

MARCH 15, 1982

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Monday, March 15, 1982 at 1:48 p.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Claude E. McGavic
Westwood H. Fletcher, Jr.
Patricia M. Glass

Edward W. Chance, Vice-Chairman, was absent.

Also present were:

Keith Roberts, Assistant County Attorney
Robert F. Fernandez, Acting County Administrator
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Greg Spears, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Vickers.

ORDINANCE 82-04 MINING MORATORIUM

Public hearing was opened for the purpose of acting upon, adopting or rejecting proposed

ORDINANCE NO. 82-04

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, TEMPORARILY PROHIBITING THE ACCEPTING, RECEIVING, FILING, PROCESSING, HANDLING CONSIDERING OR ADMINISTRATION OF ANY APPLICATIONS, PETITIONS OR OTHER REQUESTS FOR AN OFFICIAL ZONING ATLAS AMENDMENT TO ORDINANCE NO. 81-4 OR FOR PERMITS OR APPROVALS AUTHORIZING MAJOR EARTHMOVING, INDUSTRIAL OR MINING USES IN THE WATERSHEDS OF LAKE MANATEE OR WARD LAKE RESERVOIRS; MAKING CERTAIN FINDINGS OF FACT; EXEMPTING CERTAIN EARTHMOVING ACTIVITIES; PROVIDING FOR THE DURATION OF SAID PROHIBITION; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE; AND, PROVIDING AN EFFECTIVE DATE.

(Notice published in The Bradenton Herald February 26, 1982)

COUNTY PRESENTATION:

Dick Eckenrod, County Phosphate Mining Coordinator, submitted the following Exhibits on behalf of the County:

Exhibits

- I Study of Radon Daughter Concentrations in Structures in Polk and Hillsborough Counties prepared by the Florida Department of Health and Rehabilitative Services, Central Operations Services, Radiological Health Services, dated January, 1978.
- II Indoor Radiation Exposure Due to Radium-226 in Florida Phosphate Lands prepared by the U.S. Environmental Protection Agency, Office of Radiation Programs, Washington, DC, dated February, 1979.
- III Environmental Impact Statement - Central Florida Phosphate Industry prepared by the Environmental Protection Agency:
 - A. Volume I - Impacts of Proposed Action dated November, 1979
 - B. Volume II - Background and Alternatives Assessment dated November, 1979
 - C. Volume III - Responses to Comments on DEIS dated November, 1979

MARCH 15, 1982

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- IV EPA Environmental Impact Statement (FINAL) Estech General Chemicals Corporation, Duette Mine, Manatee County, Florida, prepared by the U.S. Environmental Protection Agency dated September, 1980.
- V Agreement for Professional Services between the County of Manatee and Gee & Jenson, Engineers-Architects-Planners, Inc., dated October 9, 1980.
- VI Lake Manatee Watershed, Water Resource Evaluation, Phase I, Baseline Analysis of Existing Watershed, dated April, 1981 submitted to Manatee County Board of County Commissioners, prepared by Gee & Jenson, Engineers-Architects-Planners, Inc.
- VII Correspondence to Harold Long, Agrico Mining Corporation, from Sandy Nettles, Hydrogeologist, Gee & Jenson, regarding Hydrologic Investigation of the Lake Manatee Watershed, dated December 28, 1981.
- VIII Department of Environmental Regulation, Water Quality and Mining (Revised) an element of the State Water Quality Management Plan dated September, 1980.
- IX Correspondence to Dick Eckenrod, from Ronald N. Armstrong, P.E., Senior Engineer, Camp Dresser & McKee, Inc., regarding Phosphate Mining Technical Issue Summary, dated March 2, 1982.
- X Correspondence to Manatee County Utilities, Attention: Dick Eckenrod, from Sandy Nettles, Hydrogeologist, Gee & Jenson, Engineers-Architects-Planners, Inc., regarding primary concerns of proposed phosphate mining within the Lake Manatee Watershed dated February 17, 1982.
- XI Chart showing Surficial Aquifer Contributing to Base Flow of Streams.
- XII Map Showing Scale Reproduction of Mine Ownership in Watershed.

WATER QUALITY/QUANTITY

Charles Hunsicker, Hydrological Planner, Manatee County Utilities, stated that protection is being sought through these proposed regulations because of the uncertainty the Staff has over the adverse impacts on water quantity and water quality from the disturbed lands in the watershed of Lake Manatee and Ward Lake, and that the land be reclaimed following earthmoving.

Sandy Nettles, Hydrogeologist, Gee & Jenson, made a presentation on the potential impacts of mining on water quantity in the watersheds, pointing out the necessity to obtain on-site data from the mined areas. He stated that letters have been sent seven phosphate companies requesting permission to monitor reclaimed lands in order to initiate a pilot program, specifically on water quality of runoff from reclaimed lands, however, none of the mining companies have responded.

Ronald Armstrong, Senior Engineer, Camp Dresser & McKee, addressed the impacts of mining discharge on water quality in the watersheds. He recommended data be obtained on reclaimed land and sand clay areas before processing the actual mining ordinance.

After a brief recess, the Board reconvened with all members present except Mr Chance.

Mr Eckenrod emphasized Staff's concerns with radiation in addition to water quality and quantity impacts and the fact that those questions have not been answered.

He recommended Section 7 of Proposed Ordinance 82-04 be revised to read as follows:

"If in the interim period covered by this Ordinance, the needed information is available or has been provided, applications or approvals otherwise prohibited by this Ordinance shall be accepted."

Gloria C. Raines, Manasota 88, urged extension of a mining moratorium for eighteen months until a water study can be completed with detailed valuation of ground water, or continued until ground water criteria is adopted by the County.

John Blue, Attorney for Estech General Chemicals Corporation, Inc., making the moratorium applicable only to those applicants seeking initial permits (rezones, DRI, master mining plans, etc).

The public hearing was declared closed.

Motion was made by Mrs Glass, and seconded by Mr Fletcher, to adopt Ordinance 82-04, including the revision of Section 7, recommended by Mr Eckenrod. Voting "Aye" were Commissioners Glass, Fletcher and Vickers. Commissioner McGavic voted "Nay". Motion carried.

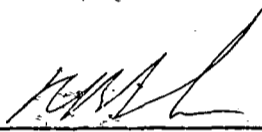
RECORD ORDINANCE S31-1064

MEETING ADJOURNED


There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman 8/17/82

Adj: 3:25 p.m.