383-1444 / Fax (352)383-3877



VULCAN/CEMEX  
RAI FIGURE 15 – POST TOPOGRAPHY AND DRAINAGE BASIN MAP  
BROOKSVILLE ROCK MINE/PLANT  
HERNANDO COUNTY FLORIDA

Kenneth Lee Stewart, PE# 4613  
KENNETH L. STEWART, PE  
2001 OLD HWY 441, SUITE 2  
MOUNT DORA, FL 32757



PROJECT# 3244/1  
FILE# 3244-102  
DATE 3/3/2005  
REVISED:  
DRAWN: N. Lawrence

Environmental & Permitting  
Services, Inc.  
1174 Camp Avenue, Mt. Dora, FL 32757  
(352)383-1444 / Fax (352)383-3877



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valensteln**  
Secretary

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

February 27, 2019

Cemex Construction Materials Florida, LLC  
c/o James Morris, Regional Environmental Manager  
11430 Camp Mine Road  
Brooksville, FL 34601  
Via Email: [jamesp.morris@cemex.com](mailto:jamesp.morris@cemex.com)

**RE: Executive Order Time Extension**  
**Cemex Construction Materials Florida, LLC/ Vulcan Construction Materials**  
**Limestone and Sand Mine (Brooksville Mine)**  
**File No. MMR\_231417-009**  
**Hernando County**

Dear Mr. Morris:

The Florida Department of Environmental Protection (Department) received, on February 19, 2019, your notice to use the provisions of Section 252.363, Florida Statutes (F.S.) to extend the duration of the above-referenced permit, which authorized activities and works within the geographic area affected by the Governor's declaration of a state of emergency, established by Executive Order (E.O.). A permit time extension was requested in response to **E.O. 18-277** (Hurricane Michael) signed on October 8, 2018 and extended by 18-276; with a final expiration date of December 5, 2018 for Hernando County.

Based on these E.O.s, a continuous state of emergency existed in Hernando County from October 8, 2018, through December 5, 2018 (58 days). In accordance with Section 252.363 F.S., the emergency declaration extends the period remaining to exercise the rights under a permit for 6 months in addition to the tolled period for each E.O., which is **58 days and 6 months**.

On February 19, 2019, the Department issued Permit No. MMR\_231417-008, for time extension related to Hurricane Maria and which had an expiration date of **January 15, 2032**. In accordance with the provisions of that legislation, the expiration date of the permit is changed as follows:

**Original Expiration Date: January 15, 2032**

**New Expiration Date: September 13, 2032**

## **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

### **Petition for Administrative Hearing**

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, Florida Administrative Code (F.A.C.), a petition for an administrative hearing must contain the following information:

- a) the name and address of each agency affected and each agency's file or identification number, if known;
- b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- c) a statement of when and how the petitioner received notice of the agency decision;
- d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

### **Time Period for Filing a Petition**

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

### **Extension of Time**

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### **Mediation**

Mediation is not available in this proceeding.

### **Judicial Review**

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

The files associated with this order are available upon request. Please address your request to [MiningAndMitigation@dep.state.fl.us](mailto:MiningAndMitigation@dep.state.fl.us) and include the file number in your request.

Cemex Construction Materials Florida, LLC/ Vulcan Construction Materials  
Limestone and Sand Mine (Brooksville Mine)  
File No.: MMR\_231417-009  
Page 4 of 4

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



---

Orlando E. Rivera, PWS, CERP  
Program Administrator  
Mining and Mitigation Program

*Prepared by Katy Collins*

#### **CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies  
were sent on the filing date below to the following listed persons:

DEP, FL Div. of Recreation & Parks, Bureau of Natural and Cultural Resources –  
[Cheri.Albin@dep.state.fl.us](mailto:Cheri.Albin@dep.state.fl.us)

DEP, FL Div. of Recreation & Parks, District IV Administration – [Chris.Becker@dep.state.fl.us](mailto:Chris.Becker@dep.state.fl.us)  
DEP, GIS – [Catherine.Dietrick@dep.state.fl.us](mailto:Catherine.Dietrick@dep.state.fl.us)

DEP, Southwest District, Environmental Resource Permitting – [sw\\_erp@dep.state.fl.us](mailto:sw_erp@dep.state.fl.us)

Greg M. Bridge, CEMEX Construction Materials Florida, LLC – [gregm.bridge@cemex.com](mailto:gregm.bridge@cemex.com)

Hernando County Office of Planning and Development – [Planning@hernandocounty.us](mailto:Planning@hernandocounty.us)

Karen Miller – TCC-FPSI – [MillerKA@tcc.fl.edu](mailto:MillerKA@tcc.fl.edu)

Kim Allen – TCC-FPSI – [AllenK@tcc.fl.edu](mailto:AllenK@tcc.fl.edu)

Maria Martella - Holland and Knight, LLP. - [Maria.Martella@hklaw.com](mailto:Maria.Martella@hklaw.com)

Roger Sims, Holland and Knight, LLP - [Roger.Sims@hklaw.com](mailto:Roger.Sims@hklaw.com)

Southwest Florida Water Management District, ERP Bureau –

[ERPAgencyCoordination@swfwmd.state.fl.us](mailto:ERPAgencyCoordination@swfwmd.state.fl.us)

USACOE - [CESAJ-Mine.Team@usace.army.mil](mailto:CESAJ-Mine.Team@usace.army.mil)

#### **FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



---

Clerk

2/27/2019

Date



**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STORAGE TANK REGISTRATION PLACARD  
2019-2020**

STCM ACCOUNT: 26031

PLACARD NO: 548845

FACILITY ID: 8736440

PLACARD ISSUED: 05/15/2019

FACILITY: BROOKSVILLE QUARRY-VULCAN CONST MTRLS LLP  
16313 PONCE DE LEON BLVD  
BROOKSVILLE FL 34614 0849 HERNANDO COUNTY

PLACARD EXPIRES: 06/30/2020

FACILITY TYPE: Fuel user/Non-retail

TANK SYSTEMS REGISTERED: 4

ACCOUNT OWNER: VULCAN MATERIALS CO  
PO BOX 4667 ATTN: DONNA BAKER  
JACKSONVILLE FL 32206

HASH: AO9YGEEI4EOOE4

The Storage Tank Registration placard must be posted at the facility.  
It must be placed out of the weather and in plain view of inspectors entering the facility.

Under Section 376.3077, Florida Statutes, it is unlawful to deposit motor fuel into a stationary storage tank system that requires registration unless proof of valid registration is displayed at the facility.

Acceptance of this placard constitutes agreement to operate the registered tanks in compliance with applicable Statutes and Department Rules.

DEPARTMENT OF ENVIRONMENTAL PROTECTION IS ON THE INTERNET

The Web address for DEP is <https://floridadep.gov>

You can access the Storage Tank Website by using <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-compliance>.  
Look under the "Storage Tank Compliance Quick Links" section to find the links to storage tank rules, forms, database reports and program information.

CONTACT TANK REGISTRATION BY:

EMAIL - [TankRegistration@dep.state.fl.us](mailto:TankRegistration@dep.state.fl.us)  
PHONE - (850) 245-8839



# Southwest Florida Water Management District

An Equal  
Opportunity  
Employer

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

August 24, 2018

Cemex Inc./ Attn: James S. Daniel  
16301 Ponce De Leon Blvd  
Brooksville, FL 34614

Vulcan Materials Company/ Attn: Traci Johns  
150151 Deerwood Park Blvd  
Building 100, Suite 120  
Jacksonville, FL 32256

Subject: **Notice of Intended Agency Action Letter -- Approval**  
Water Use Permit No.: 20 002288.007  
Project Name: Vulcan Materials Co.  
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 002288.007. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin W. Herbst, P.G.  
Bureau Chief  
Water Use Permit Bureau



# Southwest Florida Water Management District

An Equal  
Opportunity  
Employer

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: WaterMatters.org

August 24, 2018

Cemex Inc./ Attn: James S. Daniel  
16301 Ponce De Leon Blvd  
Brooksville, FL 34614

Vulcan Materials Company/ Attn: Traci Johns  
150151 Deerwood Park Blvd  
Building 100, Suite 120  
Jacksonville, FL 32256

Subject: **Notice of Agency Action -- Approval**  
Water Use Permit No.: 20 002288.007  
Project Name: Vulcan Materials Co.  
County: Hernando

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 002288.007. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at [www.WaterMatters.org/permits/noticing](http://www.WaterMatters.org/permits/noticing). If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

If you have any questions or concerns regarding your permit or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

Darrin W. Herbst, P.G.  
Bureau Chief  
Water Use Permit Bureau  
Regulation Division

Encl:            Permit  
                  Notice of Rights

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**WATER USE PERMIT**  
**Individual**  
**PERMIT NO. 20 002288.007**

**PERMIT ISSUE DATE:** August 24, 2018

**EXPIRATION DATE:** August 24, 2028

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** Renewal

**GRANTED TO:**  
Cemex Inc./ Attn: James S. Daniel  
16301 Ponce De Leon Blvd  
Brooksville, FL 34614

Vulcan Materials Company/ Attn: Traci Johns  
150151 Deerwood Park Blvd  
Building 100, Suite 120  
Jacksonville, FL 32256

**PROJECT NAME:** Vulcan Materials Co.

**WATER USE CAUTION AREA(S):** Not in a WUCA

**COUNTY:** Hernando

**TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)**

ANNUAL AVERAGE	8,300 gpd
PEAK MONTH <sup>1</sup>	8,500 gpd

<sup>1</sup> Peak Month: Average daily use during the highest water use month.

**ABSTRACT:**

This is a renewal with modification of an existing water use permit for mining/ dewatering uses. The authorized quantities shown above are changed from those previously permitted. The annual average quantity has decreased from 70,000 gallons per day (gpd) to 8,300 gpd, and the peak month quantity has decreased from 100,000 gpd to 8,500 gpd. The Use Type remains mining, but the specific uses have changed from water entrained in product to outside use for cleaning and maintenance along with some personal sanitary use. Decreases in quantities are due to this change in use. Quantities are based on calculations provided by the Permittee. This water use permit is located in Hernando County. The Permittee is not using Alternative Water Supply (AWS) sources because none are available at this time.

Special Conditions include those that require the Permittee to continue to record and report water levels from existing monitor wells, follow conservation guidelines, modify the permit to reflect incorporation of any new alternative sources of water, and cap District ID Nos. 1, 2, 3, 4, 5, 8, 9, 12, & 13, Permittee ID Nos. 1, 2, 3, 4, 5, 8, 9, 12, & 13, along with any other wells not in use and in which pumping equipment is not installed.

**WATER USE TABLE (in gpd)**

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Mining/Dewatering	8,300	8,500

**USE TYPE**

Outside  
 Use(Washing/Maintenance  
 Mining)  
 Personal Sanitary Use

**WITHDRAWAL POINT QUANTITY TABLE**

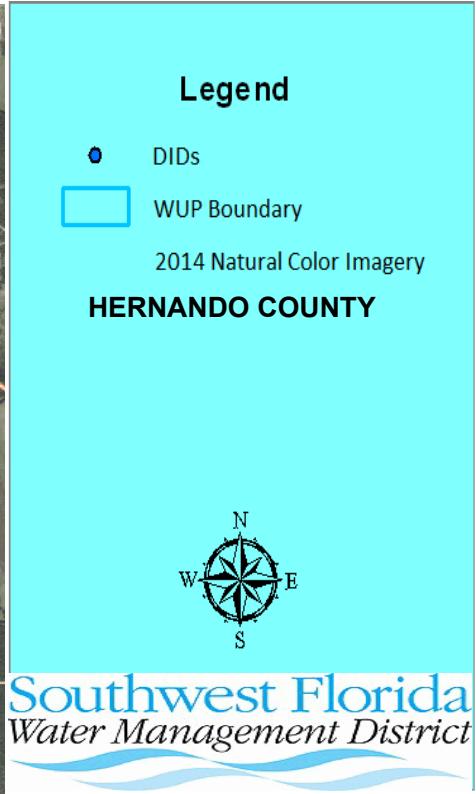
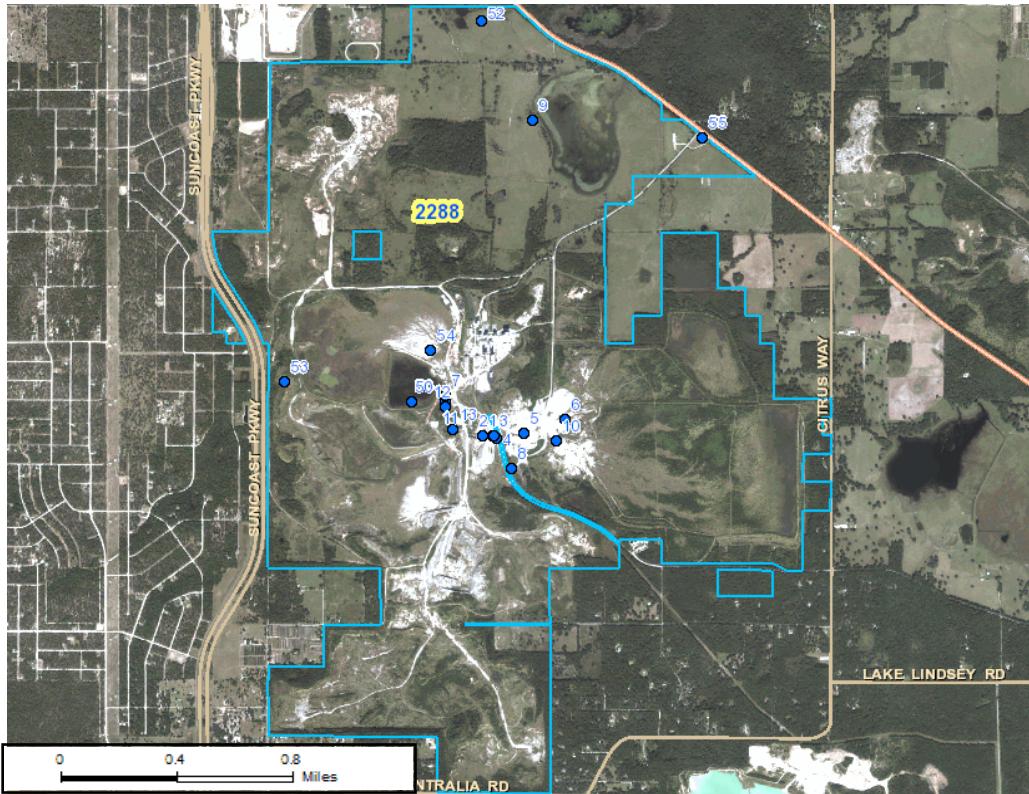
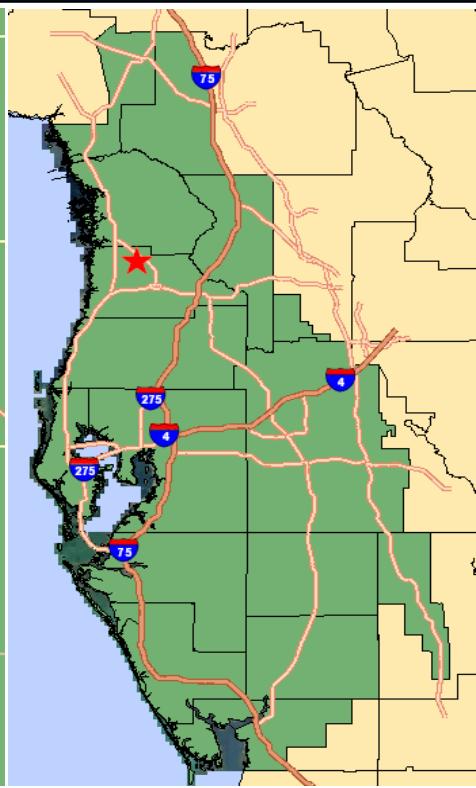
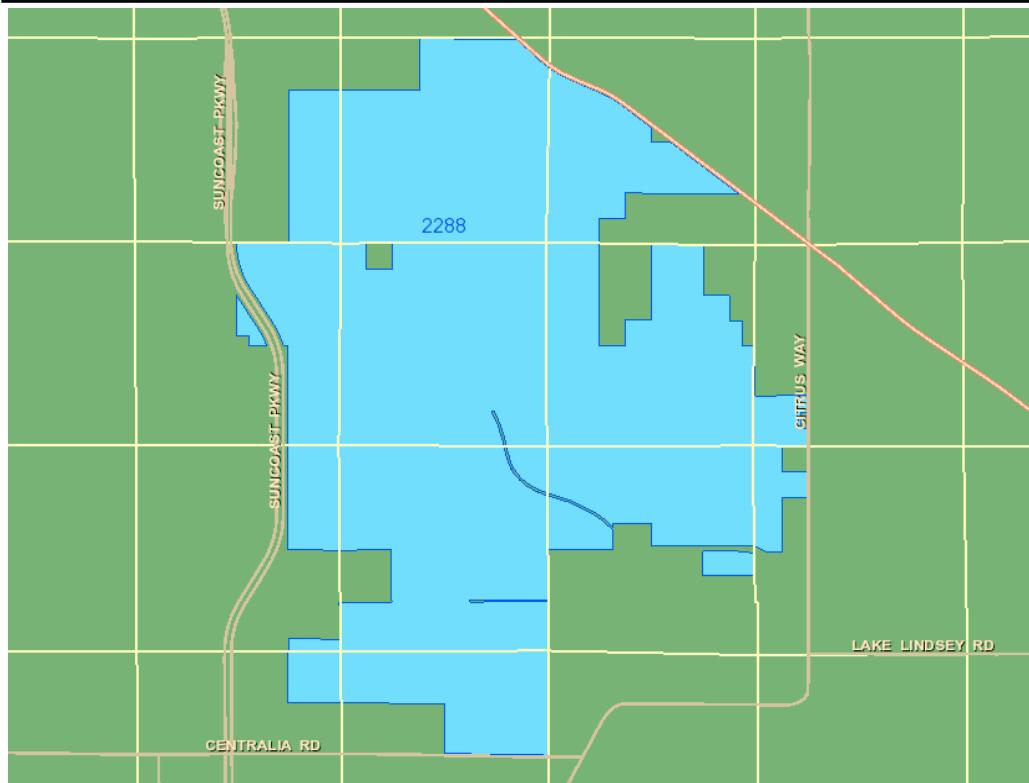
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO.</u>	<u>DEPTH</u>		<u>USE DESCRIPTION</u>	<u>AVERAGE</u> <u>(gpd)</u>	<u>PEAK</u> <u>MONTH</u> <u>(gpd)</u>
<u>PERMITTEE/ DISTRICT</u>	<u>DIAM</u> <u>(in.)</u>	<u>TTL./CSD.FT.</u> <u>(feet bbls)</u>			
1 / 1	18	1,276 / 1,276	To Be Capped	N/A	N/A
2 / 2	18	370 / 370	To Be Capped	N/A	N/A
3 / 3	18	370 / 370	To Be Capped	N/A	N/A
4 / 4	16	650 / 650	To Be Capped	N/A	N/A
5 / 5	12	485 / 485	To Be Capped	N/A	N/A
10 / 7	10	375 / 147	Cleaning/Maintenance	8,000	8,000
8 / 8	4	350 / UNK	To Be Capped	N/A	N/A
9 / 9	4	160 / 126	To Be Capped	N/A	N/A
11 / 11	4	UNK / UNK	Personal Sanitary	300	500
12 / 12	4	UNK / UNK	To Be Capped	N/A	N/A
13 / 13	4	220 / UNK	To Be Capped	N/A	N/A

**WITHDRAWAL POINT LOCATION TABLE**

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	28° 38' 15.20"/82° 28' 21.79"
2	28° 38' 15.10"/82° 28' 19.35"
3	28° 38' 15.20"/82° 28' 18.90"
4	28° 38' 14.70"/82° 28' 18.18"
5	28° 38' 15.67"/82° 28' 10.79"
7	28° 38' 24.49"/82° 28' 31.79"
8	28° 38' 07.49"/82° 28' 14.09"
9	28° 39' 29.00"/82° 28' 09.00"
11	28° 38' 23.00"/82° 28' 31.99"
12	28° 38' 22.00"/82° 28' 31.99"
13	28° 38' 16.62"/82° 28' 29.74"

**Location Map**  
**Cemex Inc./ Attn: James S. Daniel**  
**WUP No. 20 002288.007**



**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

**SPECIAL CONDITIONS:**

1. The Permittee shall utilize the most water conserving practices in all processes and components of water use that are environmentally, technically and economically feasible for the mining activities, including reducing water losses, recycling and reuse, and utilization of water-efficient irrigation practices on drought-tolerant landscaping.(268)
2. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
3. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)
4. The Permittee has provided a document to the Water Use Permit Bureau, which states that the lease agreement for this property has been renewed and is still current. The document must be signed by both the owner (lessor) and the lessee, and indicates the extent of the lease agreement period and renewability of the lease. Subsequent documents will be due should the current agreement change, for each year thereafter or on some other appropriate frequency as dictated by the duration of the renewed lease, for the remaining period of this permit. If the current lease agreement extends beyond the expiration date of this Permit, then subsequent documents are not necessary provided the current lease does not change.(506)
5. Any wells not in use, District ID Nos. 1, 2, 3, 4, 5, 8, 9, 12, & 13, Permittee ID No. 1, 2, 3, 4, 5, 8, 9, 12, & 13, and in which pumping equipment is not installed, shall be capped or valved in a water-tight manner in accordance with Chapter 62-532.500(3)(a)4, F.A.C.(555)
6. The Permittee shall continue to maintain the monitor well or piezometer listed below, monitor water levels and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. Water levels shall be recorded relative to North American Vertical Datum 1988, and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website ([www.watermanners.org](http://www.watermanners.org)) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. The Permittee shall have the elevation of the measuring point on each well listed surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

District ID No. 52/ Permittee ID No. MW-4 Latitude 28° 39' 52.29"W, Longitude 82° 28' 22.72"N

District ID No. 53/ Permittee ID No. MW-5 Latitude 28° 38' 27.55"W, Longitude 82° 29' 14.92"N

District ID No. 54/ Permittee ID No. MW-6 Latitude 28° 38' 35.03"W, Longitude 82° 28' 35.89"N

District ID No. 55/ Permittee ID No. ROMP 107 28° 39' 25.16"W, Longitude 82° 27' 23.44"N

(756)

40D-2  
Exhibit A

**WATER USE PERMIT STANDARD CONDITIONS**

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
  - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - B. Damage to crops and other vegetation causing financial harm to the owner; and
  - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
  - A. A reduction in water levels which impairs the ability of a well to produce water;
  - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

**Darrin W. Herbst, P.G.**

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Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statues and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

### **Notice of Rights**

#### **ADMINISTRATIVE HEARING**

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at [www.flrules.org](http://www.flrules.org) or at the District's website at [www.WaterMatters.org/permits/rules](http://www.WaterMatters.org/permits/rules).
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at [www.WaterMatters.org/about](http://www.WaterMatters.org/about).

**JUDICIAL REVIEW**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



**APPENDIX B**  
**THREATENED AND ENDANGERED SPECIES SURVEY RESULTS LETTER**

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July 5, 2019  
Kleinfelder Project No.: 20193939.001A

Ms. Dawn Velsor  
Lead Environmental Planner  
Hernando County Planning Department  
20 N Main St, Room 262  
Brooksville, FL 34601

**SUBJECT: VULCAN CONSTRUCTION MATERIALS – BROOKSVILLE QUARRY – 2019  
MINING OPERATIONS PLAN APPROVAL (MOPA) - ANTICIPATED MINING  
AREAS 2020-2024  
THREATENED AND ENDANGERED SPECIES EVALUATION**

Dear Ms. Velsor:

On May 15, 2019, Kleinfelder Southeast, Inc. (Kleinfelder) conducted a threatened and endangered (T&E) species evaluation of the 2020-2024 anticipated mining areas and their associated 400' foot buffers (the Project) on the referenced ± 3,669.40 acre site (the Property). The T&E evaluation of the Project was broken up into five (5) areas which correspond to the five (5) separate anticipated mining areas and their associated 400' foot buffers, which totals to approximately 401.54 acres (**Figure 1**). The purpose of the T&E evaluation is to determine the potential for the occurrence of any protected flora and fauna within the Project. This assessment was conducted to address the Hernando County requirements for a Mining Operations Plan Approval (MOPA).

No T&E species were identified during the referenced evaluation. The following provides the methodology and results of the T&E species evaluation conducted in May 2019.

## **METHODOLOGY**

### **Database Search**

A review of databases and available resources, including the Florida Natural Areas Inventory (FNAI) Biodiversity Index, Florida Fish and Wildlife Conservation Commission (FWC) Threatened and Endangered Species List, United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation Resource List for Hernando County (IPaC), and the species-specific resources listed below, was conducted in order to determine the likelihood of the presence of federal and state listed floral and/or faunal species within the Project. This likelihood was assessed given the availability of potentially suitable habitat, food sources, and nesting sites for listed species within the Project.

- FWC Eagle Nest Locator
- USFWS 2008-2017 Woodstork Nesting Colony GIS information,
- USFWS Southeast Woodstork Active Florida Colonies Google Earth Files,
- FWC Quick Maps Habitats and Wildlife Google Earth Files,

- FWC Scrub-Jay Habitat Florida GIS information; and,
- FWC Black Bear Range Florida GIS information.

Copies of the FNAI report, FWC nest locator search, and USFWS IPaC are attached (**Attachments 1-3**).

### **Site Conditions**

In order to determine areas of the Project with the highest potential for the occurrence of T&E species and to determine which listed species may occur within the Project, existing land use and habitats for the Project were classified and mapped based on field reconnaissance observations made during the T&E evaluation. The land uses and vegetative communities within the Project have been classified utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS, FDOT 1999).

### **Listed Species Field Assessment**

Utilizing methodologies and guidelines established by the FWC and USFWS, the Project was qualitatively surveyed for the presence and/or potential for occurrence of the flora and fauna listed by the FWC, the USFWS, or the Florida Department of Agriculture and Consumer Services (FDACS) that may have potential to utilize the Project based on the geography and observed site conditions. Visual observations combined with a pedestrian survey were conducted throughout the entirety of the Project in order to identify and document evidence and utilization by listed species.

## **RESULTS**

### **Database Search**

Based on review of the FNAI Biodiversity Index results, the following T&E faunal and floral species have either been documented within or are designated as 'likely' or have the 'potential' to occur within the 1-square mile Matrix Units (25026, 25027, 25028, 25290, 25291, 25292, 25555, 25556, 25557, 25029, and 25293) that encompass the Project (**Attachment 1**). Listing classifications such as 'likely' or 'potential' to occur indicates that there is a known presence of suitable habitat for these species within the vicinity of the matrix or the matrix falls within the vicinity of the predicted ranges of these species. A listing classification such as 'documented' indicates that there is a documented occurrence of the species within a matrix unit. Inclusion on the FNAI list does not confirm presence; however, this list is used to target likely species to evaluate for during the field reconnaissance.

<b>Group</b>	<b>Species</b>	<b>Status</b>
Birds	Bald eagle ( <i>Haliaeetus leucocephalus</i> )	-
	Florida burrowing owl ( <i>Athene cunicularia floridana</i> )	ST
	Florida sandhill crane ( <i>Grus canadensis pratensis</i> )	ST
	Wood stork ( <i>Mycteria americana</i> )	FT
	Southeastern American kestrel ( <i>Falco sparverius paulus</i> )	ST
	Red-cockaded woodpecker ( <i>Picoides borealis</i> )	FE

Group	Species	Status
Reptiles	Eastern indigo snake ( <i>Drymarchon couperi</i> )	FT
	Gopher tortoise ( <i>Gopherus polyphemus</i> )	ST
	Florida pine snake ( <i>Pituophis melanoleucus mugitus</i> )	ST
	Short-tailed snake ( <i>Stilosoma extenuatum</i> )	ST
Flora	American alligator ( <i>Alligator mississippiensis</i> )	FT(S/A)
	Brooksville bellflower ( <i>Campanula robiniae</i> )	FE
	Cooley's water-willow ( <i>Justicia cooleyi</i> )	FE

FWC – Florida Fish and Wildlife Conservation Commission; Official Lists of Florida's Endangered Species, Threatened Species, and Species of Special Concern (Ch. 68A-27 F.A.C.; updated 06/2019) [ranking: ST - State-designated Threatened, SSC - State Species of Special Concern, FE - Federally-designated Endangered, FT - Federally-designated Threatened, FT(S/A) - Federally-designated Threatened by Similarity of Appearance, (-) – not listed]

### **Site Conditions**

In general, the Project consists of dense cogongrass (*Imperata cylindrica*), and uneven topography, indicative of historic excavation. Limited natural habitat is located within the Project. The Project consists primarily of uplands, with the exception of an area mapped as wetland forest. Four (4) land use or cover types were observed on the Project. The observed land use and cover types associated with the Project are summarized below (**Figure 2**).

Residential Low Density <2 Dwelling Units (FLUCFCS 110, 0.02 acres, <0.01%) – A low density residential area in the southwest corner of the Property is included within the Anticipated Mining 2021, 2022 & 2023 area. This area is characterized by a dense forest dominated by sweetgum (*Liquidambar styraciflua*), live oak (*Quercus virginiana*), and laurel oak (*Quercus laurifolia*).

Extractive (FLUCFCS 160, 365.15 acres, 90.94%) – This land cover type encompasses former quarry pits, existing access roads, and mine related infrastructure. The majority of all five (5) anticipated mining areas and the immediate surrounding lands are characterized by this land cover type. Areas classified as extractive land use within the anticipated mining areas are characterized by uneven topography, exposed rock outcroppings, and a lack of vegetation, in association with the former mining activities on the Site. The observed vegetation present within these areas is dominated by dense cogongrass with scattered clumps of Jamaica swamp sawgrass (*Cladium jamaicense*) and rattlebox (*Crotalaria spectabilis*). Additionally, scattered clusters of various shrub species are found throughout these areas and include species such as wax myrtle (*Myrica cerifera*), coastalplain willow (*Salix caroliniana*), Eastern false-willow (*Baccharis halimifolia*), and winged sumac (*Rhus copallina*).

Mixed Hardwoods (FLUCFCS 438, 35.12 acres, 8.75%) – Upland mixed hardwood forests are located within Anticipated Mining 2021, Anticipated Mining 2022, Anticipated Mining 2023, and Anticipated Mining 2024. These forested areas are located along the edges of historically mined areas and are characterized by dense sweetgum, live oak, laurel oak, slash pine (*Pinus elliotti*), and mimosa (*Albizia julibrissin*).

Utilities (FLUCFCS 830, 1.25 acres, 0.31%) – A corridor consisting of a utility easement is mapped within Anticipated Mining 2024. The dominant vegetative cover within this area consists of cogongrass, rattlebox, and natal grass (*Melinis repens*).

Due to the observed onsite conditions, there is a low likelihood that the Project is being utilized by listed species.

## **Listed Species Field Assessment**

### **Protected Wildlife Species**

Utilizing methodologies and guidelines established by the FWC and the USFWS, the Project was qualitatively surveyed for the presence and/or potential for occurrence of the following flora and fauna listed by the FWC, the USFWS, or the Florida Department of Agriculture and Consumer Services (FDACS). Meandering vehicular and pedestrian transects were completed throughout the Project.

No listed fauna were observed on the Project during the T&E evaluation. Based upon habitat preference, known geographic distribution, and the existing conditions identified within the Project, the following listed species were found to have the potential to occur within the Project:

#### **Gopher Tortoise**

The gopher tortoise (*Gopherus polyphemus*) is listed as “Threatened” by the FWC and permits are required to impact areas containing gopher tortoises or their burrows. Suitable habitat includes dry upland areas, including sandhills, scrub, xeric oak hammock, and dry pine flatwoods. Although upland hardwood forested areas were identified within the Project, the density of canopy cover and groundcover within these areas are likely too high to be suitable for the gopher tortoise. No gopher tortoise burrows were observed within the Project. Based on the lack of observed gopher tortoise burrows and suitable foraging habitat within the Project, there is a low likelihood for this species to utilize the Project.

If a gopher tortoise is found to occupy the Project, this species will need to be addressed through appropriate avoidance and/or permitting with the FWC prior to land disturbance.

#### **Bald Eagle**

The bald eagle (*Haliaeetus leucocephalus*) is protected by the USFWS under authority of the Migratory Bird Treaty Act and the Bald Eagle Protection Act. The bald eagle typically nests in mature pine trees located near large, open water bodies. The USFWS has established guidelines regarding activities within a 330-foot zone and 660-foot zone surrounding bald eagle nests. Due to the presence of a large lake on the Property, Skinner Lake, which is approximately 1.2 miles north of the “Anticipated Mining Area 2024 area”, and the Project’s proximity to Stafford Lake, approximately 0.3 miles east of the ‘Anticipated Mining Area 2024 area”, a search of the current FWC Eagle Nest Locator database was conducted to determine if nests have previously been recorded on the Property or on adjacent properties (**Attachment 2 & Figure 3**). According to the FWC database, no bald eagle nests are documented on the Project; however, one eagle nest (HN-010), is located on the Site, approximately 1.70 miles northwest of “Anticipated Mining 2024 area”. No eagles or eagle nests were observed within the Project during the site visit and the likelihood of nesting within the Project is deemed low due to the lack of suitable nesting habitat within the Project.

## Protected Plant Species

Based on a review of the FNAI Biodiversity Matrix, there are three (3) protected plant species that occur within Hernando County: Cooley's water willow (*Justicia cooleyi*), Brooksville bellflower (*Campanula robbinsiae*), and Britton's beargrass (*Nolina brittoniana*) (**Attachment 3**). No plant species protected by the Florida Department of Agriculture and Consumer Services (FDACS) were observed during the T&E evaluation. Based on known geographic distribution, habitat preference, and existing land uses and covers, there is a low probability of listed floral species to occur within survey areas.

Based upon habitat preference, known geographic distribution, and the existing conditions identified within the Project, the potential for listed species to occur on the Project has been deemed low.

## LIMITATIONS

Our work has been performed in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the services are provided. Our conclusions, opinions and recommendations are based on a limited number of observations and data. It is possible that conditions could vary between or beyond the data evaluated. Kleinfelder makes no guarantee or warranty, express, or implied, regarding the services, communication (oral or written), report, opinion, or instrument or service provided.

Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

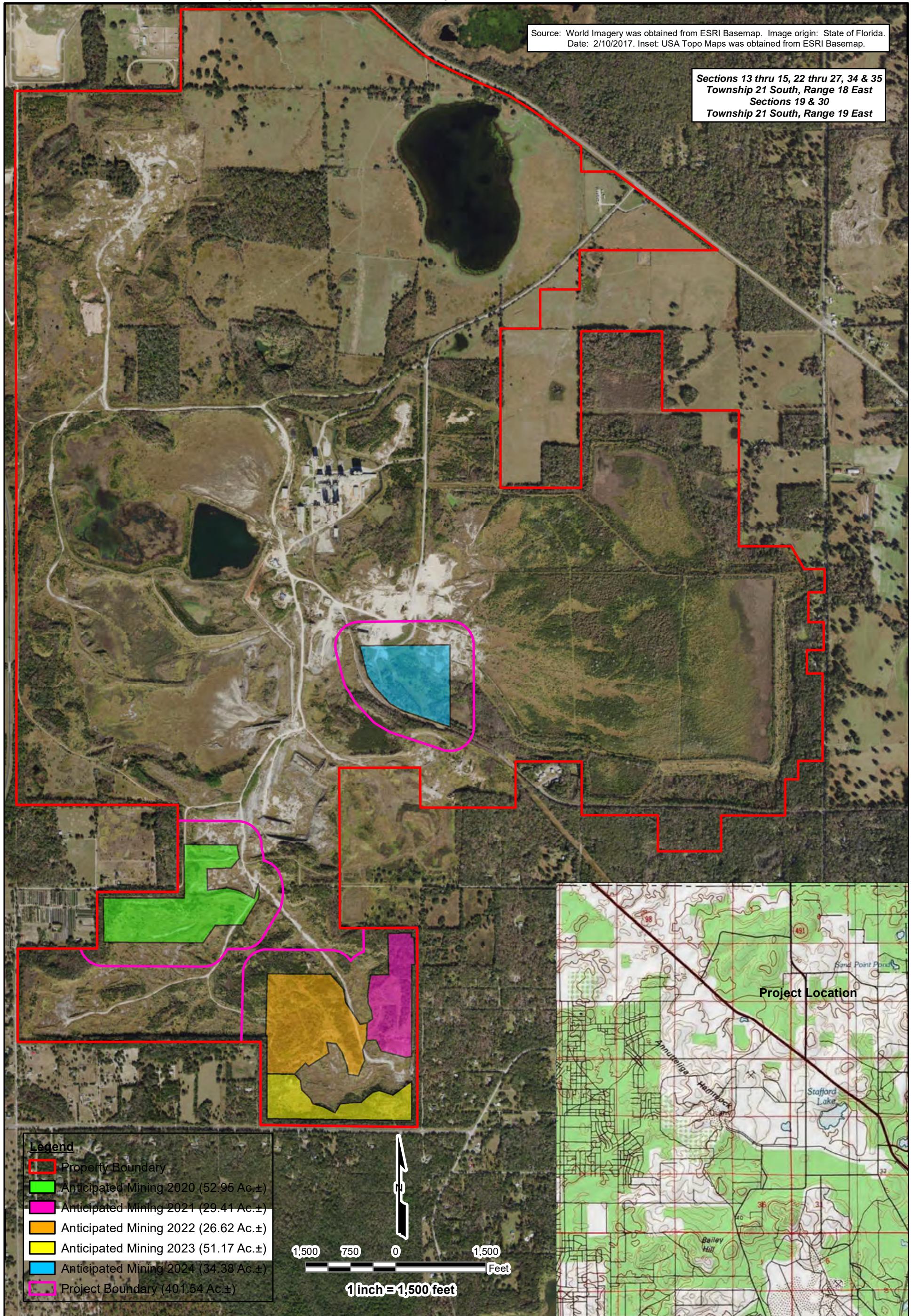
**KLEINFELDER**



Lisa F. Daugherty  
Project Manager

Enc. Figure 1 – Location Map  
Figure 2 – Land Use Map  
Figure 3 – Eagle Nest Location Map  
Attachment 1 – FNAI Biodiversity Matrix Query Results  
Attachment 2 – FWC Eagle Nest Locator Results  
Attachment 3 – USFWS Information for Planning and Consultation Resource List  
(Hernando County)

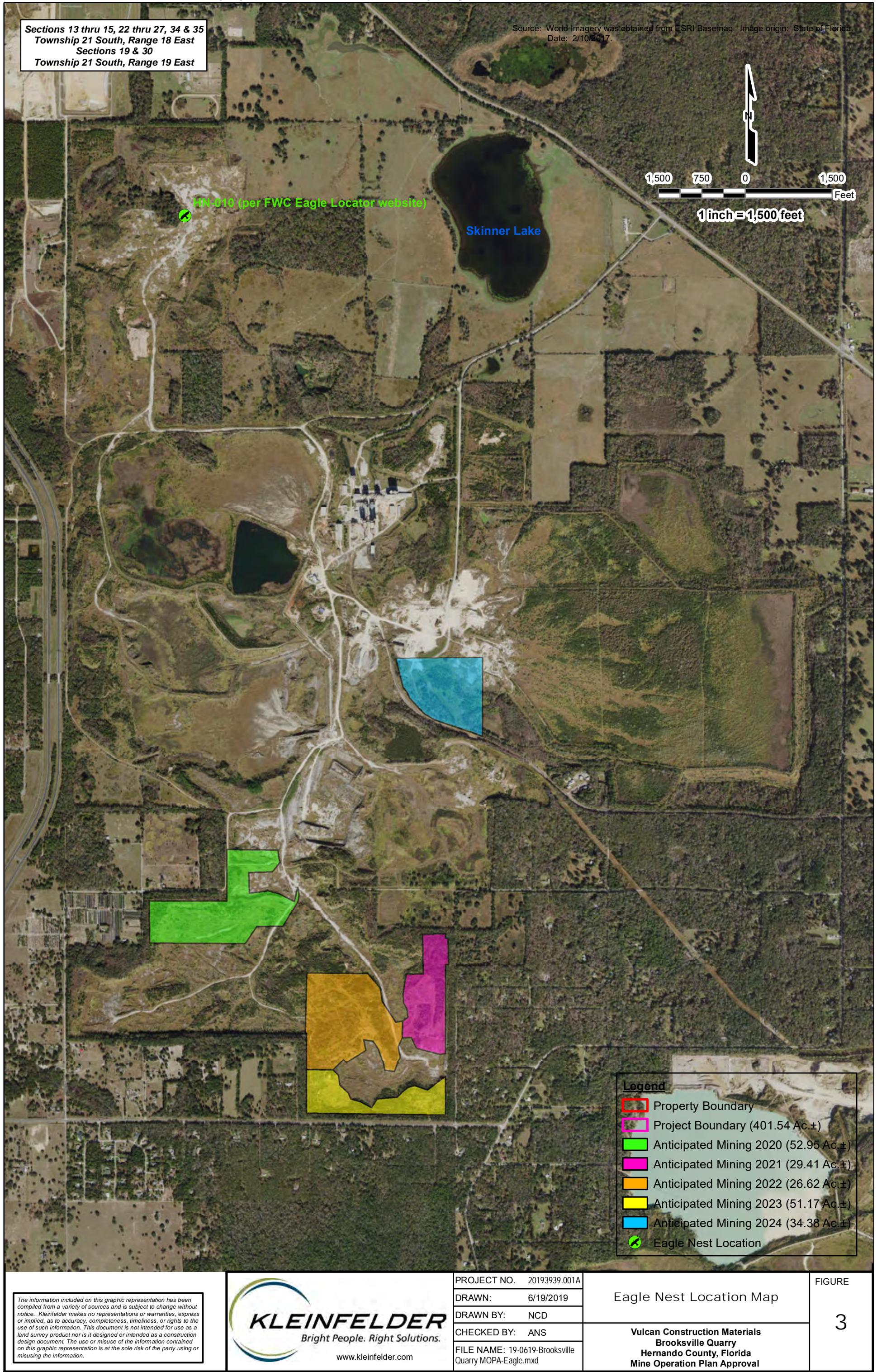
cc: Ms. Traci Johns, Vulcan Construction Materials  
File



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## Florida Natural Areas Inventory

### Biodiversity Matrix Query Results

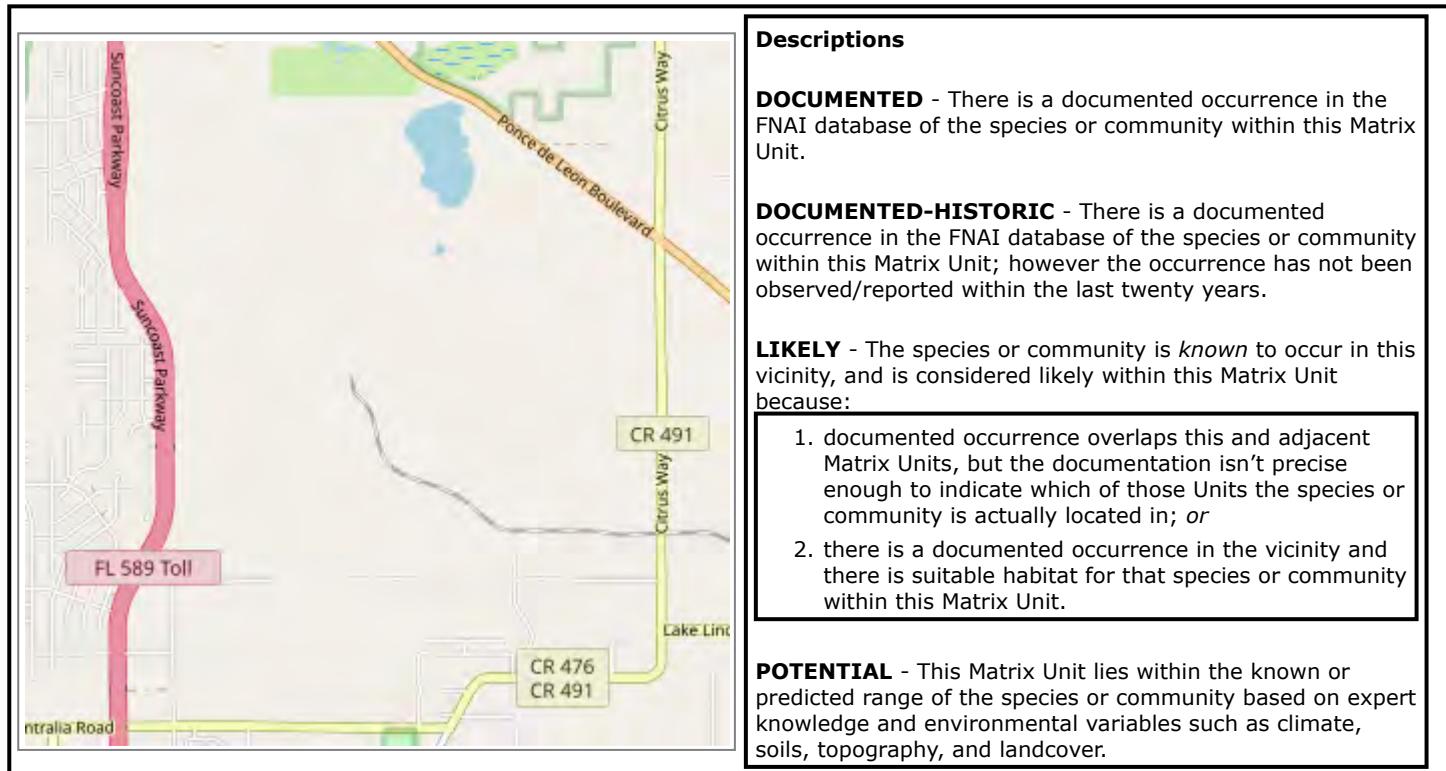
#### UNOFFICIAL REPORT

Created 5/9/2019

(Contact the FNAI Data Services Coordinator at 850.224.8207 or [kbrinegar@fnai.fsu.edu](mailto:kbrinegar@fnai.fsu.edu) for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

### Report for 9 Matrix Units: 25026, 25027, 25028, 25290, 25291, 25292, 25555, 25556, 25557



#### Matrix Unit ID: 25026

0 Documented Elements Found

0 Documented-Historic Elements Found

3 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<a href="#"><i>Drymarchon couperi</i></a> Eastern Indigo Snake	G3	S3	LT	FT
<a href="#"><i>Mycteria americana</i></a> Wood Stork	G4	S2	LT	FT
<i>Sandhill</i>	G3	S2	N	N

#### Matrix Unit ID: 25027

0 Documented Elements Found

**0 Documented-Historic** Elements Found**3 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Sandhill</i>	G3	S2	N	N

**Matrix Unit ID: 25028****0 Documented** Elements Found**0 Documented-Historic** Elements Found**3 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Sandhill</i>	G3	S2	N	N

**Matrix Unit ID: 25290****0 Documented** Elements Found**0 Documented-Historic** Elements Found**1 Likely** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT

**Matrix Unit ID: 25291****0 Documented** Elements Found**0 Documented-Historic** Elements Found**0 Likely** Elements Found**Matrix Unit ID: 25292****1 Documented** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Haliaeetus leucocephalus</i> Bald Eagle	G5	S3	N	N

**0 Documented-Historic** Elements Found**3 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing

<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Sandhill upland lake</i>	G3	S2	N	N

**Matrix Unit ID: 25555****0 Documented** Elements Found**0 Documented-Historic** Elements Found**2 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT

**Matrix Unit ID: 25556****0 Documented** Elements Found**0 Documented-Historic** Elements Found**3 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Sandhill</i>	G3	S2	N	N

**Matrix Unit ID: 25557****0 Documented** Elements Found**0 Documented-Historic** Elements Found**4 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Justicia cooleyi</i> Cooley's Water-willow	G2	S2	LE	E
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Upland hardwood forest</i>	G5	S3	N	N

**Matrix Unit IDs: 25026, 25027, 25028, 25290, 25291, 25292, 25555, 25556, 25557****37 Potential** Elements Common to Any of the 9 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Adiantum tenerum</i> Brittle Maidenhair Fern	G5	S3	N	E
<i>Agrimonia incisa</i> Incised Groove-bur	G3	S2	N	T

<i>Asplenium heteroresiliens</i> Wagner's Spleenwort	GNA	S1	N	N
<i>Asplenium plenum</i> Ruffled Spleenwort	G1Q	S1	N	N
<i>Asplenium x curtissii</i> Curtiss' Spleenwort	GNA	S1	N	N
<i>Athene cunicularia floridana</i> Florida Burrowing Owl	G4T3	S3	N	SSC
<i>Blechnum occidentale</i> Sinkhole Fern	G5	S1	N	E
<i>Calopogon multiflorus</i> Many-flowered Grass-pink	G2G3	S2S3	N	T
<i>Centrosema arenicola</i> Sand Butterfly Pea	G2Q	S2	N	E
<i>Coelorachis tuberculosa</i> Piedmont Jointgrass	G3	S3	N	T
<i>Corynorhinus rafinesquii</i> Rafinesque's Big-eared Bat	G3G4	S2	N	N
<i>Digitaria floridana</i> Florida Fingergrass	G1	S1	N	N
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Falco sparverius paulus</i> Southeastern American Kestrel	G5T4	S3	N	ST
<i>Forestiera godfreyi</i> Godfrey's Swampprivet	G2	S2	N	E
<i>Gopherus polyphemus</i> Gopher Tortoise	G3	S3	C	ST
<i>Heterodon simus</i> Southern Hognose Snake	G2	S2	N	N
<i>Justicia cooleyi</i> Cooley's Water-willow	G2	S2	LE	E
<i>Lampropeltis extenuata</i> Short-tailed Snake	G3	S3	N	ST
<i>Lithobates capito</i> Gopher Frog	G3	S3	N	SSC
<i>Matelea floridana</i> Florida Spiny-pod	G2	S2	N	E
<i>Monotropa reynoldiae</i> Pygmy Pipes	G1Q	S1	N	E
<i>Mustela frenata peninsulae</i> Florida Long-tailed Weasel	G5T3	S3	N	N
<i>Myotis austroriparius</i> Southeastern Bat	G3G4	S3	N	N
<i>Nemastylis floridana</i> Celestial Lily	G2	S2	N	E
<i>Neofiber alleni</i> Round-tailed Muskrat	G3	S3	N	N
<i>Notophthalmus perstriatus</i> Striped Newt	G2G3	S2	C	N
<i>Picoides borealis</i> Red-cockaded Woodpecker	G3	S2	LE	FE
<i>Pituophis melanoleucus mugitus</i> Florida Pine Snake	G4T3	S3	N	SSC
<i>Podomys floridanus</i> Florida Mouse	G3	S3	N	SSC
<i>Pteroglossaspis ecristata</i> Giant Orchid	G2G3	S2	N	T
<i>Pycnanthemum floridanum</i> Florida Mountain-mint	G3	S3	N	T
<i>Sciurus niger shermani</i> Sherman's Fox Squirrel	G5T3	S3	N	SSC
<i>Spigelia loganioides</i> Pinkroot	G2Q	S2	N	E
<i>Triphora craigheadii</i>	G1	S1	N	E

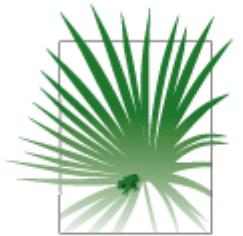
Craighead's Nodding-caps				
<i>Typocerus fulvocinctus</i>	G2G3	S2S3	N	N
Yellow-banded Typocerus Long-horned Beetle				
<i>Ursus americanus floridanus</i>	G5T2	S2	N	N
Florida Black Bear				

**Disclaimer**

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

**Unofficial Report**

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FLORIDA  
Natural Areas  
INVENTORY

## Florida Natural Areas Inventory

### Biodiversity Matrix Query Results

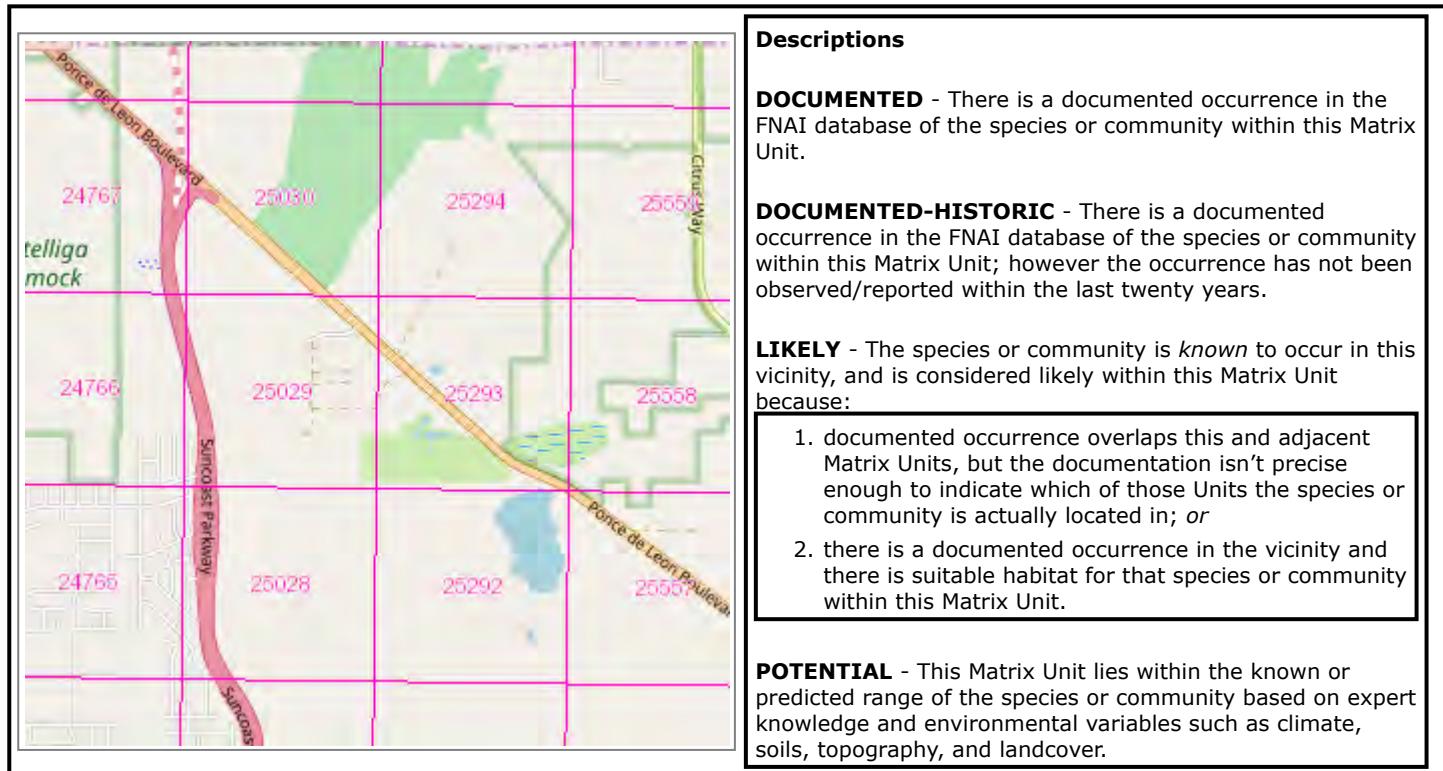
#### UNOFFICIAL REPORT

Created 5/9/2019

(Contact the FNAI Data Services Coordinator at 850.224.8207 or  
kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

#### Report for 2 Matrix Units: 25029, 25293



#### Matrix Unit ID: 25029

0 Documented Elements Found

0 Documented-Historic Elements Found

5 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
Mesic flatwoods	G4	S4	N	N
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
Sandhill	G3	S2	N	N
Upland hardwood forest	G5	S3	N	N

**Matrix Unit ID: 25293****0 Documented** Elements Found**0 Documented-Historic** Elements Found**6 Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Justicia cooleyi</i> Cooley's Water-willow	G2	S2	LE	E
<i>Mesic flatwoods</i>	G4	S4	N	N
<i>Mycteria americana</i> Wood Stork	G4	S2	LT	FT
<i>Sandhill upland lake</i>	G3	S2	N	N
<i>Upland hardwood forest</i>	G5	S3	N	N

**Matrix Unit IDs: 25029, 25293****33 Potential** Elements Common to Any of the 2 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Agrimonia incisa</i> Incised Groove-bur	G3	S2	N	T
<i>Asplenium heteroresiliens</i> Wagner's Spleenwort	GNA	S1	N	N
<i>Asplenium plenum</i> Ruffled Spleenwort	G1Q	S1	N	N
<i>Asplenium pumilum</i> Dwarf Spleenwort	G5	S1	N	E
<i>Asplenium x curtissii</i> Curtiss' Spleenwort	GNA	S1	N	N
<i>Athene cunicularia floridana</i> Florida Burrowing Owl	G4T3	S3	N	SSC
<i>Blechnum occidentale</i> Sinkhole Fern	G5	S1	N	E
<i>Calopogon multiflorus</i> Many-flowered Grass-pink	G2G3	S2S3	N	T
<i>Centrosema arenicola</i> Sand Butterfly Pea	G2Q	S2	N	E
<i>Corynorhinus rafinesquii</i> Rafinesque's Big-eared Bat	G3G4	S2	N	N
<i>Digitaria floridana</i> Florida Fingergrass	G1	S1	N	N
<i>Forestiera godfreyi</i> Godfrey's Swampprivet	G2	S2	N	E
<i>Gopherus polyphemus</i> Gopher Tortoise	G3	S3	C	ST
<i>Heterodon simus</i> Southern Hognose Snake	G2	S2	N	N
<i>Justicia cooleyi</i> Cooley's Water-willow	G2	S2	LE	E
<i>Lampropeltis extenuata</i> Short-tailed Snake	G3	S3	N	ST
<i>Lithobates capito</i> Gopher Frog	G3	S3	N	SSC
<i>Matelea floridana</i> Florida Spiny-pod	G2	S2	N	E
<i>Monotropa reynoldsiae</i> Pygmy Pipes	G1Q	S1	N	E
<i>Mustela frenata peninsulae</i> Florida Long-tailed Weasel	G5T3	S3	N	N

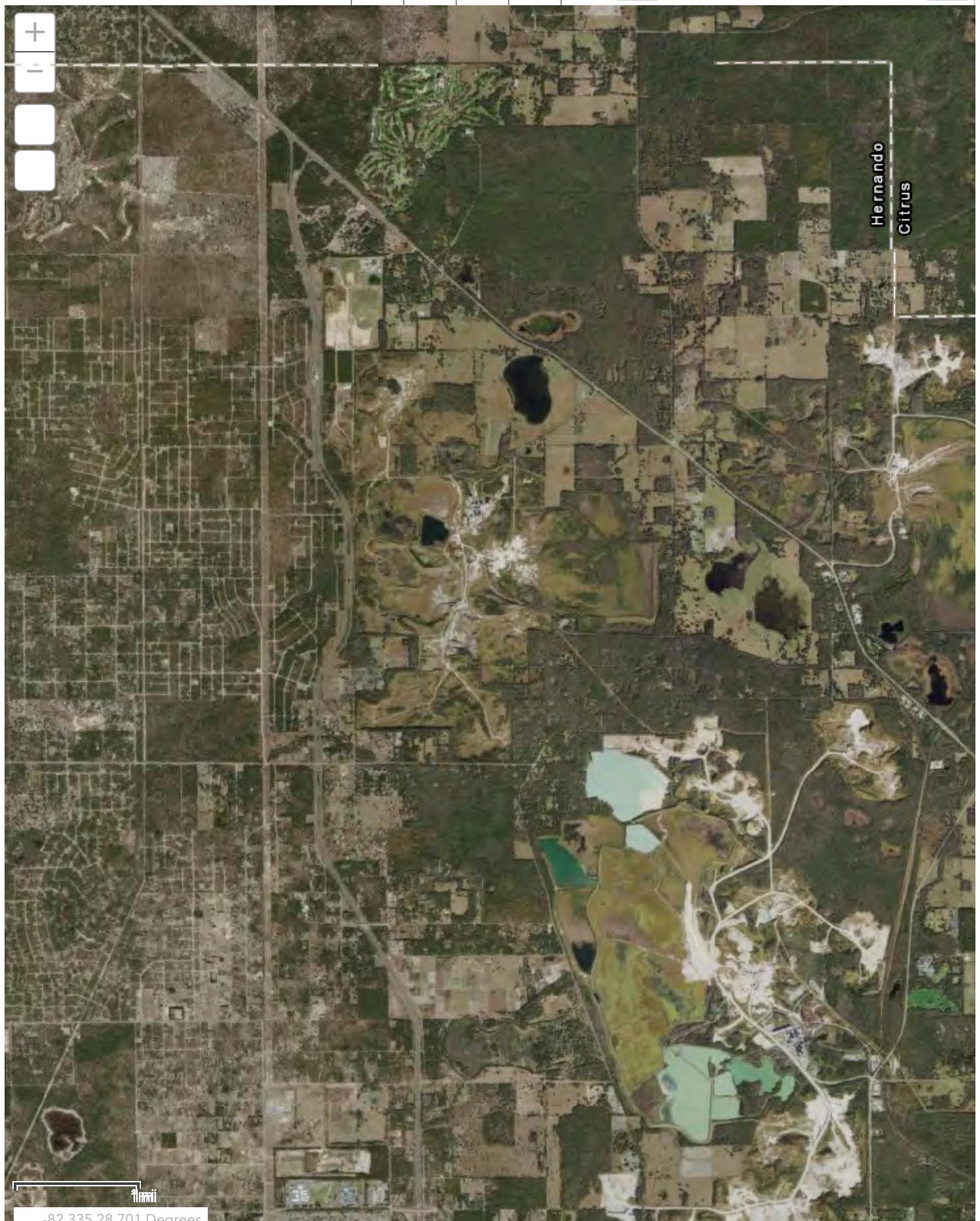
	G3G4	S3	N	N
<i>Myotis austroriparius</i> Southeastern Bat				
<i>Nemastylis floridana</i> Celestial Lily	G2	S2	N	E
<i>Neofiber alleni</i> Round-tailed Muskrat	G3	S3	N	N
<i>Notophthalmus perstriatus</i> Striped Newt	G2G3	S2	C	N
<i>Picoides borealis</i> Red-cockaded Woodpecker	G3	S2	LE	FE
<i>Pituophis melanoleucus mugitus</i> Florida Pine Snake	G4T3	S3	N	SSC
<i>Podomys floridanus</i> Florida Mouse	G3	S3	N	SSC
<i>Pycnanthemum floridanum</i> Florida Mountain-mint	G3	S3	N	T
<i>Sciurus niger shermani</i> Sherman's Fox Squirrel	G5T3	S3	N	SSC
<i>Spigelia loganioides</i> Pinkroot	G2Q	S2	N	E
<i>Triphora craigheadii</i> Craighead's Nodding-caps	G1	S1	N	E
<i>Typocerus fulvocinctus</i> Yellow-banded Typocerus Long-horned Beetle	G2G3	S2S3	N	N
<i>Ursus americanus floridanus</i> Florida Black Bear	G5T2	S2	N	N

### Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

### Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.



-82.335 28.701 Degrees

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Hernando County, Florida



## Local office

North Florida Ecological Services Field Office

📞 (904) 731-3336

📠 (904) 731-3045

7915 Baymeadows Way, Suite 200

Jacksonville, FL 32256-7517

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME	STATUS
------	--------

West Indian Manatee *Trichechus manatus*

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/4469>

Threatened

Marine mammal

## Birds

## NAME

## STATUS

Eastern Black Rail *Laterallus jamaicensis* ssp. *jamaicensis*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/10477>

Proposed Threatened

Florida Scrub-jay *Aphelocoma coerulescens*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/6174>

Threatened

Red Knot *Calidris canutus rufa*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/1864>

Threatened

Red-cockaded Woodpecker *Picoides borealis*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/7614>

Endangered

Wood Stork *Mycteria americana*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/8477>

Threatened

## Reptiles

## NAME

## STATUS

Eastern Indigo Snake *Drymarchon corais couperi*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/646>

Threatened

Gopher Tortoise *Gopherus polyphemus*

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/6994>

Candidate

Loggerhead Sea Turtle *Caretta caretta*

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/1110>

Threatened

## Fishes

## NAME

## STATUS

Atlantic Sturgeon (gulf Subspecies) *Acipenser oxyrinchus*  
 (= *oxyrhynchus*) *desotoi*

Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/651>

## Flowering Plants

## NAME

## STATUS

Brooksville Bellflower *Campanula robinsiae*

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/5809>

Cooley's Water-willow *Justicia cooleyi*

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/4653>

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds  
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>

- Nationwide conservation measures for birds

<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

American Kestrel *Falco sparverius paulus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 1 to Aug 31

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Sep 1 to Jul 31

Common Ground-dove *Columbina passerina exigua*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Feb 1 to Dec 31

Least Tern *Sterna antillarum*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 20 to Sep 10

Lesser Yellowlegs *Tringa flavipes*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

Breeds elsewhere

Limpkin *Aramus guarauna*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Jan 15 to Aug 31

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Swallow-tailed Kite *Elanoides forficatus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8938>

Breeds Mar 10 to Jun 30

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any

week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

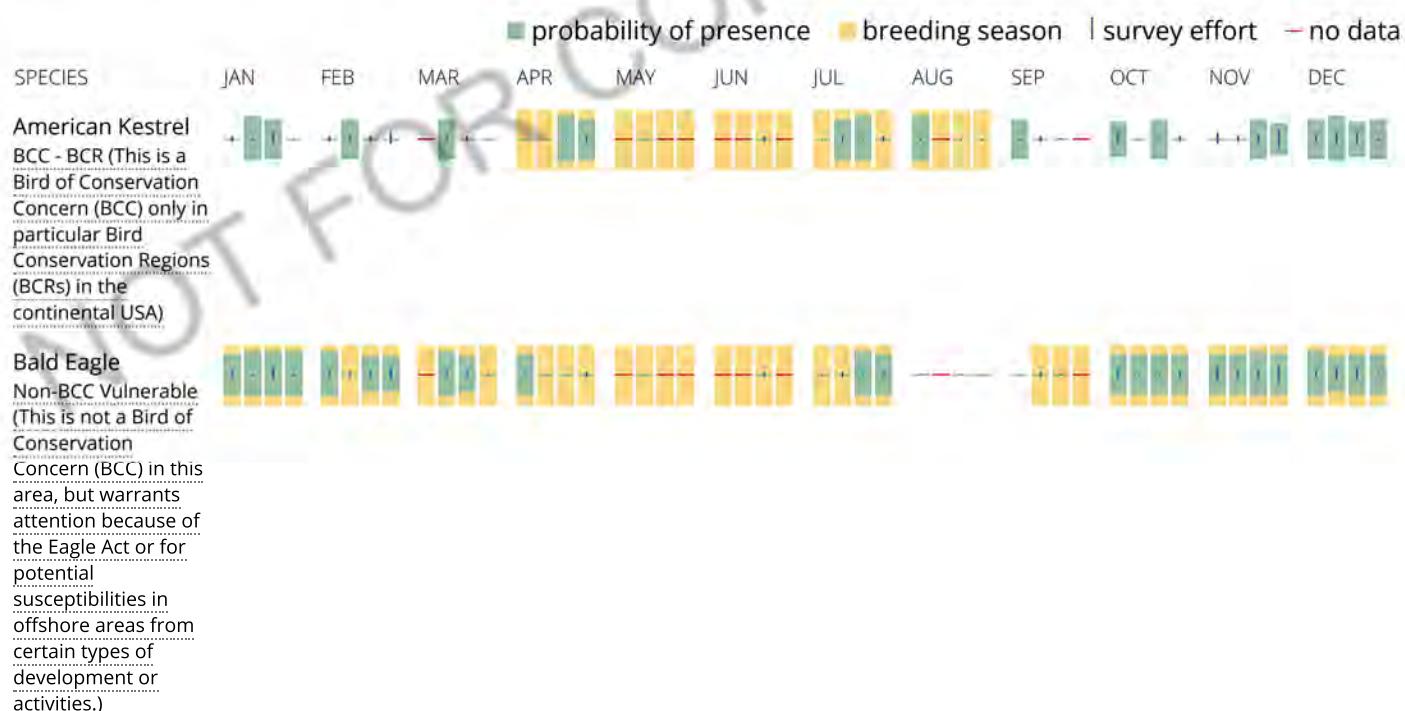
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (-)

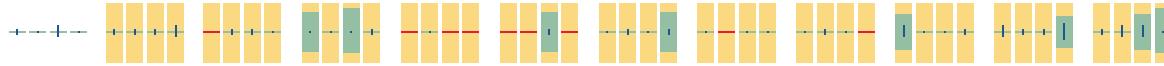
A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

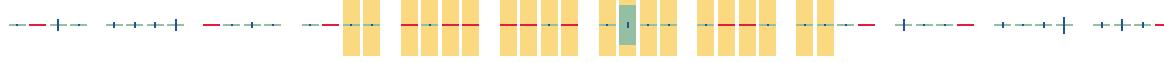
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Common Ground-dove  
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Least Tern  
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



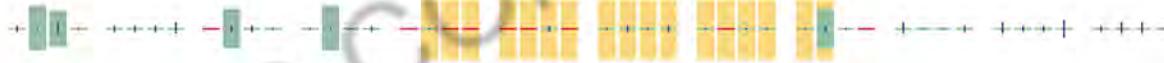
Lesser Yellowlegs  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Limpkin  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Red-headed Woodpecker  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Swallow-tailed Kite  
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review.

Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

#### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

# Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act<sup>1</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>2</sup>.

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries<sup>3</sup> [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*  
<https://ecos.fws.gov/ecp/species/4469>

# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

# Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

## Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1F](#)  
[PEM1A](#)  
[PEM1Fx](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PSS1C](#)  
[PFO1C](#)  
[PFO6C](#)  
[PFO2F](#)

FRESHWATER POND

[PUSCx](#)  
[PUBHx](#)  
[PUBH](#)  
[PAB3H](#)

LAKE

[L2UBHh](#)  
[L1UBH](#)

RIVERINE

[R4SBC](#)  
[R5UBFx](#)  
[R5UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted.

Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



September 9, 2019  
Kleinfelder Project No.: 20193939.001A

Ms. Terri Stokes  
Department of Planning and Zoning  
Zoning Division  
789 Providence Boulevard  
Brooksville, Florida 34601

**SUBJECT: VULCAN CONSTRUCTION MATERIALS – BROOKSVILLE QUARRY  
MINE OPERATION PLAN APPROVAL (MOPA) APPLICATION  
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION**

Dear Ms. Stokes:

The following and enclosed information is being submitted to the County in response to the Review Comments provided by the Hernando County Planning & Zoning departments, dated August 14, 2019.

**Planning Department Comments**

1. Reclamation: Using standards within Chapter 19, sec 19-72 (Hernando County Code), a conceptual reclamation plan using same scale/size of previously required drawings is to be supplied with the MOPA (with applicable timeframes).

**Response:** Vulcan Construction Materials (VCM) has no reclamation obligations for the Property. Pursuant to the current Hernando County Master Mining Plan Approval (MAMPA) M-94-4, Hernando County Mining Operation Plan Approval (MOPA) 15-02, and Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) 231417-001, Cemex, the property owner, is responsible for all requisite reclamation on the Property (**Previously submitted Appendix A of MOPA Application Package**).

2. Consistent with Chapter 19, sec 19-32 (Hernando County Code), a report on the mining operator's exploration and intended use of new technology to reduce adverse human response to mining is to be included.

**Response:** VCM continually looks for new technology to maximize efficiency of mining and minimize impacts to the surroundings and humans. There have been no new technological changes to the mining process to date. Best Management Practices are utilized during the mining and reclamation processes to provide safeguards to public health, safety, and welfare and protect undisturbed natural resources. There are setbacks established from all the Property lines to avoid potential impacts to adjoining properties or individuals. Potential emissions of dust from processing equipment are controlled using water spray bars installed on equipment. Fugitive dust from haul roads is controlled through regular application of water using a water truck. Dust suppression equipment is routinely inspected to ensure that is in working order. These methods are considered

acceptable industry standards for dust control and no new dust control technologies are feasible for this facility.

Listed Species:

1. Note: Please provide any FWC permits, if applicable, and survey information prior to mining activities in areas that have not been previously mined or areas with habitat that haven't been mined for an extensive period.

**Response:** Comment noted. A copy of all FWC permits and survey results for listed wildlife species will be provided to Hernando County prior to mining any areas that have not been previously mined or areas with habitat that haven't been mined for an extensive period.

2. In a previous survey for listed flora, Plume polypody (*Pecluma plumula*) was found in proposed mining 2021 area. Is this listed plant still present?

**Response:** Plume polyploidy was observed at the base of one tree during a 2015 Oak Hammock Qualitative Plant survey. On May 15, 2019 Kleinfelder ecologists conducted an updated threatened and endangered (T&E) species survey to determine the potential for the occurrence of any protected flora and fauna within lands immediately adjacent to the anticipated mining areas (**Previously submitted Appendix B of MOPA application package**). No threatened or protected species were observed during this survey including Plume polyploidy.

On August 20, 2019 Kleinfelder ecologists resurveyed the oak hammock area located within the proposed mining 2021 area for Plume polypody. No Plume polyploidy was identified during this survey.

3. Note: RAI Figure 2 (by Water & Earth Sciences) shows the location of the two eagle nests that use to be on-site.

**Response:** The referenced RAI Figure 2 (by Water & Earth Sciences) was provided as an attachment to the FDEP ERP 231417-001 which was issued in November 2005.

An updated search of the FWC Eagle Nest Locator was conducted on May 9, 2019 in association with the T&E Species Survey letter for the project. According to this search, only one (1) eagle nest (HN-010) is currently documented on the Brooksville Quarry property. Based on a review of the ERP and the FWC Eagle Nest Locator, it appears that the location of nest HN-010 is consistent with that of Eagle Nest #2 (HN010D) previously identified in the ERP.

The other eagle nest identified in the ERP (HN010C) is mapped more than 8,400 feet from the closest anticipated mining area associated with the MOPA, Anticipated mining area 2024. Additionally, according to the historic data from FWC Eagle Nest Locator the most recent survey of HN010C was conducted in 2011. This nest is not currently documented in the FWC Eagle Nest Locator, which indicates that the nest may no longer be present (**Figure 3 – Eagle Nest Location Map in Appendix B of the MOPA application package**). Field verification of the status of this nest was not conducted due to the distance between the nest and the proposed 2020-2024 mining areas, as the National Bald Eagle Management Guidelines (2007) recommend a maximum buffer of 660' between the nest

and certain proposed activities. The distance of 8,400 feet from the closest proposed mining area (2024) and the eagle nest HN-010 is more than sufficient to meet that requirement.

### **Zoning Department Comments**

1. Provide the current zoning of all parcels/lots adjacent to property boundary on MOPA setback plan Figure 2a. Depict/label the required setbacks from each zoning district per mining ordinance sec 19-51. Also, show/label all required berms & buffers.

**Response:** Pursuant to Hernando County Mining Code, Chapter 19, Section 19-51, a minimum setback of 100' shall be maintained from the mining areas to the permitted property lines. Setbacks, the distances from the proposed mining areas to the closest residential structures, and surrounding zoning districts have been added the 2019 Mine Operation Plan. Anticipated Mining 2024 area is located more than 300' from the nearest residential structure with the closest point to the boundary located more than 1200 feet from the Anticipated Mining 2024 area (**Figure 2A – 2019 Mine Operation Plan Setback Map**).

2. Include/label all street names on location map Figure 1.

**Response:** A revised **Figure 1 – Location Map** is attached with street names labelled.

3. Provide a certified cost estimate to cover the cost of reclamation for previously mined areas and proposed areas to be mined under this MOPA application. A surety bond will be required in this amount prior to MOPA issuance.

**Response:** VCM has no reclamation obligations for the Property. Pursuant to the current MAMPA, MOPA, and ERP, Cemex, the property owner, is responsible for all requisite reclamation on the Property (**Previously submitted Appendix A of the MOPA application package**).

4. Update floodplain information on RAI figure 6-100 year flood map to match current FEMA maps dated 2/2/2012.

**Response:** The referenced RAI Figure 2 (by Water & Earth Sciences) was provided as an attachment to the FDEP ERP 231417-001 which was issued in November 2005. An updated FEMA Floodplain map is included as an attachment as **Figure 3 – FEMA Floodplain Map**, however there is no coverage of effective floodplain data for Brooksville Quarry property.

5. Include a copy of the mine site plan figure 2 with MOPA as provided with MAMPA application.

**Response:** The mine site plan from the MAMPA application is included as an attachment as **Figure 4 – Mine Site Plan**.

6. Provide a proposed reclamation plan to comply with mining ordinance section 19-71.

**Response:** VCM has no reclamation obligations for the Property. Pursuant to the current MAMPA, MOPA, and ERP, Cemex, the property owner, is responsible for all requisite

reclamation on the Property (**Previously submitted Appendix A of the MOPA Application Package**).

7. Provide a list of property owners within 150 feet of areas to be mined under proposed MOPA. Also provide the location of existing structures within 500 feet of any areas that may be subject to future blasting.

**Response:** A list of property owners within 150 feet of the anticipated mining areas as well as a map of the properties is provided as **Appendix C**.

Should you require any additional information, please do not hesitate to contact me at email [ldauherty@kleinfelder.com](mailto:ldauherty@kleinfelder.com) or 352.554.8089.

Sincerely,

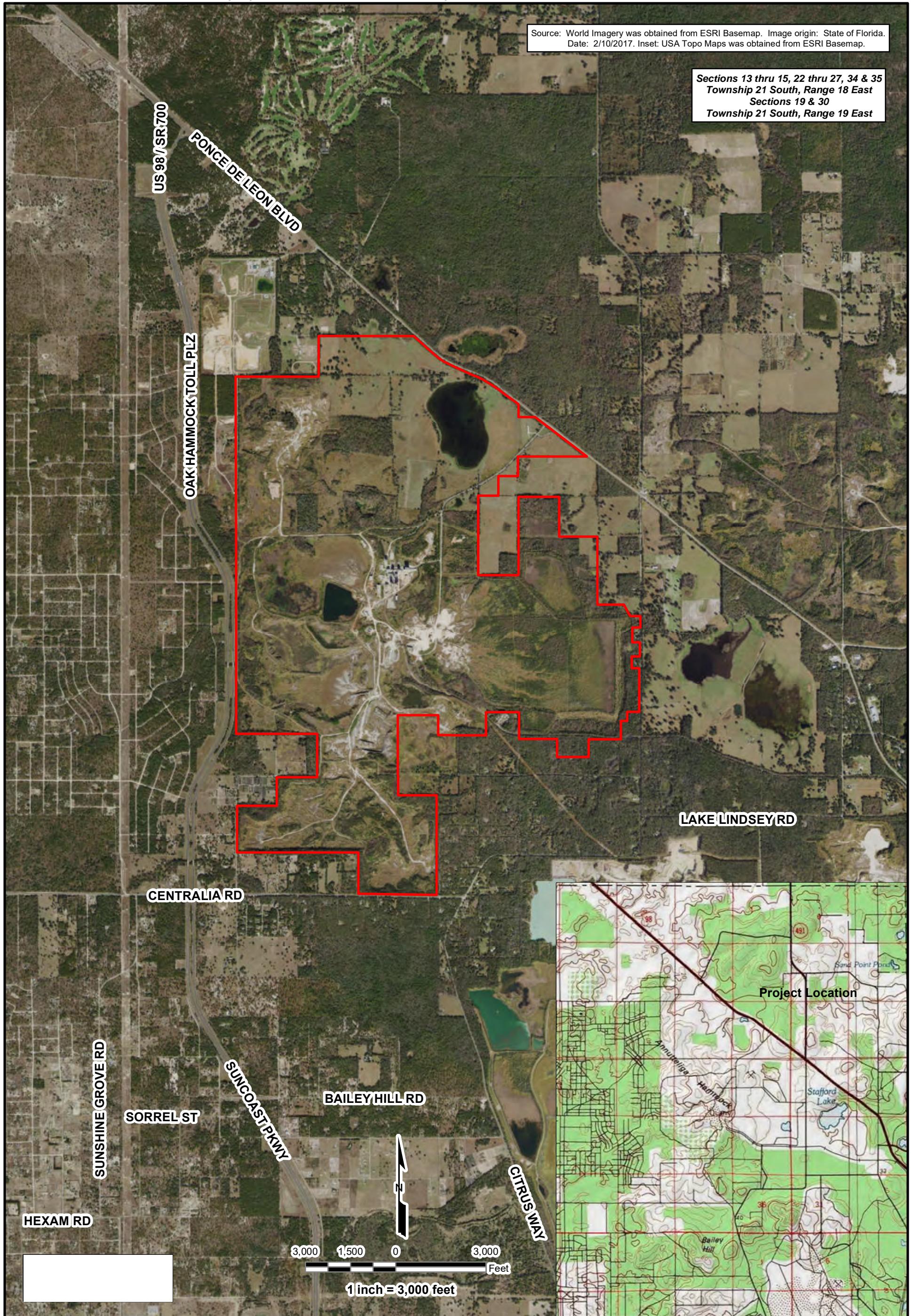
**KLEINFELDER**



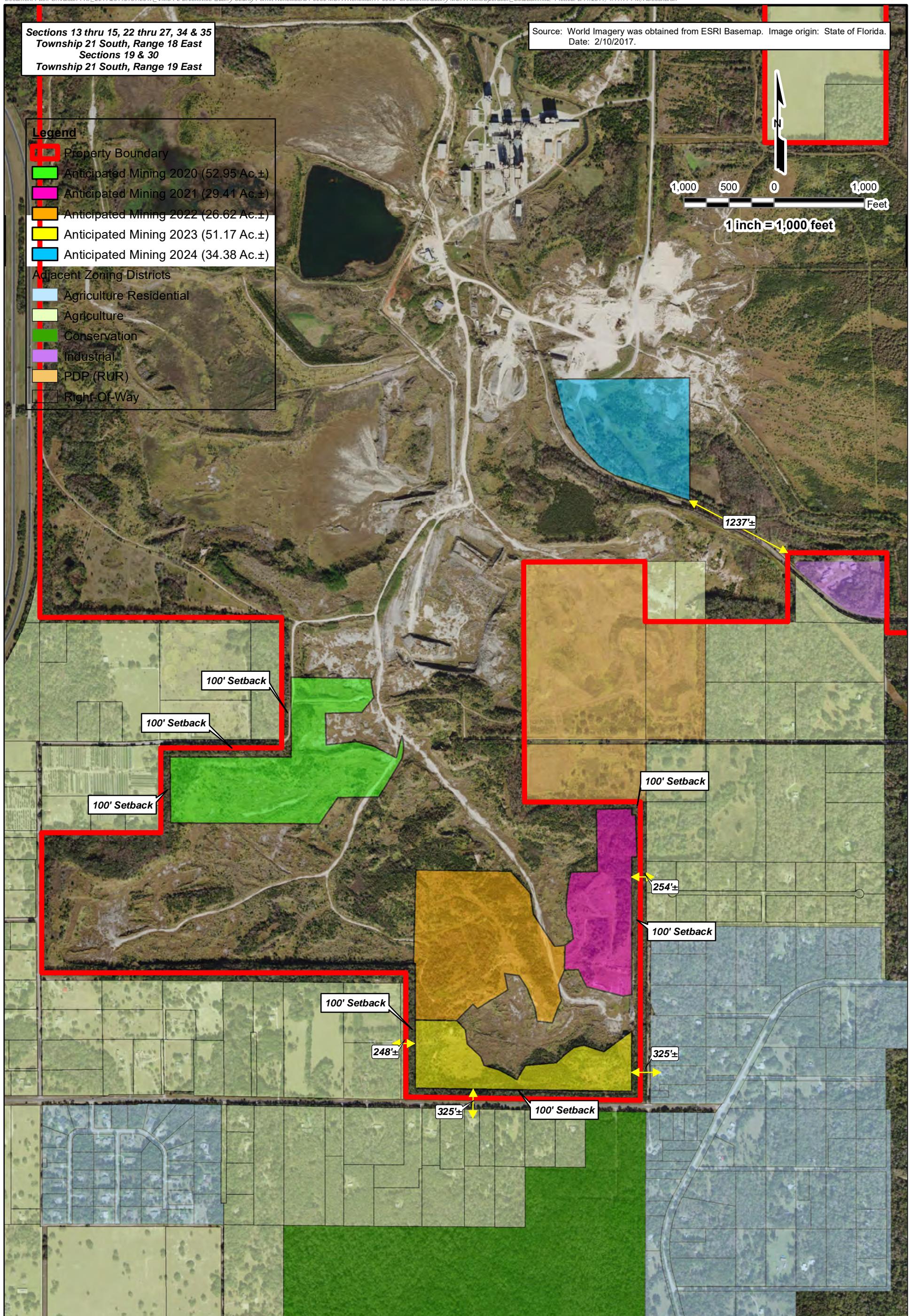
Lisa F. Daugherty  
Project Manager

Enc: Revised Figure 1 – Location Map  
Revised Figure 2A – 2019 Mine Operation Plan Setback Map  
Figure 3 – FEMA Floodplain Map  
Figure 4 – Mine Site Plan Map  
Appendix C – List of Property Owners within 150 feet of the anticipated mining areas

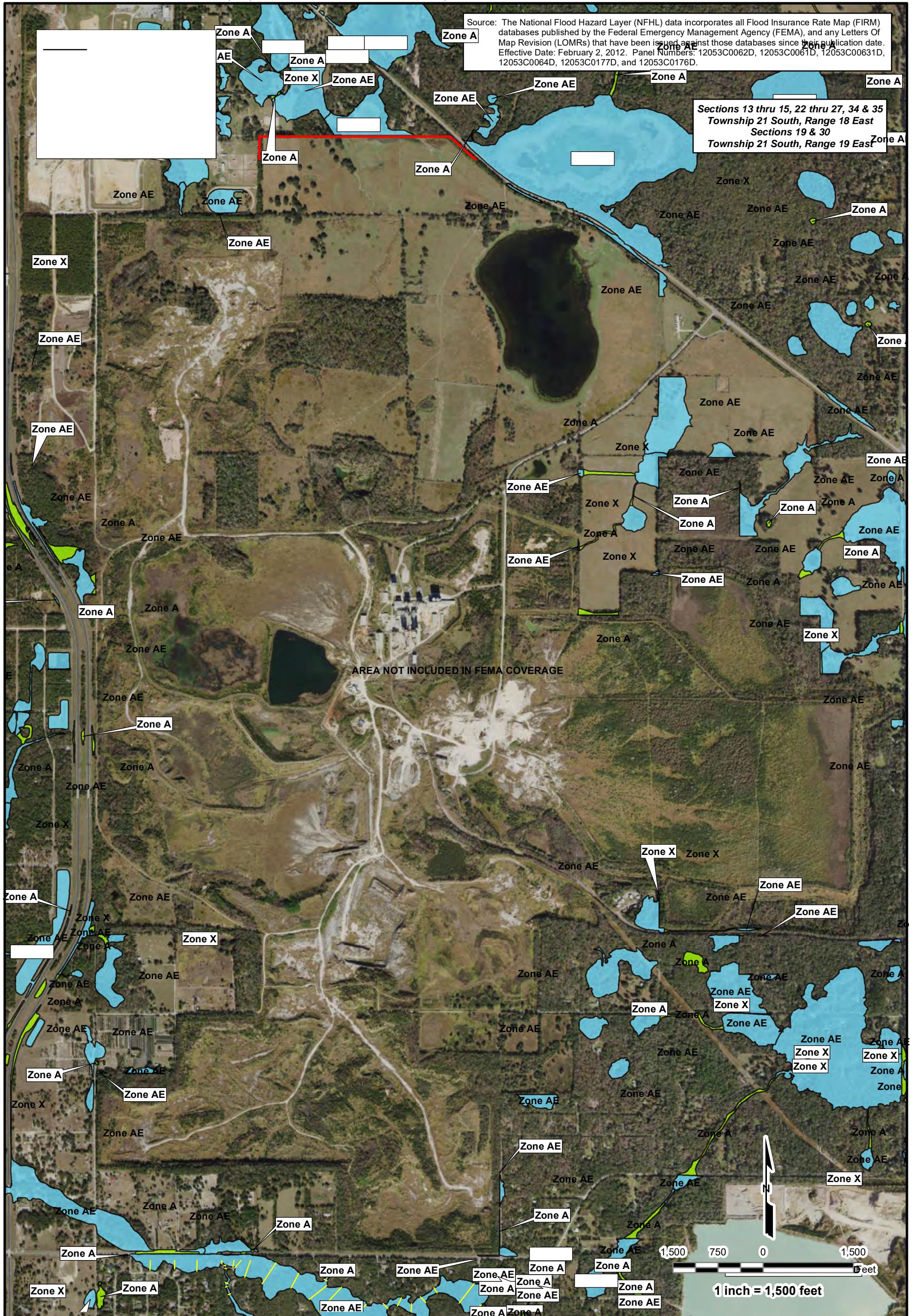
cc: Ms. Traci Johns, Vulcan Construction Materials  
File



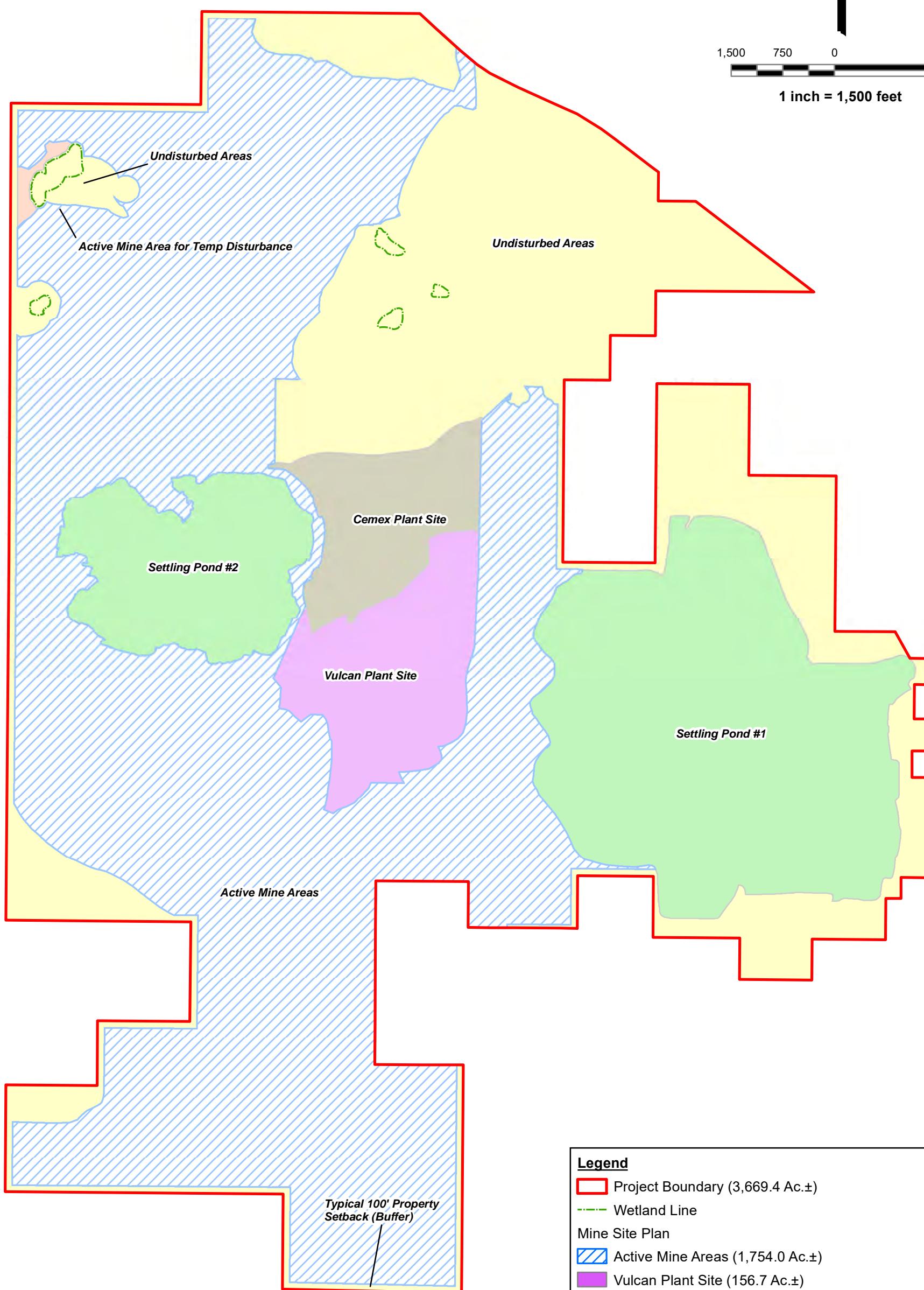
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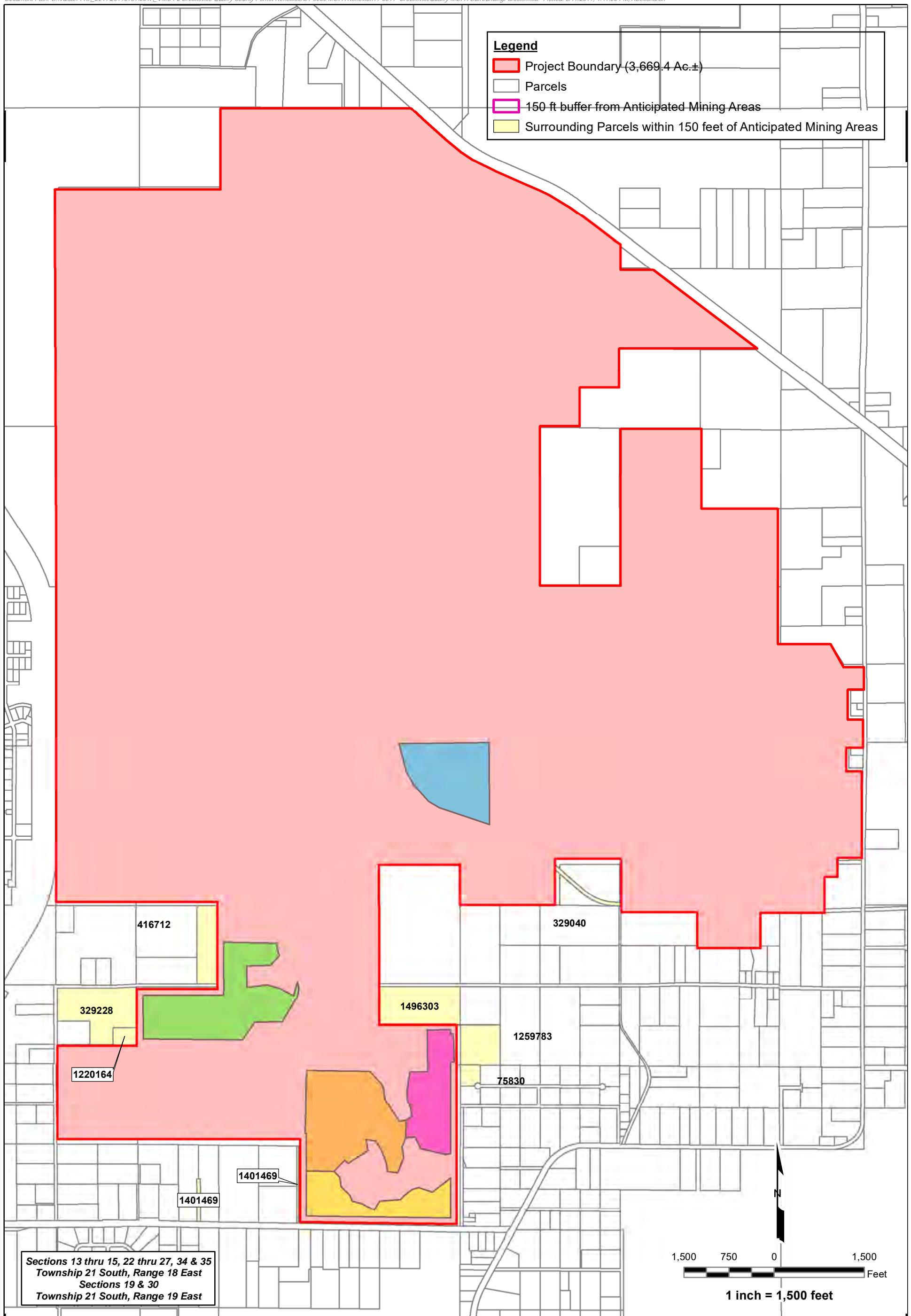
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## APPENDIX C

### LIST OF PROPERTY OWNERS WITHIN 150 FEET OF THE ANTICIPATED MINING AREAS

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<i>Parcel Number</i>	<i>Parcel ID</i>	<i>Alt Key</i>	<i>Owners Name</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Physical Address</i>	<i>City</i>	<i>Zip Code</i>
R25 421 18 0000 0070 0010	R25 421 18 0000 0070 0010	1259783	BUCZAK FRANK, BUCZAK BEVERLY	21S	18E	25	BUCZAK RD	BROOKSVILLE	34614
R27 421 18 0000 0020 0040	R27 421 18 0000 0020 0040	1220164	BRASS CLYDE H	21S	18E	27	14868 BUCZAK RD	BROOKSVILLE	34614
R35 421 18 7013 0000 0110	R35 421 18 7013 0000 0110	1401469	DRY CREEK RANCHES HOMEOWNERS	21S	18E	35	CENTRALIA RD	BROOKSVILLE	34614
R26 421 18 0000 0050 0010	R26 421 18 0000 0050 0010	1496303	VULCAN LANDS INC	21S	18E	26	BUCZAK RD	BROOKSVILLE	34614
R36 221 18 3705 0000 1000	R36 221 18 3705 0000 1000	75830	FAYARD DENISE C	21S	18E	36	16055 TWIN CT	BROOKSVILLE	34614
R26 421 18 0000 0020 0010	R26 421 18 0000 0020 0010	416712	AUGUSTINE JOHN A, AUGUSTINE SU	21S	18E	26	15051 BUCZAK RD	BROOKSVILLE	34614
R25 421 18 0000 0290 0000	R25 421 18 0000 0290 0000	329040	SEABOARD AIRLINE RAILROAD	21S	18E	25	BROOKSVILLE ROCK RD	BROOKSVILLE	34614
R27 421 18 0000 0020 0010	R27 421 18 0000 0020 0010	329228	HUNTSMAN JAMES H, HUNTSMAN MIC	21S	18E	27	14832 BUCZAK RD	BROOKSVILLE	34614



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