

**AMENDMENT TO THE  
COMPREHENSIVE PLAN -  
RINKER MATERIALS OF  
FLORIDA, INC.**

**(CPAM-05-02)**

HERNANDO COUNTY COMPREHENSIVE PLAN AMENDMENT PETITION  
Application for Public Hearing

Date: October 5, 2004

Print or Type all information. Refer to instruction sheets for assistance or call the Planning Department at the phone number shown in the instruction sheet.

**APPLICANT:** Rinker Materials of Florida, Inc. d/b/a Florida Crushed Stone

Mailing Address: 11430 Camp Mine Road  
Brooksville, FL 34613

Daytime Phone: 352-796-3522 FAX No.:

**REPRESENTATIVE:** Darryl W. Johnston, Esq.

Mailing Address: P.O. Box 997  
Brooksville, FL 34605

Daytime Phone: 352-796-5123 FAX No.: 352-799-3187

**Legal Description:** Write below the complete legal description of the property. Include Section, Township and Range; and Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary.

See Attachment "A"

SEC \_\_\_\_\_ TWP \_\_\_\_\_ (S) RANGE \_\_\_\_\_ (F)

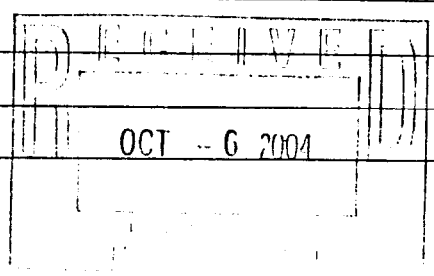
Size of Area Covered by Application: 1713 Acres more or less

Highway & Street Boundaries: Fort Dade Avenue and Citrus Way (CR 491)

Future Land Use Map Classification (if applicable):

Desired Map Classification (if applicable): N/A

Type of Amendment Requested: Text Amendment



ACKNOWLEDGMENT

This acknowledgment must be signed in the presence of a Notary Public.

I, Darryl W. Johnston, hereby state and affirm that I have read the instructions for filing this application and that:

- I am the owner of the property covered under this application.
- I am the legal representative of the owner or lessee of the property described, which is the subject matter of the application.

All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Signature of Applicant or Representative

STATE OF FLORIDA \_\_\_\_\_ COUNTY OF HERNANDO \_\_\_\_\_

On this the 5 day of October, 2004, before me, the undersigned Notary Public of the State of Florida, personally appeared DARRYL W JOHNSTON and whose name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed it.

WITNESS my hand and official seal.  
*[Handwritten Signature]*  
 \_\_\_\_\_  
 Notary Signature



Sue T. Clark  
 Commission #DD303157  
 Expires: Apr 25, 2008  
 Bonded Thru  
 Atlantic Bonding Co., Inc.

NOTARY SEAL & COMMISSION EXPIRATION:

The individual(s) are  personally known to me or,  presented the following identification: \_\_\_\_\_

HERNANDO COUNTY COMPREHENSIVE PLAN AMENDMENT  
TEXT AMENDMENT  
RINKER MATERIALS OF FLORIDA, INC.

A. This petition for amendment of the Hernando County Comprehensive plan is submitted to the Hernando County Board of County Commissioners for review pursuant to the provisions of Chapter 9J-11.006, Florida Administrative Code. As this proposal involves a text change on more than three (3) acres, it does not meet the criteria for an exception to the requirement of bi-annual submittal.

B. NARRATIVE STATEMENT

The following narrative is organized as responses to items III. B 1-6 on the Hernando County "Procedure for Amending the Comprehensive Plan", to wit:

"Twelve copies of narrative describing the requested amendment including data analysis for consistency with the State Comprehensive plan, Regional Comprehensive Plan, and the Hernando County Comprehensive Plan, the text of the proposed change(s); and all proposed maps.

General Description

This request for a text amendment to Section D: Future Land Use Map Mapping Criteria & Land Uses Allowed of the Hernando County Comprehensive Plan consists of one change. The requested text change is to modify language to include the ability to mine soft rock in the area designated as mining in CPAM-93-1 (known as the Lykes East and Lykes West property).

Rinker Materials has several primary reasons for proposing this amendment at this time:

- Unavailable Quality Soft Rock Reserves.

It was assumed by prior management that quality soft rock reserves existed under all hard rock on site. With the on-going drilling program it was discovered that the extent of soft rock reserves was significantly over estimated. Due to variable calcium carbonate, clay and silica content, much of the previously estimated soft rock reserves are not suitable for cement production.

- Strong Demand and Need for Product, both aggregate and cement.

There has been an unprecedented demand for construction aggregate in recent years and a similar increased demand for cement. Construction aggregates are the building blocks for modern construction, and they must be made available regardless of the cost. So, if they are not mined locally, they will be imported from elsewhere at significantly increased cost and with the loss of local jobs and taxes. The countries which have exported cement to Florida are now using their own product, thus limiting what is available to Florida consumers. As a result, existing cement mills in Florida are required to maximize production to meet demand, and it is imperative the limestone which is used as raw feed to produce cement be properly permitted for economic extraction.

### Site Description

The subject property comprises 1761 +/- acres known as the Lykes West and Lykes East properties. The property is located in Sections 13, 14, and 24, Township 22 South and Range 18 East, and in Sections 18, 19, 20 in Township 22 South, Range 19 East, Hernando County, Florida.

### Operation Description

The Gregg Mine has been in operation for more than 70 years, serving as a stable source of employment within the community, while providing a product (rock aggregate and cement) necessary to Florida's continued growth. For many years, two on-site pits provided sufficient hard rock to accommodate the existing level of need, however, the south pit operation will soon exhaust its supply of hard rock resources. In the early 1990's Florida Crushed Stone Company purchased the Lykes property as prospecting indicated that sufficient resources existed to accommodate FCS's hard rock mining needs for several years.

In Central Florida, the Suwannee Limestone Formation is the principal source of hard rock aggregate material. Hernando County's Brooksville Ridge contains most of the viable deposits of Suwannee limestone, evidenced by the clustering of rock mines northwest of Brooksville. It is in the best interest of both the State and local economies to retain access to, and utilize, this limited natural resource. The comprehensive plans at all three governmental levels (local, regional, state) reflects this goal as illustrated later in this application.

There were a number of reasons for FCS's decision to acquire and mine the Lykes property. Those reasons included: 1) Mining Resources, as the Lykes parcel had a higher yield of hard rock per mineable acre; 2) Proximity, as the Lykes parcel is adjacent

along its entire length with properties already part of the Gregg mine; and 3) Single Mining Operation, as the Lykes parcel enabled the company to not separate its mining operations.

The Lykes property was the subject of a comprehensive plan amendment in 1993 under CPAM-93-1. Prior and during that amendment process, property located northwest of the Gregg Mine was sold to the developer of the World Woods golf facility and those lands were removed from potential future mining. The Lykes property essentially replaced the northwest property as a source of reserves for future mining. The comprehensive plan amendment in 1993 designated the Lykes property as mining on the future land use map.

The Lykes parcel is cleared of most of its natural vegetation and was for years maintained as pasture. The clearing and preparation of land for mining is a significant cost factor and there is an obvious environmental benefit in utilizing cleared property for mining.

The Lykes property consists of three basic types of vegetation communities. The first, and by far the largest, area is unwooded grassed land dominated by improved pasture grasses. This area has been used for active grazing pasture by cattle. Trees are scattered. The two remaining areas are partially wooded. Along Fort Dade Avenue and east of Citrus way, the woods are an upland hammock type, dominated by live oak, laurel oak, magnolia, hickory, sweetgum, water oak, and occasional slash or longleaf pine and cabbage palm. The understory consists of bluebeech, red cedars and American holly. A small area of this type of hammock woodland is also found west of Citrus Way, but the majority of the woods west of Citrus Way are sandhill woods. These woods are dominated by longleaf and slash pines, with an understory of turkey oak, bluejack oak, and post oak. Native grasses include wire grass, bluestems, and panicums. There are minimal wetland areas found on the property, and those in the current footprint of mining will be avoided.

There is a 300' setback along Ft Dade Avenue, and a 700' east set back and a 1500' north setback running from the corner of Ft Dade north on Citrus Way. There is also a 300' setback on the west side of Citrus Way from the corner of the Lykes homestead north. These areas will be left untouched as will the 100' setbacks.

The Lykes property does not have any particular environmental limitations or unique designations. It has been used for pasture, but does not contain soils which are considered as prime or unique farmland. It is not part of the area designated as "Pre Development Extent of Annutteliga and Chocochatti Hammocks" in Hernando County's 1987 report on the Big Hammocks Region. It does, however, have some

beautiful clusters of large trees which the applicant intends to retain where possible.

There are no significant residential populations in close proximity to the Lykes property. Around approximately 50% of the perimeter of the amendment area there are no houses within ½ mile.

The period of hard rock mining on the Lykes parcel will be of moderate duration (approximately 10 years). At the time of the last comprehensive plan amendment in 1993, it was thought there was sufficient soft limerock on the existing Gregg Mine site to satisfy the foreseeable future demand. Due to vast overestimations and chemistry considerations, the soft rock reserves are inadequate for the demand for cement products.

The specific reasons for this are as follows:

Due to variable calcium carbonate, clay and silica content, much of the previously estimated soft rock reserves are not suitable for cement production. It was incorrectly assumed that the soft rock reserves under the hard rock were suitable for cement production.

In addition, strong demand has increased the need for cement products. Due to Florida's young geologic origin, it has always been limited with quality rock formations in which to produce construction aggregate. The unprecedented demand for construction aggregate in recent years has exacerbated this problem. Currently, there are only three regions in Florida in which DOT-quality aggregates are produced, to wit: western Miami-Dade, Lee and Hernando Counties. As a result of this, it is imperative that sites that are currently zoned and permitted for mining maximize their recovery of reserves. Construction aggregates are the building blocks for modern construction and they must be made available regardless of the cost. So, if they are not mined locally, they will be imported from elsewhere at significantly increased cost due to transportation. In reality, if aggregates are not mined locally they will find their way into any given market but at much higher costs, and with the loss of local jobs and taxes.

Cement which is produced from the same limestone that is used to produce construction aggregates is at an all time high in Florida. The main reason for this is the worldwide demand on cement is at an all time high. Cement, unlike aggregates, is a worldwide commodity and is traded on the worldwide markets. Approximately one half of the cement consumed in Florida over the last several years has been imported. The countries which have exported cement to Florida and the rest of our nation are now using their own product, thus limiting what is available to Florida consumers. The

booming economies of China and Indonesia are good examples of this.

As a result, existing cement mills in Florida are required to maximize production to meet demand, and it is imperative the limestone which is used as raw feed to produce cement be properly permitted for economic extraction.

The operation for soft rock mining on the Lykes parcel will consist of mining material that lies below the hard rock portion of the deposit. The product will be excavated by front-end loaders and/or large backhoes and transported by haul trucks to the processing facility located east of C.R. 491. The mining of soft rock produces less noise because it infrequently has to be blasted prior to mining.

There will be no increased impact to flora and fauna by increasing the mining depth for soft rock mining. There are no additional impacts to drainage or groundwater quality. These issues are address in the letter report of Creative Environmental Solutions, Inc. attached as Appendix A.

The text amendment to the Future Land Use Map will be consistent with the adopted Hernando County Comprehensive Plan, as further discussed later in this narrative. The proposed soft rock area would be compatible with the existing mining activities in the area. The infrastructure for mining is already in place.

In summary, the proposed amendment requests a very appropriate modification of the existing designation (Mining), maintains appropriate buffers, and strengthens the mining operation at FCS. For these reasons, we feel that the proposed text amendment should be adopted.

Consistency with Adopted Plans

These items are addressed in #3 below.

Text of Proposed Change

The proposed text changes are shown below with additions in bold and deletions stricken. The headings in the comprehensive plan are the same as set forth below.

\*\*\*\*\*

Additional Clarification

The land designated as mining through the approval of comprehensive plan amendment 93-1, is restricted to the excavation of hard rock limerock, **soft rock limerock**, sand mining and other activities or operations ancillary to the excavation of

the hard and soft rock limerock and sand. Upon completion of the excavation of the ~~hard rock limerock, no further mining approvals will be granted.~~ Further, no blasting, drilling, or extraction shall occur within 7500' of Brookridge.

CPAM-93-1 shall meet the following stricter standards for environmental protection and buffering.

Standard 1: An Environmental Assessment shall be conducted and evaluated as part of the mining permit process, which will include a mapping of environmentally sensitive lands.

Standard 2: Resource extraction shall not be allowed in "environmentally sensitive" areas which cannot be restored. "Environmentally sensitive" is defined to include wetlands, rivers, streams, lakes, springs, coastal floodplains, habitat of threatened and endangered species and species of special concern county-mapped prime groundwater recharge areas, listed historically significant sties, and prime agricultural soils historically in use as cropland. "Restoration" is defined as restoring the type, nature, and function of the ecosystem in existence prior to mining.

Standard 3: There shall be a 100 foot buffer between resource extraction and rivers, streams, lakes, springs, or wetlands that are not mined.

Standard 4: Blasting shall not occur within 500 feet of a protected structure. Protected Structures are any dwelling, public building, school, church, cemetery, or commercial or institutional building on lands not controlled by the operator of the mine.

- In addition to the above, this property shall also be subject to the standards of the Hernando County Mining Ordinance.

- ~~Mining of limerock in CPAM-93-1 shall be limited to "hard limerock" consisting of the harder strata of limestone that generally are suitable for use as the coarse aggregate component in the production of either portland cement concrete or asphaltic concrete located generally at elevations above 60 feet MSL.~~

#### Proposed Map Change

There is no change required to the Future Land Use Map of the Hernando

County Comprehensive Plan. The property was designated as mining in the Future Land Use Map by amendment in 1993.

1. **The size of the subject property in acres or fractions thereof.**

Lykes East and West 1761 acres, total property 9100 acres.

1-A **Data and analysis of the character of the vacant land in order to determine its suitability for the intended use.**

Not applicable because it is a text amendment only.

2 **A description of the availability of and the demand on the following public facilities: Sanitary sewer, solid waste, drainage, potable water, traffic circulation and recreation, as appropriate.**

There will be no increase in the impacts on any public facilities. There are two reasons for this statement. First, the mine will not be increasing its operational level, only extending the soft limerock resources. Second, the mine makes very little use of public facilities, other than roadways.

The proposed Mining amendment is necessary to provide Florida Crushed Stone with additional soft limerock reserves on the Lykes East and Lykes West property. While the proposed Text amendment will provide the necessary soft limerock resources to provide material necessary for cement production, it will not increase the operational activity of the mine. The amount of hard and soft limerock mined and processed each year is governed by the market demand for the material. Therefore, the daily operation of the mine will be the same as prior to the amendment without any increase in the use of public facilities.

The two public facilities listed which are utilized by the mine are roadways and solid waste disposal. The existing mining operation accesses the public roadway system at one point, the Cobb Road truck bypass. According to the County's 2004 roadway traffic counts, the existing traffic volume on this roadway is about one-third of adopted capacity. While the amendment will add a new resource area, the resource processing and transportation will still occur at their present site. Since the mining operation will not increase in size, nor in location, the impact on the adjoining roadway network will not increase. The present policy of not utilizing CR 491 will be maintained through the tunnel/overpass for mining vehicles. The solid waste generated on site is in direct proportion to the level of operational employment. With that level not increasing as a result fo this

amendment, there will be no increase in the amount of solid waste generated. The Hernando County Utility Department has indicated that the initial phase of the new county landfill has an available capacity of 300,000 cubic yards with future phase capacity to last perhaps 50 years.

Water, sewer and drainage are provided on-site. Since the annual operation of the mine is not affected by the amendment, the water and wastewater generation/usage rate should not vary because of the amendment. There is more than sufficient land in the amendment area to provide for any on-site drainage retention at excavation sites or for any additional slurry ponds.

A quick summary of the availability of public facilities is as follows:

Sanitary Sewer: A privately operated sewage treatment plant is located adjacent to the Gregg Mine Site which will continue to be utilized if the proposed amendment is approved. No additional sanitary sewage will be generated.

Solid Waste: The Hernando County Sanitary landfill is projected to serve the County's needs well beyond the planning horizon of the Comprehensive Plan. There will be no additional solid waste generated by the proposed amendment, as it will only be generated by the operation of the plan office, etc., and not the amount of mining area.

Drainage: Drainage on site will be treated through on-site drainage retention. Potential outfall will be handled by expansion of the existing dike and settling pond system.

Potable Water: There is an existing private well system on the adjacent Gregg Mine site which will be utilized if the proposed amendment is approved. In addition, there is a water recycling system for the processing plant. Since there will be no increase in mining activity or processing resulting from the amendment, the demand for potable water will not change.

Traffic Circulation: There will be no effect on traffic circulation since processing will be contained within the existing site and there will be no increase or acceleration of the mining activity at FCS during the Comp Plan horizon. Access to the site will continue to via CR 485 (Cobb Road), as it is for the existing Gregg Mine. According to the Hernando County MPO, the existing traffic volumes on CR 485 are less than one-third of the roadway capacity.

Recreation: There is no demand or increased impact on recreation.

3. **Information regarding the compatibility of the proposed land use amendments with the land use element objectives and policies and those of other affected elements.**

State Comprehensive Plan: The proposed Comprehensive Plan Amendment is consistent with the State Comprehensive Plan, particularly Section 187.201(13)(b), F.S. Mining, and Department of Community Affairs Rule 9J-5.013(2)(b,c). Specific State Comprehensive Plan policies under 187.201(13)(b) which relate to this amendment are as follows:

*Policy 3 - Require that disturbed areas, except those selected to be reclaimed by nature, be reclaimed to productive and beneficial use within a period determined by the state to be reasonable and practical.*

- Reclamation is an integral step in the ultimate use of the property as has been explained in the preceding narrative. It is also required by the Hernando County Mining Ordinance and is incorporated into the mining plan for FCS/Rinker.

*Policy 5 - Prohibit resource extraction which will result in an adverse effect on environmentally sensitive areas of the state which cannot be restored.*

- There are no identified "environmentally sensitive areas" in the subject amendment. Mining will be primarily in areas presently without vegetation other than pasture grasses. A statement confirming no increased environmental impacts has been provided by Creative Environmental Solutions, Inc. and is attached as Appendix A.

*Policy 6 - Minimize the effects of resource extraction upon ground and surface waters.*

- There are no surface waters which will be affected by this amendment.

*Policy 7 - Protect human health from radiological or other adverse impacts associated with resource extraction.*

- There are no known negative health impacts associated with the extraction of hard rock limestone.

Specific policies under 9J-5.013(2)(c) which relate to this amendment are as follows:

*Policy 2 - Conservation, appropriate use and protection of areas suitable for extraction of minerals.*

- The Lykes parcel has been generally cleared of native vegetative communities to provide for pasture.

*Policy 5 - Restriction of activities known to adversely affect the survival of endangered and threatened wildlife.*

- The introduction of pasture to the Lykes parcel has significantly decreased its value as habitat. No endangered or threatened species are known to occupy this site.

### Comprehensive Regional Policy Plan

This amendment is consistent with the Withlacoochee Regional Planning Council's Regional Policy Plan, most specifically section 16.2.1 which addresses mining. Policy 3 under the WRPC's proposed amendment to this section states:

*Local government comprehensive plans should designate appropriate areas to be reserved for future mining.*

The Lykes parcels are already designated as Mining and implements the above regional policy.

Hernando County Comprehensive Plan: The proposed amendment is consistent with the Hernando County Comprehensive Plan. Specifically, areas of consistency include:

### Future Land Use Element

Goal 1.01 Objective R, Policy 1 - This policy promotes the clustering of like uses and reduction of the encroachment of incompatible uses.

- The proposed text amendment will maintain the clustering of Rinker/FCS mining land uses. Compatible land uses surround the property as evidenced by the lack of residential density and preponderance of adjacent mining lands.

Goal 1.04 Objective C, Policy 1 - This policy calls for concurrent levels of service.

- The proposed text amendment will not introduce any new demand on public facilities since plant operations will remain at existing levels and will not change

in location.

Mapping Criteria - Allows extraction of mineral resources where impact on major residential areas will be minimal.

- There are no major residential areas in close proximity to the proposed amendment. Residential densities surrounding the property are quite low.

#### Mining Sub-Element

Goal 1.08 Objective B, Policies 1-3. These policies establish a 100 foot mining setback, which may be increased in the event of non-compliance with Hernando County noise and blasting standards.

- Mining operation within the proposed amendment area will be no closer than 100 feet from property boundaries and in many instances substantially exceeding the 100 feet setback. The Gregg Mine has had no difficulty in complying with the County's noise and blasting standards.

Goal 1.08 Objective C, Policies 1-4. These policies establish a 100 foot visual buffer zone.

- A visual buffer zone will be established and where possible, this buffer will be established well in advance of mining operations and will retain existing trees.

Goal 1.09 Objectives A, B, C - These objectives establish requirements for a mining permit, mining plan and blasting.

- The proposed text amendment is to include soft limerock mining in the established mining approval. Rinker/FCS will submit a mining plan and application to secure mining approval prior to initiating excavation on the Lykes parcel. County mining standards will be met. Blasting is rarely required in soft rock mining.

#### Sanitary Sewer Sub-Element

Goal 4.03 Objective B, Policies 3, 4 - These policies encourage the reuse of wastewater in public or private facility design.

- Rinker/FCS has treated wastewater in its cooling ponds. This reuse not only reduces water consumption but helps establish on-site wetlands, which results in

a number of positive impacts.

### Conservation Element

Goal 6.01 Objective B - This objective calls for an increase in freshwater marine habitat.

- The mining ponds and re-use program has resulted in the creation of on-site wetlands. This proposed amendment would increase the scope of those wetlands.

Goal 6.06 Objective E - This objective calls for the protection of "Canopy Roads" which includes Ft. Dade Avenue.

- The buffer along Ft. Dade avenue is configured in such a manner as to preclude disturbance of the canopy tree protection zones.

Goal 6.07 Objective A, Policy 3. This policy calls for the protection of known archeological or historic sites. There are no known archeological or historic sites on the subject property, nor is it considered likely to contain possible archeological sites (Hernando County Historical and Archeological Resources Map).

### Comprehensive Plan Mapping

A review of the Hernando County Comprehensive Future Land Use Maps and other support document maps provide further evidence of the site potential and the relative lack of physical and environmental limitations. The appropriate Comprehensive Plan map is identified in each instance.

The Historical and Archeological Resources Map indicates that the property does not have a listed historical or archeological site and is not located in an area determined to have "possible archeological sites". The Spring Hill historical site indicated on the Map is located on the Lykes Homestead parcel (40 acres). Limerock excavation will not occur closer than 300 feet from the outer boundary of that parcel.

The Solutions Features Map indicates that there are a number of depressions and a few sinkholes on site, not uncommon for the Brooksville Ridge. These natural occurrences do not affect the mining process.

The Soils Map indicates that the site does not contain hydric soils. See more specific soil description above.

The Flood Prone Areas Map indicates that the entire site does not lie within the 100-year flood plain. A more specific review of FEMA flood plain maps, above, reveals that perhaps 30 acres at the northern boundary of the parcel along CR 491 lies within the 100-year flood plain.

The Minerals Map indicates that there are known "economically feasible limerock deposits" on the site. This mapping is very general in nature: a more detailed limerock deposit analysis has been prepared and is enclosed with this analysis.

Figure 7 from the Hernando County's Big Hammock Region - Ecological Historical Overview indicates that none of the forested areas on the proposed site are part of the Pre-Development Extent of the Annutteliga and Chocochatti Hammocks.

There is no known evidence of any on-site natural features which would inhibit mining. Moreover, mining on the site will have to comply with all applicable local, state and federal regulations.

4. **One sketch showing all adjacent property owners within 250 feet of the property covered by this application and surrounding portion of subdivision in which the land is located; or if unplatted, the streets, highways, roads, alleys, and public places surrounding the land.**

Not applicable because it is a text amendment only.

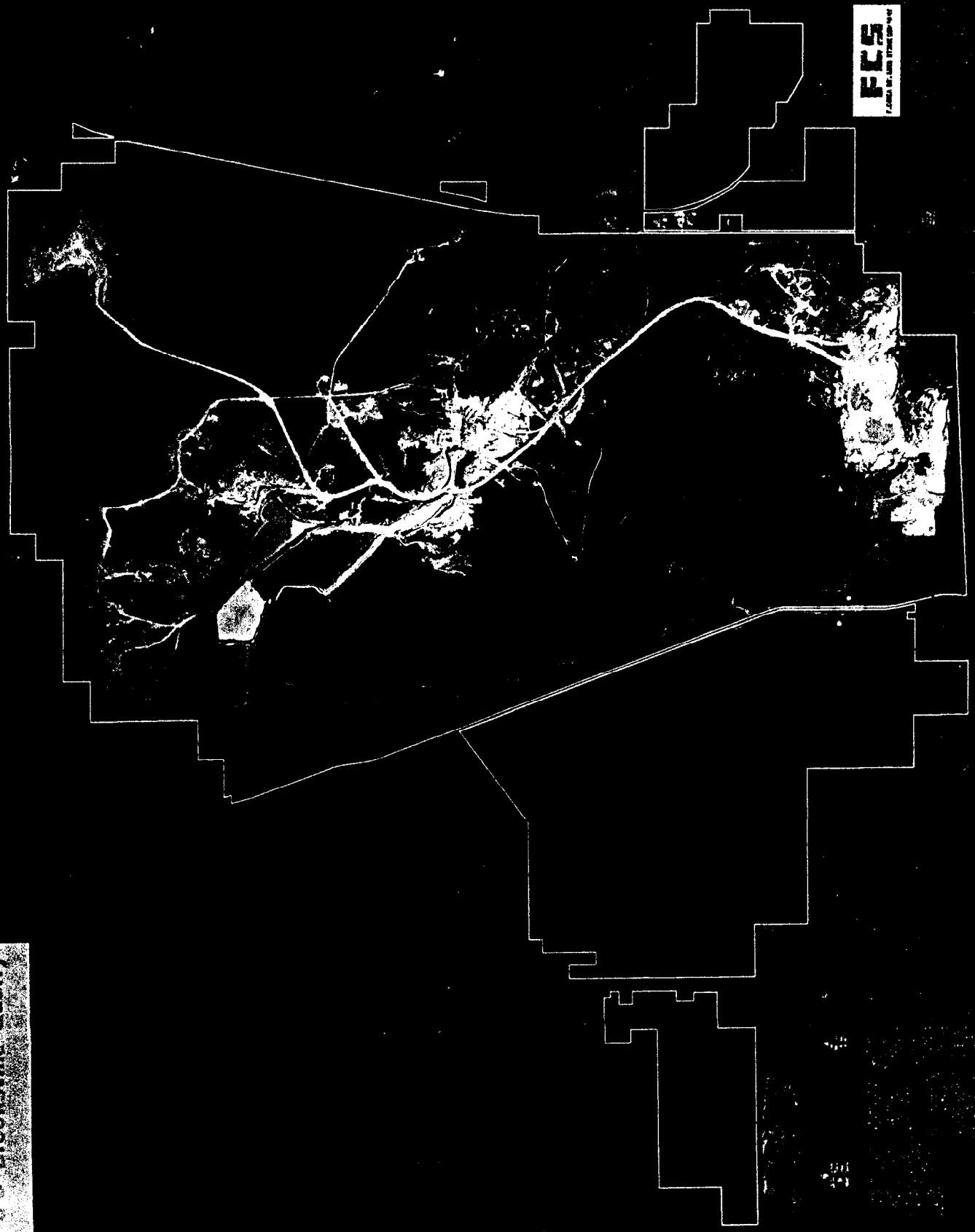
5. **List of names and addresses of adjacent property owners.**

Not applicable because it is a text amendment only.

6. **Fees for plan amendment review, mailing and legal advertisement, in cash or check, drawing to the order of Hernando County Planning Department.**



**FCS**  
FACED WITH TRUCKS



**Rinker**  
MATERIALS  
V C S Brooksville Quarry

# APPENDIX "A"



Engineers, Environmental Scientists, and Geologists

611 N. Broad Street • Brooksville, FL 34601

September 1, 2004

Darryl Johnston, Esq.  
Johnston and Sasser, P.A.  
19 South Brooksville Avenue  
Brooksville, FL 34601

Re: Florida Crushed Stone Comprehensive Plan Changes  
Excavation of Soft Rock to Elevation 30 Feet Mean Sea Level  
Lykes East and Lykes West

Dear Darryl:

It is our understanding that Florida Crushed Stone plans to modify their current mining plan to increase the depth of mining from 50 feet mean sea level (ft-msl) to 30 ft-msl on the Lykes East and Lykes West parcels. The County has requested that FCS evaluate the potential environmental impacts that could be triggered by such a modification. The purpose of this letter is to provide that evaluation.

#### Potential Impacts to Flora and Fauna

Increasing the mining depth by 20 feet is not expected to impact wildlife. Such impacts are restricted to land surface and near-land surface horizons, both of which will have already been displaced upon mining to 50 ft-msl. The floor of the excavation will be dry limestone whether mining ceases at 50 ft-msl or 30 ft-msl, so post-mining conditions will be identical. Significantly, no new surface areas will be disturbed.

#### Potential Impacts to Drainage

Increasing the mining depth by 20 feet will not affect area runoff and drainage. None of the surface water or industrial process water generated on this property leaves the property—all drainage is internal and much of the water is recirculated through a series of ponds. Deepening the excavations will actually increase the holding capacity of the property.

#### Potential Impacts to Groundwater Quality

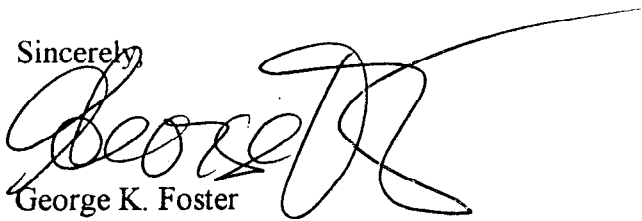
Increasing the mining depth by 20 feet will not result in a significant increase in risk to the Floridan aquifer. In the area of the FCS property, the potentiometric surface of the Floridan aquifer occurs near 26 ft-msl near the end of the normal rainy season and just greater than 20 ft-msl near the end of the dry season. Attached are potentiometric surface

maps of the aquifer for May 2002 and September 2002 that depict the elevation of the aquifer beneath the FCS property on these dates. Excavation to a depth of 30 ft-msl will leave approximately 4 to 10 feet of limestone between the new ground surface and the water table. This means that mining will never breach the top of the aquifer and that the aquifer will never be directly exposed.

Mining below the top of the Floridan aquifer, which is **not** proposed for this site, has been conducted in Hernando and surrounding counties since the early 1900s with no known adverse affects on groundwater quality. Most of the old limestone and phosphate pits scattered across this area intersect the aquifer and today exist as lakes. Active mines that penetrate the Floridan aquifer include the E.R. Jahna Mills Mine in Hernando County; the Plaza Materials and SunWest Mines in Pasco County; and the Crystal River Quarries, Holcin, and Cemex Mines in Citrus County. All of these active mines extract limestone from depths between 60 and 90 feet below the top of the aquifer.

Please advise if any additional information or clarification is required. Thank you for this opportunity to have been of service to Johnston and Sasser and Florida Crushed Stone.

Sincerely,

A handwritten signature in black ink, appearing to read "George K. Foster", with a long, sweeping horizontal line extending to the right from the end of the signature.

George K. Foster  
FL PG No. 403  
President