

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Harper Brothers, Inc., for an Amendment to an Industrial Planned Development (IPD) in reference to Fort Myers-Harper Mine IPD; and

WHEREAS, a public hearing was advertised and held on October 3, 2007 (not heard), continued and heard on January 16, 2008, with the record held open for written submissions until January 25, 2008, before the Lee County Zoning Hearing Examiner, Diana M. Parker, who gave full consideration to the evidence in the record for Case #DCI2005-00105; and

WHEREAS, a second public hearing was advertised and held on May 19, 2008, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to 1) amend the existing Industrial Planned Development zoning granted by Resolutions Z-96-068 and Z-92-036A to allow dewatering as part of the mining operations; 2) allow impacts to wetlands comprising 3.87 acres in the southwest corner of the site; at hearing, this request was amended to allow impacts to wetlands comprising 0.79± acres in the southwest corner of the site; and 3) Amend Resolution Z-00-076 to allow for two phases instead of one. The property is located in the Density Reduction/Groundwater Resource and Wetlands Future Land Use Categories and is legally described in attached Exhibit A.

The request is APPROVED AS FOLLOWS AND SUBJECT TO the conditions and deviations specified in Sections B and C below.

- 1) **APPROVE** the applicant's request to amend the existing Industrial Planned Development zoning granted by Resolutions Z-96-068 and Z-92-036A to allow dewatering as part of the mining operations; and
- 2) **APPROVE** the applicant's amended request to allow impacts to wetlands comprising 0.79± acres in the southwest corner of the site; and
- 3) **APPROVE** the applicant's request to amend Resolution Z-00-076 to allow for two phases instead of one for the real property described in attached Exhibit A.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development, use, and reclamation of this property shall be in accordance with the following Master Concept Plan (MCP) attached hereto as Exhibit C, except as may be modified by the conditions herein:

Sheet 1 of 10 entitled, "IPD Modification Plan for: Fort Myers - Harper Mine IPD", dated October 2005, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 2 of 10 entitled "Aerial Photograph," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 3 of 10 entitled "Sketch and Legal Description," dated 07-06, last revised 11-99, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 4 of 10 entitled "Harper Brothers, Inc., FLUCFCS and Wetlands Map," dated 10-13-05, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 5 of 10 entitled "Harper Brothers, Inc., Existing Zoning and Current Land use Map," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 6 of 10 entitled Harper Brothers, Inc., Soils Map," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 7 of 10, entitled "Master Mining Plan (Master Concept Plan)", dated 11-29-1999, last revised 5-20-08, date-stamped "RECEIVED MAY 20 2008 PERMIT COUNTER. "

Sheet 8 of 10 entitled "Harper Brothers, Inc., Agricultural Uses at time of Zoning Application," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 9 of 10 entitled "Harper Brothers, Inc., Rehabilitation & Reclamation Plan," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

Sheet 10 of 10 entitled "Harper Brothers, Inc., Surface Water Management Plan," dated 11-29-1999, date-stamped "Received Feb 22 2007 Community Development,"

This project must be developed in accordance with all applicable state, regional, and local development regulations, except as may be granted by deviation as part of this planned development.

The Schedule of Uses for this IPD is limited to the following:

Excavation/Mining - LDC §34-1671, *et. seq.*

Agricultural Uses - farming, pasturage and agricultural accessory structures

(Note: applicant may continue to utilize the property for agricultural activities after the excavation permit is issued, but those activities may occur only in areas not undergoing excavation.

The Phasing of the project must be consistent with the Phasing depicted in the above-noted approved MCP.

2. Lee County Resolutions Z-92-036A, Z-96-068 and Z-00-076 are HEREBY SUPERCEDED BY THIS ZONING ACTION, and become null and void upon approval of this resolution by the Lee County Board of County Commissioners.
3. Prior to the issuance of an Excavation/Mining Operations Permit for Phase 2.2 the conditions of this zoning approval must be reviewed by the Lee County Department of Community Development (DCD) staff. If DCD staff determines that changed conditions on or near the property result in the threat of detrimental impacts to the public health, safety or welfare not considered at the time of this rezoning, then DCD staff may propose modifications to these conditions deemed necessary. If the developer accepts these modified conditions, then an Excavation/Mining Operations Permit may be issued in accordance with the zoning regulations. If the developer believes that such modifications are not justified, then the developer may appeal DCD staff's determination as an Appeal from Administrative Action.
4. Prior to the approval of an Excavation/Mining Operations Permit for any phase, the developer must meet with the Lee County Emergency Medical Services to confirm the location of the designated emergency helicopter landing zone and the means of access for an Emergency Medical Services Unit.
5. The arrangement for the provision of fire protection for this site will be with and to the satisfaction of the San Carlos Fire District (Fire District) and must include the utilization of an on-site, truck-mounted sprayer and other preventative measures. In the event a development order or building permit is sought for a permanent structure, this plan must be re-reviewed by the Fire District to insure adequate protection.
6. Prior to the approval of any new Excavation/Mining Operation Permit, the applicant must contact the Lee County Division of Emergency Management, Hazardous Material representative, to discuss the proposed development in relation to the potential type, use, and storage (if any) of hazardous materials which could be located on the premises. If required by federal, state, or local regulations, the applicant will prepare or have available Material Safety Data Sheets (MSDS) and submit either copies of MSDS or a list of MSDS

chemicals to the appropriate fire department or district and to the Lee County Department of Public Safety. An emergency notification system must be established to be used in the event of a hazardous material release.

7. The maximum depth of this excavation is 68 feet, or the confining layer, whichever occurs first.
8. The holder of the Excavation/Mining Operation Permit will be responsible for its pro-rata share of any damage to Alico Road from the private access road westward to 1-75 caused by the truck traffic from this operation and must repair any such damage to the satisfaction of the Lee County Department of Transportation.
9. On-site haul roads must be watered on a regular basis to avoid creating dust in excess of standards of the Florida Department of Environmental Protection.
10. Blasting is a permitted activity within this proposed mining operation. Blasting operations shall only occur between the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.
11. DEWATERING AND RECHARGE TRENCHES:

Dewatering will be conducted in accordance with the Dewatering and Monitoring Plan prepared by CDM, dated January 21, 2008, attached hereto as Exhibit D, except as modified herein. The Dewatering and Monitoring Plan expressly provides that no dewatering will occur within 1000 feet of a public water supply (PWS) well. The applicant will maintain the hydrologic trenches in accordance with their design specifications, as approved and permitted by the SFWMD, as shown in Exhibit E attached hereto. In addition, the pumps filling the recharge trenches must be operated 24 hours per day, 7 days per week, as long as the dewatering activities are occurring on-site, unless prior specific approval is received from Lee County or SFWMD to shut them down.

Adjustments to the water level in the hydrologic trenches will be made based upon review of the quarterly water level monitoring data, if/when determined to be necessary by Natural Resources and Environmental Staff after consultation with the South Florida Water Management District. The applicant must submit the quarterly reports to the Lee County Division of Natural Resources within 15 days of the end of each quarterly period.

Prior to development order approval, the applicant must submit, for review and approval by the Lee County Division of Environmental Sciences (DES) staff, a wetland monitoring plan to be implemented for the duration of dewatering activities. The wetland monitoring plan must include details of vegetation monitoring methodology, locations of monitoring transects and surface water level monitoring wells within the on-site preserved wetlands. Wetland monitoring will be conducted semi-annually, once in the wet season and once in the dry season. The applicant must submit each wetland monitoring report to the DES within 15 days of each monitoring date.

Annual reports compiling and documenting the quarterly or semi-annually obtained results of all the monitoring events will also be submitted to Lee County. If any adverse impacts (loss of canopy tree and/or under story vegetation) occur within the indigenous preserve

areas as documented through the wetland monitoring, indigenous management plan, and/or DES staff inspections, then a restoration plan as per LDC §10-423, including a work completion schedule, must be submitted for the review and approval by the DES staff.

12. The entire site must be fenced in a manner similar to the existing mine operation, to prevent unauthorized access onto the property. The fence must be maintained in good condition by the holder of the General Excavation Permit until such time as the excavation is complete, or a change of land use is approved.
13. The approved Protected Species survey included in this application will be valid for 5 years. Any lands included in this request to be mined after five years will be required to submit a new species survey, provided that the Florida Land Use, Cover and Classification System (FLUCCS) code would trigger this requirement, in accordance with County regulations. This new survey(s) shall be submitted to the DES, or its successor, to determine sufficiency and adequacy of the information. If listed species are found on site, an approved management plan will be required, per Ordinance 89-34, as amended.
14. Mining operations may not impact wetlands located on the subject property, except as provided for in Condition 23.
15. Littoral plants will be used for vegetation reclamation. The developer must install a minimum of four littoral plant species, and no one species may comprise more than 25 percent of the total planting number. Required littoral planting numbers must be computed for the total area of the littoral shelf (length x width). The developer must install one plant for each nine square feet of littoral area (this equates to planting on 3-foot centers). Survivability must be 80 percent for five years. The developer must submit to DCD a brief narrative monitoring report annually. The report must include all necessary corrective action for the five year period.
16. The developer must obtain a certificate to dig prior to the issuance of a General Excavation Permit/Limited Review Development Order.
17. The permanent stockpiling of mined material is not permitted within 100 feet of any preserve.
18. Prior to issuance of an Excavation/Mining Operations Permit for the Green Meadow Mine IPD, an alligator management plan, per LDC §10-474, must be submitted to DES staff for review and approval.
19. No expansion of the mining operations approved in this request may proceed without a new Excavation/Mining Operations Permit. As part of this new Permit, the cost of mitigating road impacts, if applicable, must be paid. If determined to be applicable, the fee will be determined utilizing the procedures applicable to the independent fee calculation process set forth in the LDC, with adjustments made for the temporary nature of the mining operation and previous creditable road improvements made by the applicant for the Green Meadow Mine operation.

20. Prior to development order approval, the development order plans must:
- a) delineate a minimum of 396.0± acres as open space. The open space must incorporate the preserve areas, site required buffers and setbacks in substantial compliance with the MCP.
 - b) include an invasive exotic vegetation removal plan for the entire project area meeting the requirements of LDC §10-420(h), subject to review and approval by DES staff.
21. Prior to development order approval, the development order plans must delineate a minimum of 246.0± acres as indigenous preservation. Indigenous vegetation communities must be labeled as Indigenous Preservation and all other proposed preserve area not meeting indigenous criteria labeled as Preservation.
22. Prior to development order approval, the applicant must submit for review and approval by DES staff an Indigenous Management Plan meeting the requirements of LDC §10-415(b)(4).
23. Prior to development order approval, the applicant must submit appropriate documentation of approval from the South Florida Water Management District (SFWMD) for the 0.79± acres of jurisdictional wetland impacts. All conditions, mitigation, and/or compensation required by SFWMD must be provided.
24. Prior to local development order approval for any phase of the mine, a mining reclamation plan, meeting LDC §34, Division 15, must be submitted to the DES staff for review and approval. The reclamation plan must include specific details on proposed plant species and number of each species used to meet density requirements.
- Prior to local development order approval for any phase of the mine, the mining reclamation plan must delineate the planted littoral zones located adjacent to existing preserves either on-site or on adjacent properties.
25. Approval of this amendment request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
26. Approval of this amendment does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).
27. Prior to local development order approval for any phase of the mine, the property must be surveyed for improperly cased or free-flowing wells. Any such wells must be permanently capped or plugged in accordance with the applicable regulations at the sole expense of the property owner/mine operator.

28. Prior to local development order approval for any phase of the mine, the preservation areas shown on the approved MCP must be placed in a conservation easement benefitting Lee County.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the required 150-foot setback from a road easement (Zoning Ordinance §508.G.2.a.I), to provide a 70-foot setback from Greenmeadow Road. No road improvements have been planned for this road. This deviation is APPROVED.
2. Deviation (2) seeks relief (from Z-96-068) from LDC §34-1682(2)a.2 requirement to provide a zero- foot setback from the north property line of the property. This Deviation is APPROVED, SUBJECT Condition 3 above.
3. Deviation (3) seeks relief from LDC §34-1682(2)a.2 provision that prohibits excavation within 100 feet of any private property line under separate ownership, to allow a zero-foot setback from the north property line. This Deviation is APPROVED, SUBJECT Condition 17 above.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Florida Rock Industries Harper Brothers Mine Dewatering and Monitoring Plan
- Exhibit E: SFWMD Water Management Plan

The applicant has indicated that the STRAP numbers for the subject property are:

01-46-26-00-00001.0000, 11-46-26-00-00001.2000, 11-46-26-00-00001.3000,
11-46-26-00-00001.4000, 11-46-26-00-00001.4010, 11-46-26-00-00001.5000,
11-46-26-00-00001.5010, 11-46-26-00-00001.6000, 11-46-26-00-00001.7000,
11-46-26-00-00001.8000, 11-46-26-00-00001.9000, 12-46-26-00-00001.0000, and
12-46-26-00-00001.4000

SECTION E. FINDINGS AND CONCLUSIONS:

1. That the applicant has proved entitlement to the IPD amendment, as conditioned, and the General Mining Permit (Mining Operations Permit) by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes or regulations.
2. That the IPD amendment, as conditioned, will meet or exceed all performance and locational standards set forth for the mining uses, and the General Mining Permit will meet or exceed local, state and federal standards for noise, air quality and vibration.

3. That the IPD amendment, as conditioned, and the General Mining Permit are consistent with the densities, intensities and general uses set forth in the Lee Plan, and are compatible with existing or planned uses in the surrounding area.
4. That approval of the IPD amendment, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.
5. That the IPD amendment, as conditioned, will not adversely affect the water quantity or water quality functions of the DR/GR land use category, nor the nearby public potable well fields, and the operation, as conditioned, is located and designed to minimize other potential adverse environmental impacts, such as noise and dust on surrounding properties and resources.
6. That the recommended conditions to the MCP are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.
7. That the approved Deviations, as conditioned, will enhance the objective of the proposed development, and will promote the protection of the public health, safety and welfare.
8. That the General Mining Permit will have fire protection, transportation facilities, wastewater treatment, and water supply to adequately support the mining operation.

Commissioner Robert P. Janes made a motion to adopt the foregoing resolution, seconded by Commissioner Frank Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Nay
Ray Judah	Aye
Tammara Hall	Absent
Frank Mann	Aye

DULY PASSED AND ADOPTED this 19th day of May 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Ray Judah
Chair



Approved as to form by:

Robert Spickerman
Robert Spickerman
County Attorney's Office

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LEGAL DESCRIPTION:

ALL OF SECTION 1 AND A PORTION OF SECTIONS 11 AND 12, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S89°38'00"E, ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,644.11 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 1; THENCE RUN N89°48'12"E, ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,653.67 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1; THENCE RUN S01°24'15"E, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,638.50 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 1; THENCE RUN S00°58'11"E, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,957.15 FEET TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S01°03'47"E, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 12, FOR A DISTANCE OF 1,979.77 FEET; THENCE RUN S89°10'01"W, A DISTANCE OF 5,296.46 FEET TO A POINT ON THE EAST LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA ; THENCE RUN S01°02'24"E, ALONG THE EAST LINE OF SAID SECTION 11, FOR A DISTANCE OF 1,979.90 FEET; THENCE RUN S89°10'44"W, A DISTANCE OF 5,294.58 FEET TO POINT ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE RUN N00°54'31"W, ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 11, FOR A DISTANCE OF 1,320.90 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE RUN N00°59'32"W, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, FOR A DISTANCE OF 2,637.93 FEET TO THE NORTHWEST CORNER OF SAID SECTION 11; THENCE RUN N89°10'07"E, A DISTANCE OF 5,289.35 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE RUN N01°09'05"W, ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,343.73 FEET TO SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE RUN N01°09'05"W, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,336.58 FEET, TO THE POINT OF BEGINNING; CONTAINING 1,528.81 ACRES, MORE OR LESS..

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING SOUTH 89°38'00" EAST.

THE COORDINATES LISTED ON THIS SURVEY, WHICH HAVE BEEN PROVIDED AS ADDITIONAL INFORMATION, REFER TO THE STATE PLANE, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, 1999 ADJUSTMENT, AND DO NOT REFER TO THE BASES OF BEARING LISTED HEREON.

Applicant's Legal Checked
by CSS 11/29/06

DCI 2005-00105

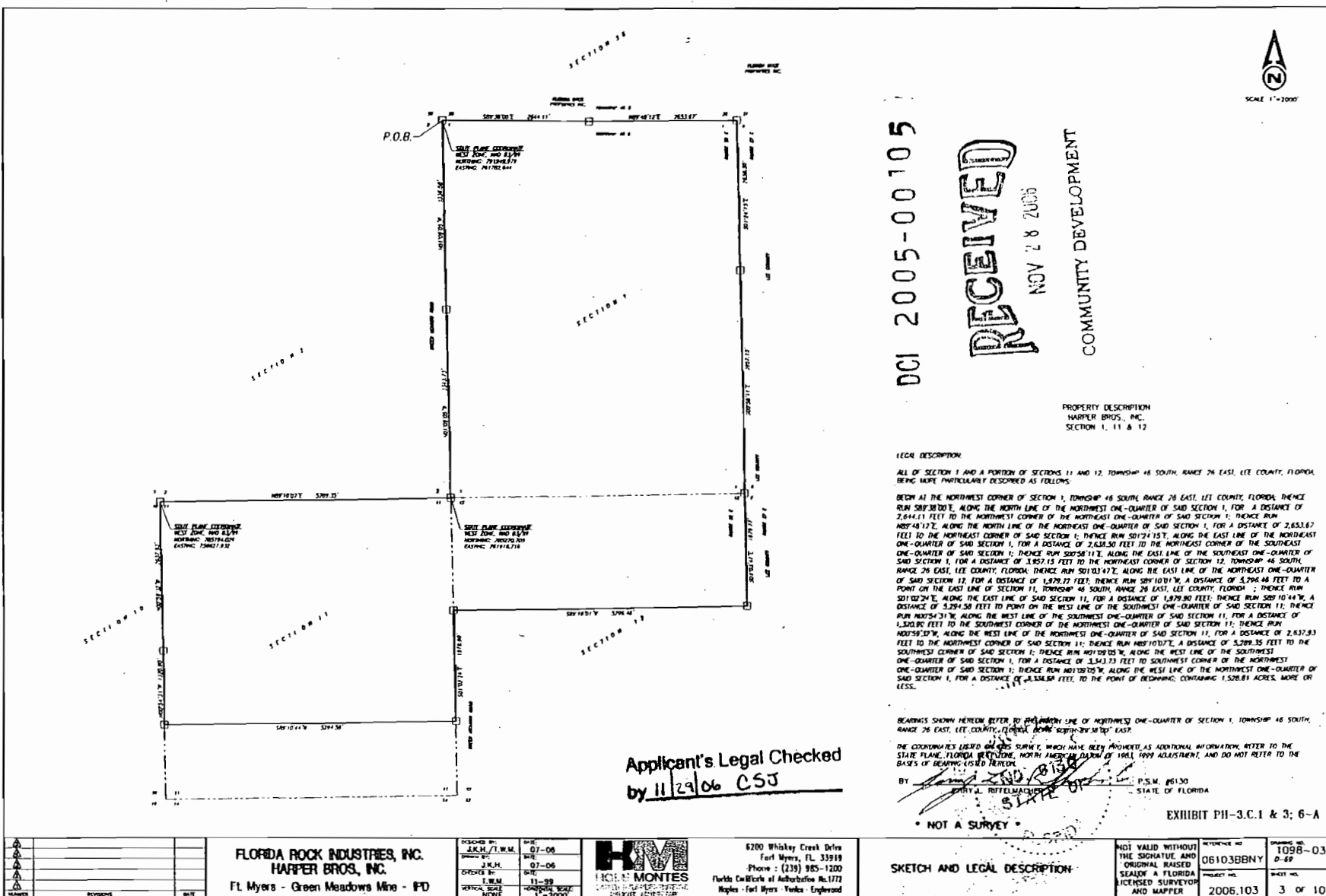
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EXHIBIT A

1 OF 2

COMMUNITY DEVELOPMENT



Applicant's Legal Checked
by 11/29/06 CSJ

ZONING MAP

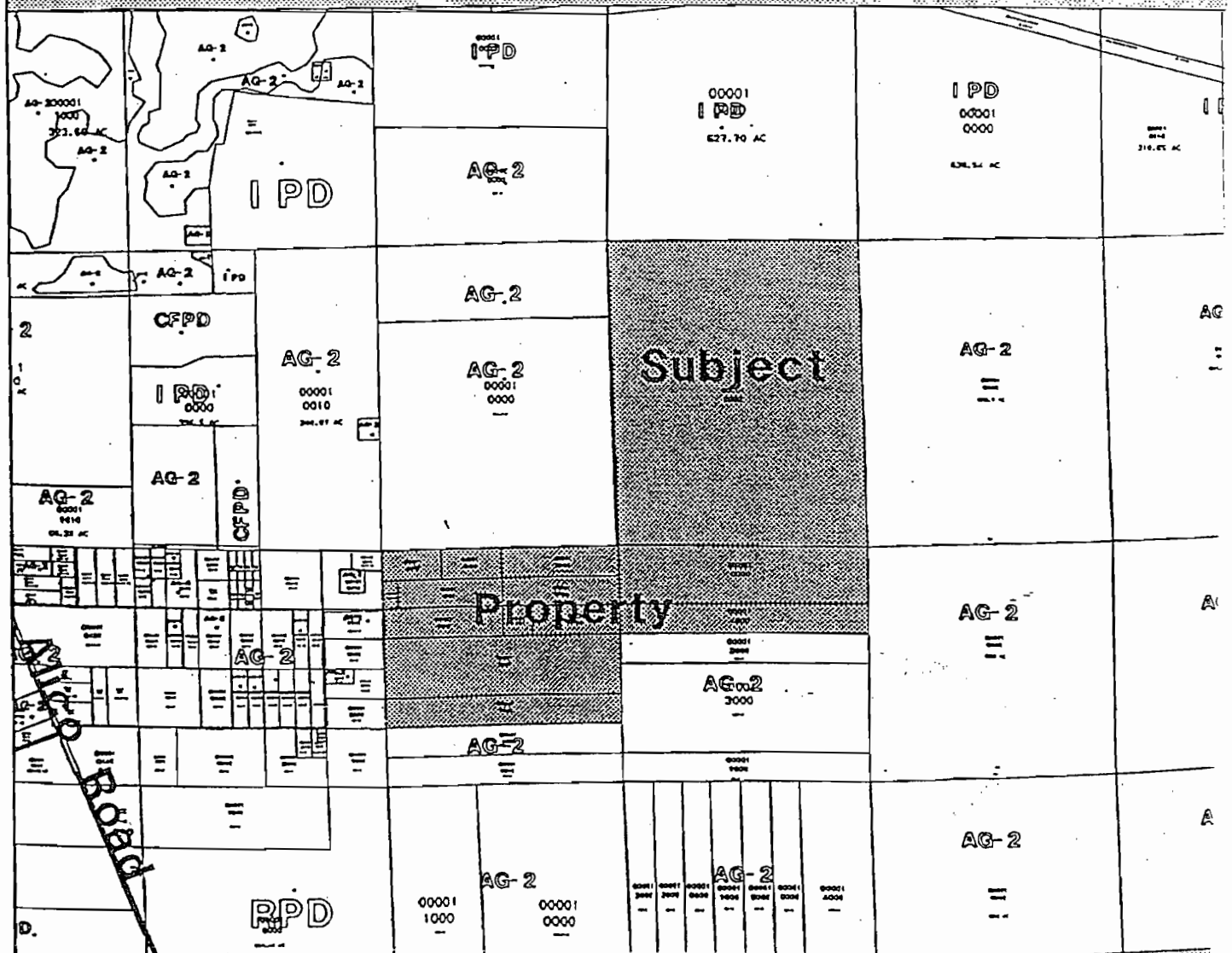


EXHIBIT B

I.P.D. MODIFICATION PLANS FOR:

Ft. Myers - Harper Mine IPD

Sections: 1, 11 & 12 T 46 South, Rng. 26 East

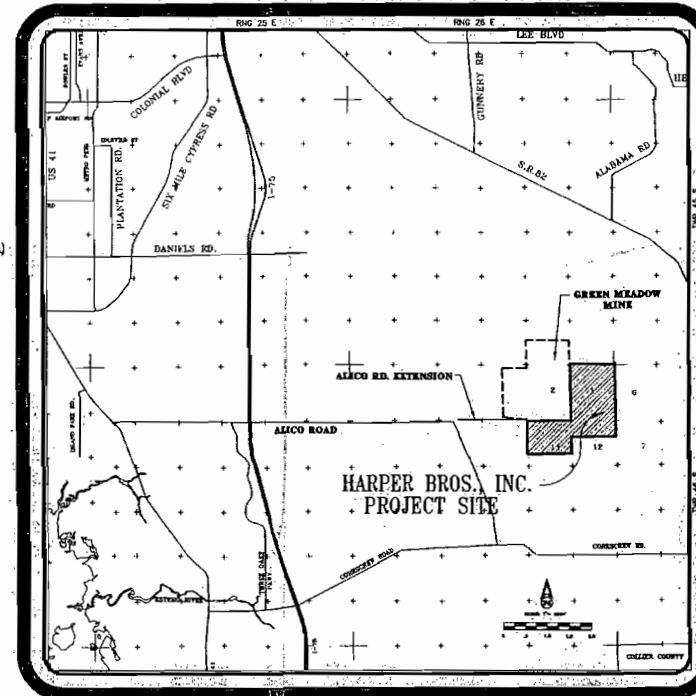
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11-46-26-00-00001.5010, 11-46-26-00-00001.6000
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11-46-26-00-00001.9000, 12-46-26-00-00001.0000
12-46-26-00-00001.4000

DATE: OCTOBER 2005
LEE COUNTY, FLORIDA

Approved as Exhibit C
MCP Page 1 of 10
Resolution # 2-07.054

INDEX OF SHEETS

NO. DRAWING	DESCRIPTION
1098-1	COVER SHEET (EXHIBIT PH-3.F; 6-B)
1098-2	AERIAL PHOTOGRAPH (EXHIBIT 6-D)
1098-3	LEGAL DESCRIPTION, BOUNDARY SKETCH AND EXISTING EASEMENT / R.O.W. (EXHIBIT PH-3.C.1 & 3; 6-A)
1098-4	FLOODS AND WETLAND MAP (EXHIBIT 6-F)
1098-5	EXISTING ZONING AND CURRENT LANDUSE MAP (EXHIBIT PH-2.C.1 & 2; PH-3.G.1 & 2; 6-C)
1098-6	SOILS MAP (EXHIBIT 6-E)
1098-7	MASTER MINING PLAN (EXHIBIT 6-I; 6-M; 6-P)
1098-8	AGRICULTURAL USES (EXHIBIT PH-3.J)
1098-9	REHABILITATION & RECLAMATION PLAN
1098-10	SURFACE WATER MANAGEMENT PLAN (EXHIBIT 6-O)



PROJECT LOCATION MAP
LDO 2001-00034

PROJECT CONSULTANTS

COMPANY NAME	TELEPHONE NUMBER	CONTACT PERSON	SERVICE
HOLE MONTES, INC.	985-1200	TOM MCLAN	ENGINEERS/SURVEYORS
PASSARELLA AND ASSOCIATES, INC.	274-0067	KEN PASSARELLA	ECOLOGIST
HENDERSON, FRANKLIN, STARNES & HOLT, P.A.	334-4121	RUSSELL SCHROPP	LEGAL
METRO TRANSPORTATION GROUP, INC.	278-3090	TED TREESH	TRANSPORTATION ENGINEERING

PREPARED BY :



6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers - Venice - Englewood

HOLE MONTES JOB NUMBER - 1993.103-X

PREPARED FOR :

HARPER BROS., INC.
14341 Allico Road
Ft. Myers, FL 33913
(239) 355-1781

RECEIVED
FEB 22 2007

COMMUNITY DEVELOPMENT

REVISIONS	DATE	REFERENCE NO.	DRAWING NO.
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Approved as Exhibit C
MCP Page 2 of 10
Resolution #201-05

DATE OF PHOTOGRAPH: DECEMBER 2004
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FEB 27 2007
NORTH
SCALE: 1" = 1000'

EXHIBIT 6-D

REVISIONS	DATE

HARPER BROS., INC.

DESIGNED BY:	J.K.H./R.L.M.	DATE:	11-99
DRAWN BY:	J.K.H.	DATE:	11-29-99
CHECKED BY:	R.L.M.	DATE:	11-99
VERTICAL SCALE:	NONE	HORIZONTAL SCALE:	1"=1000'



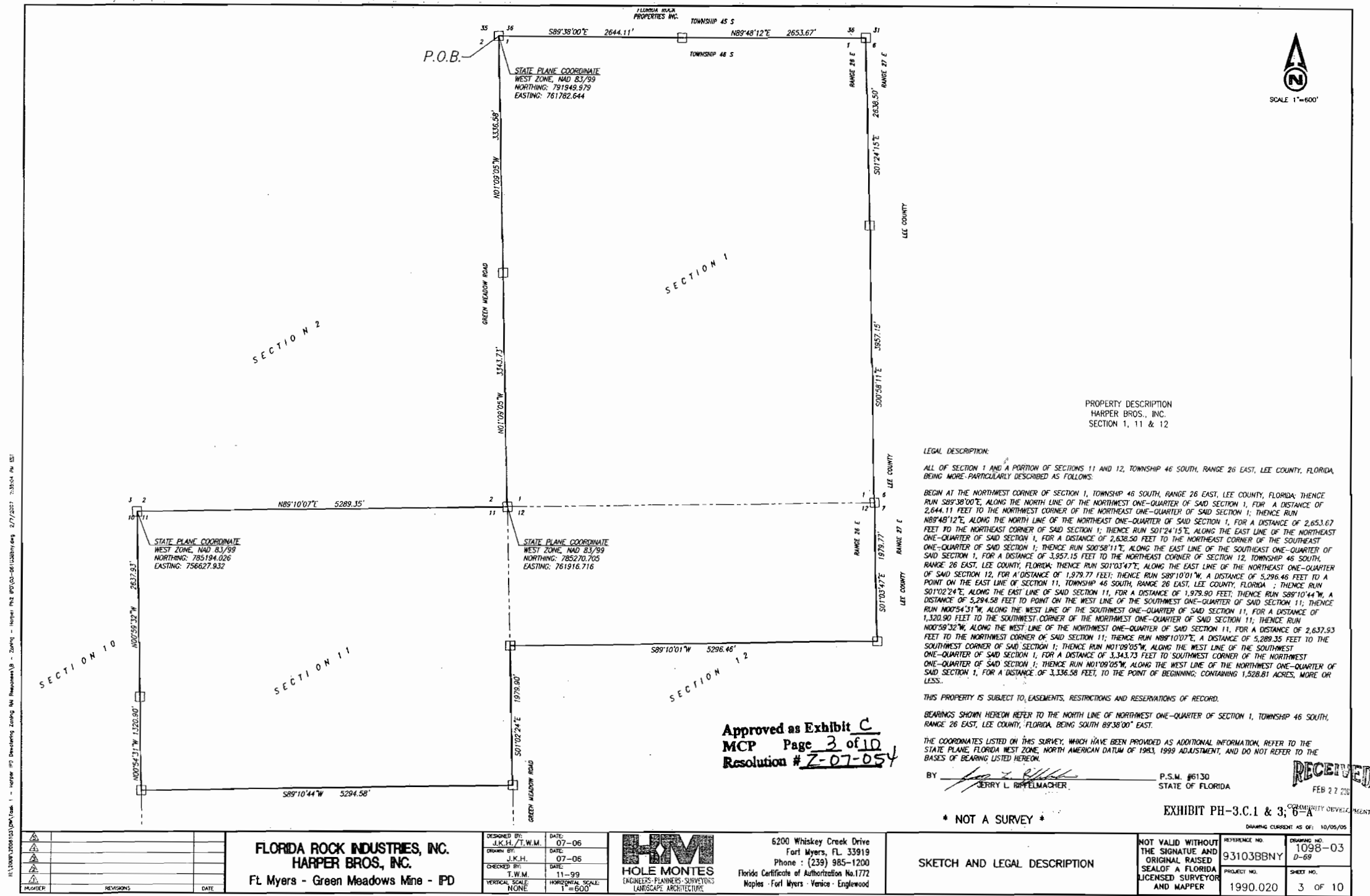
6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers - Venice - Englewood

AERIAL PHOTOGRAPH

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW:

THOMAS W. HOLCOMB, P.E.
FLORIDA PROFESSIONAL ENGINEER
EXPIRATION: 4/2009
DATE:

REFERENCE NO	DRAWING NO
06103BAER	1098-02
PROJECT NO	SHEET NO
2006.103B	2 OF 10



PROPERTY DESCRIPTION
HARPER BROS., INC.
SECTION 1, 11 & 12

LEGAL DESCRIPTION:

ALL OF SECTION 1 AND A PORTION OF SECTIONS 11 AND 12, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S89°38'00"E, ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,644.11 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE RUN N89°48'12"E, ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,653.67 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE RUN S01°24'15"E, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 2,638.50 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE RUN S00°58'11"E, ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,957.15 FEET TO THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S01°03'47"E, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 12, FOR A DISTANCE OF 1,979.77 FEET; THENCE RUN S89°10'01"W, A DISTANCE OF 5,296.46 FEET TO A POINT ON THE EAST LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S01°02'24"E, ALONG THE EAST LINE OF SAID SECTION 11, FOR A DISTANCE OF 1,979.90 FEET; THENCE RUN S89°10'44"W, A DISTANCE OF 5,294.58 FEET TO POINT ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE RUN N00°54'31"W, ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 11, FOR A DISTANCE OF 1,320.90 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE RUN N00°38'32"W, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, FOR A DISTANCE OF 2,637.93 FEET TO THE NORTHWEST CORNER OF SAID SECTION 11; THENCE RUN N89°10'07"E, A DISTANCE OF 5,289.35 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE RUN N01°09'05"W, ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,343.73 FEET TO SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE RUN N01°09'05"W, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 3,336.58 FEET, TO THE POINT OF BEGINNING; CONTAINING 1,528.81 ACRES, MORE OR LESS.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING SOUTH 89°38'00" EAST.

THE COORDINATES LISTED ON THIS SURVEY, WHICH HAVE BEEN PROVIDED AS ADDITIONAL INFORMATION, REFER TO THE STATE PLANE, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, 1999 ADJUSTMENT, AND DO NOT REFER TO THE BASES OF BEARING LISTED HEREON.

BY Jerry L. Riffelmacher P.S.M. #6130
JERRY L. RIFFELMACHER STATE OF FLORIDA

* NOT A SURVEY *

EXHIBIT PH-3.C.1 & 3, 6-A

DRAWING CURRENT AS OF: 10/05/05

REVISIONS	DATE

FLORIDA ROCK INDUSTRIES, INC.
HARPER BROS., INC.
Ft. Myers - Green Meadows Mine - IPD

DESIGNED BY: J.K.H./T.W.M.	DATE: 07-06
DRAWN BY: J.K.H.	DATE: 07-06
CHECKED BY: T.W.M.	DATE: 11-99
VERTICAL SCALE: NONE	HORIZONTAL SCALE: 1"=600'

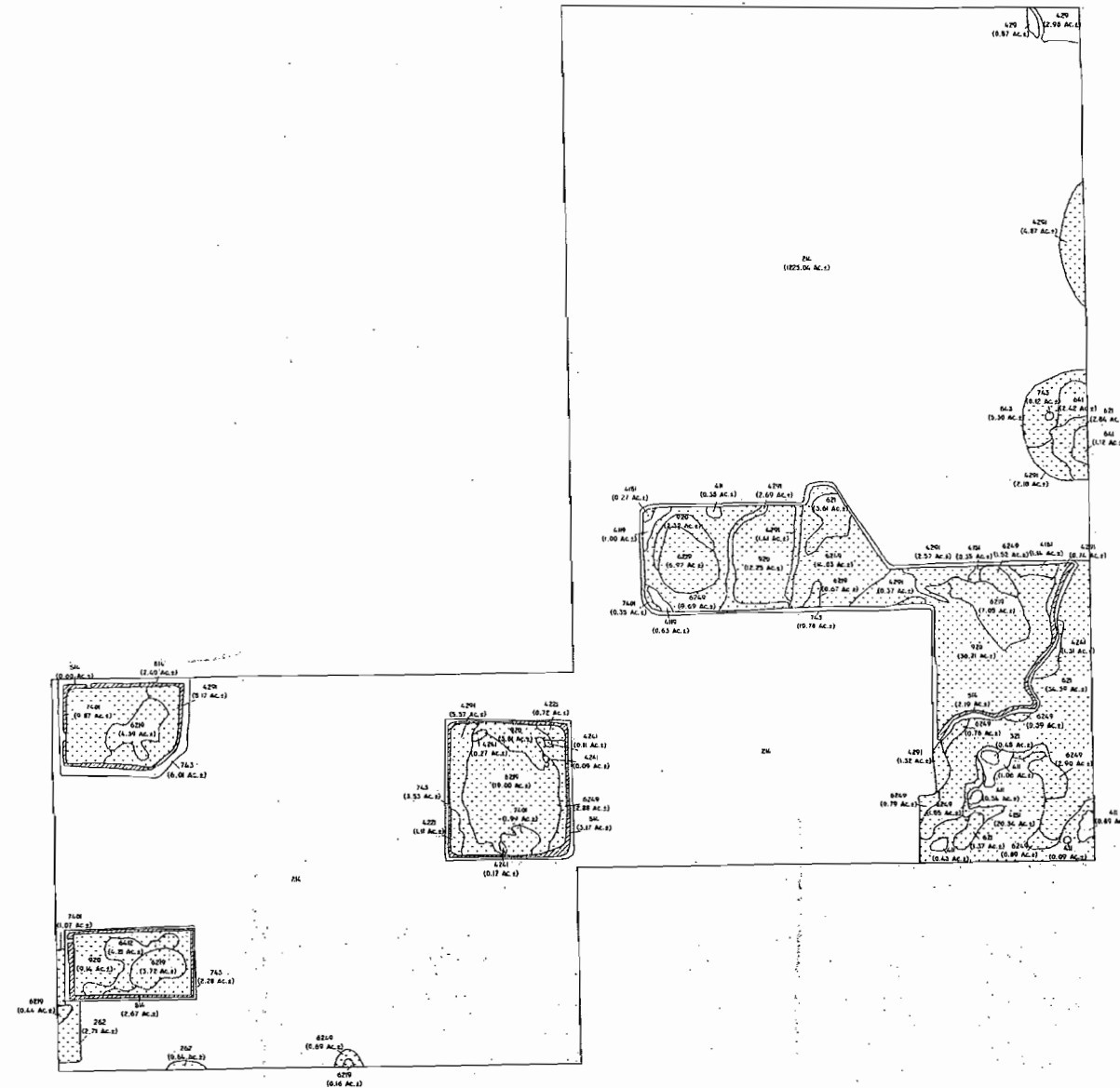


6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone: (239) 985-1200
Florida Certificate of Authorization No.1772
Naples Fort Myers Venice Englewood



SKETCH AND LEGAL DESCRIPTION

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	REFERENCE NO: 93103BBNY	DRAWING NO: 1098-03
	PROJECT NO: 1990.020	SHEET NO: 3 OF 10

001 2005-00105



LEGEND:

-  SFWM/FDEP WETLANDS
(260.75 Ac.±)
-  SFWM/FDEP "OTHER SURFACE WATERS"
(11.03 Ac.±)

FLUCIFCS	CODES	DESCRIPTIONS	ACREAGES	% OF TOTAL
214	214	ROW CROPS	1225.04 AC ±	82.1%
262	262	PASTURE, HYDRIC	3.36 AC ±	0.2%
321	321	PALMETTO PRAIRIE	0.45 AC ±	0.0%
411	411	PINE FLATWOODS	3.62 AC ±	0.2%
4110	4110	PINE FLATWOODS, DISTURBED	0.18 AC ±	0.0%
4151	4151	PINE FLATWOODS, HYDRIC	2.10 AC ±	0.1%
4221	4221	BRAZILIAN PEPPER, HYDRIC	1.88 AC ±	0.1%
4541	4541	MELALEUCA, HYDRIC	1.90 AC ±	0.1%
459	459	WAX MYRTLE	3.50 AC ±	0.2%
4591	4591	WAXMYRTLE FENNELLOW, HYDRIC	28.81 AC ±	1.9%
514	514	FLORIDA CANAL	11.03 AC ±	0.7%
621	621	CYPRESS	42.21 AC ±	2.8%
6216	6216	CYPRESS, DISTURBED	40.40 AC ±	2.8%
6248	6248	CYPRESS PINE-CABBAGE PALM, DISTURB	36.08 AC ±	2.4%
641	641	FRESHWATER MARSH	3.56 AC ±	0.2%
6412	6412	FRESHWATER MARSH, CATTAIL	4.21 AC ±	0.3%
643	643	WET PRAIRIE	5.30 AC ±	0.3%
74C1	74C1	DISTURBED LAND, HYDRIC	13.39 AC ±	0.9%
74C3	74C3	SPURGEON	22.75 AC ±	1.5%
590	590	WETLAND MITIGATION	57.73 AC ±	3.8%
	TOTAL		1508.77 AC ±	100.0%

NOTES:

FLUCFC5 LINES ESTIMATED FROM
1"=200' AERIAL PHOTOGRAPHS AND
LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE,
COVER AND FORMS CLASSIFICATION
SYSTEM (FLUCFCS) (FOOT 1985).

BOUNDARY SURVEY PROVIDED BY
HOLE, MONTES & ASSOCIATES, INC.
DRAWING No. 89768ASE.DWG DATED
5/3/00.

Approved as Exhibit C
MCP Page 4 of 10
Resolution # Z-07-05

RECEIVED
FEB 27 2003

COMMUNITY DEVELOPMENT

EXHIBIT 6-F

REVISED	DESIGNED BY	DATE	HORIZONTAL SCALE
REVISED FLUCCUS MAPPING	A.W.	10/13/05	1"=600'
	CHECKED BY	DATE	VERTICAL SCALE
REVISED FLUCCUS MAPPING	K.C.P.	10/13/05	N/A
	DRAWN BY	DATE	SEC/TWP/RNG.
	F.L.	10/13/05	12.10.11.12/46/26

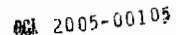
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

9110 College Pointe Court, Fort Myers, Florida 33919

HARPER BROTHERS, INC.
FLUCFCS AND WETLANDS MAP

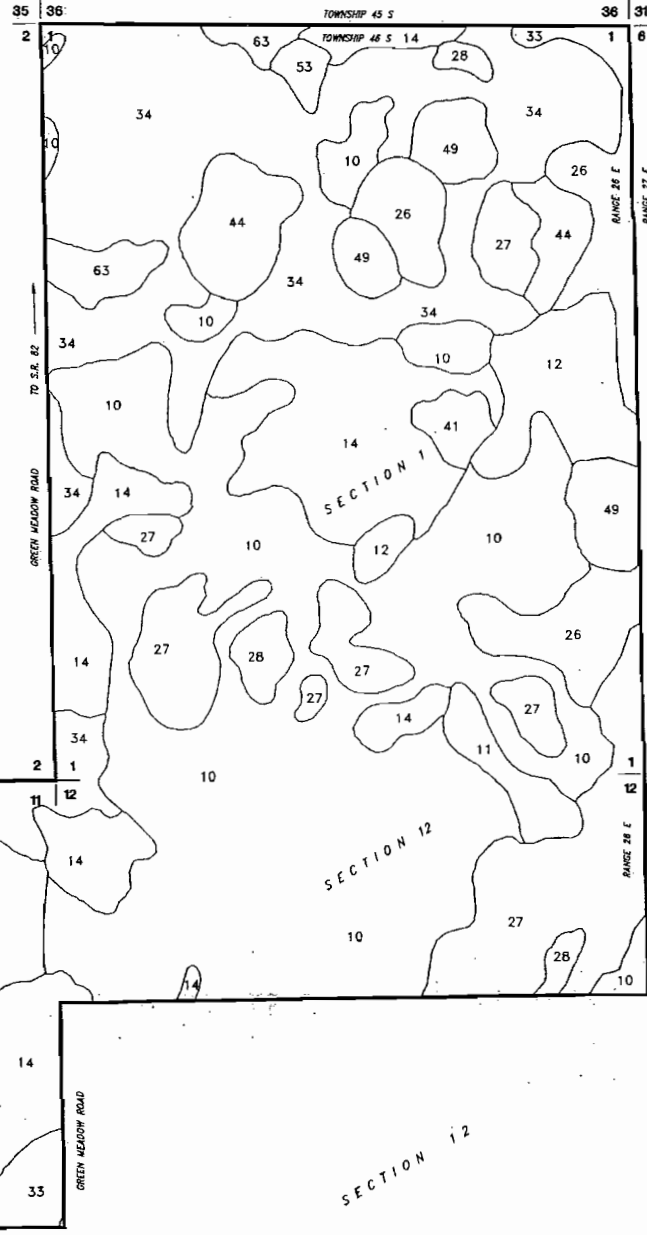
DRAWING No:
00FRI498
SHEET No:
4 of 10

DECL 2005-00105



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34 35
8 2



SOILS LEGEND:

- 10 POMPANO FINE SAND
- 11 MYAKKA FINE SAND
- 12 FELDA FINE SAND
- 14 VALKARIA FINE SAND
- 26 PINEDA FINE SAND
- 27 POMPANO FINE SAND, DEPRESSIONAL
- 28 IMMOKALEE SAND
- 34 MALABAR FINE SAND
- 41 VALKARIA FINE SAND, DEPRESSIONAL
- 44 MALABAR FINE SAND, DEPRESSIONAL
- 49 FELDA FINE SAND, DEPRESSIONAL
- 63 MALABAR FINE SAND, HIGH

Approved as Exhibit C
MCP Page 6 of 10
Resolution # 2-07-054

RECEIVED
FEB 12 2007

COMMUNITY DEVELOPMENT

EXHIBIT 6-E

REVISIONS	DATE

HARPER BROS., INC.

DESIGNED BY: J.K.H./R.L.M.	DATE: 11-99
DRAWN BY: J.K.H.	DATE: 11-29-99
CHECKED BY: R.L.M.	DATE: 11-99
VERTICAL SCALE: NONE	HORIZONTAL SCALE: 1"=600'



6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers - Venice - Englewood

SOILS MAP

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW :	REFERENCE NO. 06103BSOI	DRAWING NO. 1098-06
THOMAS W. MAGEE, P.E. FLORIDA PROFESSIONAL ENGINEER REGISTRATION #8800	PROJECT NO. 2006.103B	SHEET NO. 6 OF 10
DATE		

DCI 2005-00105

RECEIVED
MAY 20 2008

PERMIT COUNTER

Existing "ALICO ROAD
GREEN MEADOWS MINE" Site
(F.R.I./HARPER PROCESSING PLANT)

DCI 2005-00105

Approved as Exhibit C
MCP Page 7 of 10
Resolution # Z-07-054

OPEN SPACE REQUIREMENTS

TOTAL SITE: 1,528.77 ACRES
REQ'D OPEN SPACE (20%): 305.75 ACRES, OF WHICH 50% MUST BE INDIGENOUS
(IF AVAILABLE), PER SECTION 10-413, LDC.

OPEN SPACE PROVIDED: 396.48 ACRES WILL NOT BE MINED AND WILL REMAIN AS OPEN SPACE UNDER THE PLAN.

1,132.29 ACRES WILL BE MINED AND WILL BECOME A WATER BODY; 25% OF REQUIRED OPEN SPACE MAY BE MET BY WATER BODIES.

246.3 ACRES OF EXISTING INDIGENOUS NATIVE VEGETATION
WILL BE PRESERVED, SEE CHART FOR BREAKDOWNS.

CERTIFICATION:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THIS MAP IS CORRECT, AND SHOWS TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL INFORMATION REQUIRED BY THE REQUIREMENTS OF THE LEE COUNTY ZONING ORDINANCE.

Thomas W. McLean, P.E., #48890

EXISTING INDIGENOUS NATIVE VEGETATION

FLUCFCS	DESCRIPTION	ACREAGE
321	Palmetto Prairie	0.3 Ac
411	Pine Flatwoods	3.6 Ac
4119	Pine Flatwoods, Disturbed	1.6 Ac
4151	Pine Flatwoods, Hydric	22.2 Ac
4291	Wax Myrtle / Willow, Hydric	26.9 Ac
621	Cypress	42.2 Ac
6219	Cypress, Disturbed	4.2 Ac
6249	Cypress, Palm-Cabbage Palm, Disturbed	36.2 Ac
641	Freshwater Marsh	3.5 Ac
6412	Freshwater Marsh, Cattail	4.2 Ac
642	Wet Prairie	15.3 Ac
920	Wetland Mitigation	57.7 Ac
		246.3 Ac

EXHIBIT 6-J; 6-M; 6-P

⚠		
⚠	REVISED PER FINAL RESOLUTION	5-20-08
⚠	REVISED PER HEX HEARING	1-16-08
⚠	REVISED PRESERVE SETBACK - SECTION 1	09-07-07
⚠	REVISED PHASE 2 PHASING AS REQUESTED	11-15-06
APPROVED	DESIGNER	DATE

HARPER BROS., INC.

DESIGNED BY: J.K.H./R.L.M.	DATE: 11-99
DRAWN BY: J.K.H.	DATE: 11-29-99
CHECKED BY: R.L.M.	DATE: 11-99
VERTICAL SCALE: NONE	HORIZONTAL SCALE: 1" = 600'



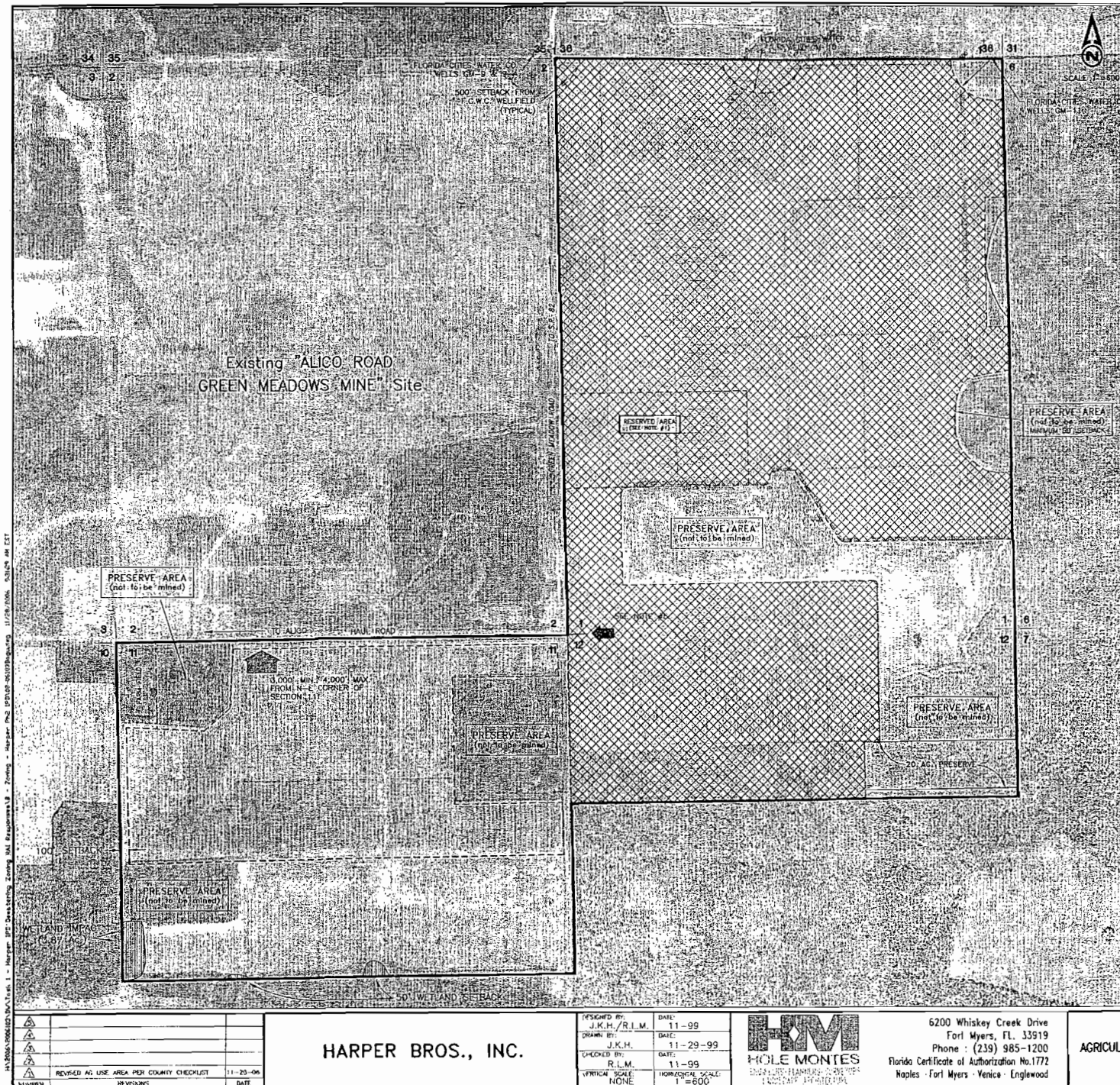
6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples · Fort Myers · Venice · Englewood

MASTER MINING PLAN
(MASTER CONCEPT PLAN)

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

THOMAS W. McLEAN, P.E.
FLORIDA PROFESSIONAL ENGINEER
REGISTRATION #48890
DATE _____

REFERENCE NO.	DRAWING NO.
06103BMCP	1098-07
PROJECT NO.	SHEET NO.
2006.103B	7 OF 10



Approved as Exhibit C
MCP Page 8 of 10
Resolution # 2-07-054

LEGEND



AGRICULTURAL USES AT TIME OF ZONING APPLICATION (±833 Ac.)



VEHICULAR INGRESS / EGRESS



APPROXIMATE SECTION CORNER LOCATION

EXHIBIT PH-3.1

DESIGNED BY: J.K.H./R.L.M.	DATE: 11-99
DRAWN BY: J.K.H.	DATE: 11-29-99
CHECKED BY: R.L.M.	DATE: 11-99
VERTICAL SCALE: NONE	HORIZONTAL SCALE: 1"=600'

HARPER BROS., INC.



6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples · Fort Myers · Venice · Englewood

AGRICULTURAL USES AT TIME OF ZONING APPLICATION

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW :

REFERENCE NO. 93103BAGU	DRAWING NO. 1098-08
PROJECT NO. 1993.103B	SHEET NO. 8 OF 10

001 2005-00105



NO.	REVISIONS	DATE
1		
2		
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HARPER BROS., INC.

DESIGNED BY: J.K.H./R.L.M.	DATE: 11-99
DRAWN BY: J.K.H.	DATE: 11-29-99
CHECKED BY: R.L.M.	DATE: 11-99
WHICH SCALE: NONE	HORIZONTAL SCALE: 1"=600'



6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers - Venice - Englewood

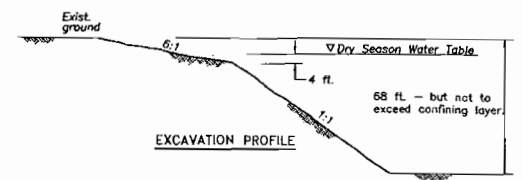
REHABILITATION & RECLAMATION PLAN

THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW:

REFERENCE NO.	DRAWING NO.
06103RHRC	1098-09
PROJECT NO.	SHEET NO.
2006.103	9 OF 10

TOMAS W. MILLER, P.E.
FLORIDA PROFESSIONAL ENGINEER
DATE: _____

- LEGEND
- BOUNDARY LINE
 - PROPOSED EXCAVATION LINE
 - APPROXIMATE SECTION CORNER



RECLAMATION SHALL BEGIN WITHIN 6 MONTHS AFTER COMPLETION IN ANY AREA THAT WILL NOT BE DISTURBED BY FUTURE OPERATIONS AND SHALL BE COMPLETED WITHIN 12 MONTHS OR WHENEVER THE OPERATIONS HAVE BEEN ABANDONED OR THE GENERAL EXCAVATION PERMIT EXPIRES, WHICHEVER COMES FIRST.

POST-MINED RECLAMATION

The post-mined lake littoral zone will be mulched or planted with wetland species to create desired plant communities and habitat value. If no mulch sources are available at the time of reclamation the community will be established by planting. The plantings will be grouped to model analogous natural plant communities. Species distribution will be according to habitats appropriate for species environmental tolerances. The average density of the planting will be three feet on center. The plants will be nursery grown, container plants or field grown nursery plants. The planting will be selected from the following list:

- | | |
|----------------|--------------------|
| arrowhead | Sagittaria spp. |
| fireflag | Thalia geniculata |
| giant bulrush | Scirpus validus |
| iris | Iris hexagona |
| lemon bacopa | Bacopa caroliniana |
| pickersweed | Pontederia spp. |
| sand cordgrass | Spartina bakeri |
| soft rush | Juncus effusus |
| swamp fly | Crinum americanum |
| sword grass | S. americanus |
| water hyssop | B. monnini |
| yellow canna | Canna flaccida |

Fifty percent of the planting will consist of pickersweed and sagittaria. The additional species to be planted will be mixed, chosen from the above list.

An 80% coverage of desirable wetland vegetation is guaranteed two years after planting. If 80% coverage of desirable wetland vegetation is not achieved, additional appropriate native vegetation will be planted to provide for an 80% survival rate.

EXOTIC VEGETATION MAINTENANCE AND MONITORING

For LDC 10-420(h) the following highly invasive exotic plants may not be planted, (i.e. are prohibited) and must be removed from the reclamation areas. Mechanical removal shall be utilized for exotic control within the upland areas around the lake reclamation areas. The reclamation area shall be maintained free from invasive exotic plants in perpetuity.

- Prohibited Invasive Exotics
- | | |
|--------------------------------|--------------------------|
| Common name | Scientific name |
| carrot grass | Azadirachta indica |
| Old World climbing fern | Lygodium microphyllum |
| woman's tongue | Azadirachta indica |
| Melaleuca, paper tree | Melaleuca quinquenervia |
| bishopweed | Eleocharis acicularis |
| downy rose myrtle | Rhodomyrtos tomentosa |
| Australian pines | Pinus sp. |
| Chinese banyan | Ficus benjamina |
| coralbeard | Cypripedium acaule |
| Brazilian pepper/Florida holly | Schinus molle |
| rosewood | Dalbergia sissoo |
| tropical soda apple | Solanum elaeagnifolium |
| oil palm | Elaeis guineensis |
| Java plum | Syzygium cumini |
| muntry red gum | Eucalyptus camaldulensis |
| rose apple | Syzygium jambos |
| weeping fig | Ficus benjamina |
| cork tree | Thespesia populnea |
| Cuban laurel fig | Ficus macleodii |
| Wadella | Wadella trilobata |
| Japanese Climbing fern | Lygodium japonicum |

Approved as Exhibit C
MCP Page 9 of 10
Resolution # Z-07-054

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FEB 22 2007

COMMUNITY DEVELOPMENT

HA-2006-2006103B-TWATask 1 - Harper IPD Dewatering Zoning MA ResponseA-P - Zoning - Harper IPD 06103B.dwg 2/7/2007 4:00:30 PM EST



DESIGNED BY	J.K.H./R.L.M.	DATE	11-99
DRAWN BY	J.K.H.	DATE	11-29-99
CHECKED BY	R.L.M.	DATE	11-99
VERTICAL SCALE	NONE	HORIZONTAL SCALE	1"=600'

HARPER BROS., INC.

DESIGNED BY: J.K.H./R.L.M.
DATE: 11-99
DRAWN BY: J.K.H.
DATE: 11-29-99
CHECKED BY: R.L.M.
DATE: 11-99
VERTICAL SCALE: NONE
HORIZONTAL SCALE: 1"=600'

H.M.
HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS
LANDSCAPE ARCHITECTURE

6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers - Venice - Englewood

SURFACE WATER MANAGEMENT PLAN

DATE	2006.103B	10 OF 10
------	-----------	----------

2005-00105

Florida Rock Industries

**Harper Brothers Mine
Dewatering and Monitoring Plan**

January 21, 2008

Florida Rock Industries Harper Brothers Mine Dewatering and Monitoring Plan

This Dewatering and Monitoring Plan presents the methods of dewatering and monitoring employed at the Harper Brothers Rock Mine site.

Dewatering Plan

Dewatering has been conducted at the Harper Brothers Mine for removal of overburden (unconsolidated sediments) on top of the limestone rock, which is mined wet. Dewatering at the mine has been and will continue to be conducted in accordance with South Florida Water Management District (SFWMD) permit number 36-04640-W. Dewatering is to be conducted in Section 1, 11, and 12 in areas defined and permitted as "mining areas". Excavation will maintain a 500-foot setback from public water supply (PWS wells). In addition, a 1,000-foot setback will be maintained between dewatering and PWS wells.

Dewatering will occur in cells no larger than 400 feet by 1000 feet, adjacent to excavation areas. Dewatering is limited to a maximum depth of 20 feet below land surface, an elevation of 5 feet NGVD, or top of rock, whichever is higher, consistent with the requirements of permit number 36-04640-W. Dewatering water will be discharged to a recharge trench located at the mine perimeter and to the mine pit. The recharge trenches were installed consistent with the requirements of SFWMD MSSW Permit Number 36-00612-S and will continue to be maintained to the requirements of that active permit. Water levels in the recharge trenches are measured from staff gauges on a daily basis, and recorded in field logs.

Dewatering activities have raised concerns at other sites where drawdown in the water table aquifer resulted in adverse impacts to offsite areas. It is our understanding that where such adverse impacts occurred, dewatering methodologies required by the SFWMD were not employed. The primary methodology that prevents offsite impacts from dewatering is the use of recharge trenches. Dewatering results in drawdown of the water table. As dewatering discharge is routed to recharge trenches, the water level in the trenches prevents water table drawdown from propagating beyond the trench. Recharge trenches are located between dewatering sites and wetlands and offsite areas at the Harper Brothers Mine, thus preventing offsite or wetlands impacts from dewatering.

Monitoring Plan

A monitoring program has been developed to address Lee County concerns regarding protection of public water supply (PWS) wells and to ensure that dewatering activities result in no adverse impacts to wetlands, the water table aquifer, or neighboring land uses. The Harper Brothers Mine site is shown on the attached aerial photograph map (Figure 1). This map depicts the locations of water table aquifer

monitor wells located throughout the site. Proposed monitoring activities are summarized in the attached table (Table 1) and discussed below.

In order to further address Lee County concerns, water levels are being measured in dewatering monitor wells. Two dewatering monitor wells (DEW-MW-1 and DEW-MW-2) were constructed at the request of Lee County. Five additional dewatering monitor wells (DEW-MW-3 through DEW-MW-7) were constructed voluntarily by Florida Rock Industries. The dewatering monitoring wells consist of 2-inch diameter PVC casing installed to a depth of approximately 5 feet below land surface (bls), and the screened interval installed between approximately 5 and 10 feet bls. The dewatering monitor wells are located along the project site perimeter, beyond recharge trenches. Transducer/data loggers in the monitor wells are used to record water levels on an hourly basis. The data loggers are downloaded quarterly, and manual water levels are taken during downloads to confirm performance of the transducer/data loggers.

PWS Monitoring Program

PWS monitoring has been implemented in order to demonstrate that the existing PWS wells are not impacted by mining activities including under direct influence (UDI) of surface water concerns. Please note that the existing Section 2 mine has been in operation since the 1980s and the Green Meadows PWS wells have been operating for a comparable period. To our knowledge, no mining activities have resulted in adverse impacts to PWS wells in Lee County. Rock mining has been considered a land use consistent with and, to a degree, beneficial to PWS wells. The mining results in added storage of water onsite due to the excavated lake storing water in the volume that previously contained rock. This added water storage has potential to mitigate aquifer drawdown from the PWS wells.

Four PWS-series monitor wells have been installed, of which one was voluntarily added by Florida Rock Industries. The monitor wells are located between existing PWS wells and the mining operations; one in Section 2 (PWS-MW-1) and three in Section 1 (PWS-MW-2, 3, and 4). Monitor well locations are shown on Figure 1. The PWS-series monitor wells were constructed with nominal 4-inch diameter PVC casing and an open hole interval. The cased and open hole intervals are approximately the same as the adjacent PWS wells, as summarized below.

Monitor Well	Cased Interval (feet bls)	Open Hole Interval (feet bls)
PWS-MW-1	22	45
PWS-MW-2	22	40
PWS-MW-3	22	40

PWS-MW-4	22	40
----------	----	----

Monitoring will be conducted at the PWS-series monitor wells on a quarterly basis. Groundwater samples will be analyzed for the parameters stipulated in the attached table. A minimum of three well volumes of water will be purged prior to sampling. The samples will be analyzed by a FDEP/NELAP certified laboratory. Water levels will be measured in the PWS-series monitor wells using the same methodologies employed at the dewatering wells, as discussed above.

Monitoring Reports

Monitoring reports will be prepared on a quarterly basis and submitted to Lee County Division of Natural Resources within 30 days of the end of the quarter. The monitoring reports will include hydrographs from the transducer/data loggers, laboratory analytical data reports, and a brief discussion of the monitoring results.

Monitor Well



0 1.000 2.000 4.000 Feet

Figure 1
Harper Brothers Mine
Monitor Well Locations

Table 1.
Harper Brothers Mine
Proposed Monitoring Well Network

Monitor Well	Purpose	Water Level Measurement	Water Quality Sampling
DEW MW-1	Measure water table aquifer water levels	X	
DEW MW-2	Measure water table aquifer water levels	X	
DEW MW-3*	Measure water table aquifer water levels	X	
DEW MW-4*	Measure water table aquifer water levels	X	
DEW MW-5*	Measure water table aquifer water levels	X	
DEW MW-6*	Measure water table aquifer water levels	X	
DEW MW-7*	Measure water table aquifer water levels	X	
Section 11 West*	Measure water table aquifer water levels	X	
Section 11 East*	Measure water table aquifer water levels	X	
LM-2290*	Measure water table aquifer water levels	X	
LM-2993*	Measure water table aquifer water levels	X	
LM-1892*	Measure water table aquifer water levels	X	
LM-1891*	Measure water table aquifer water levels	X	
PWS-MW-1	Monitor water levels and water quality as mining approaches PWS wells.	X	X
PWS-MW-2*	Monitor water levels and water quality as mining approaches PWS wells.	X	X
PWS-MW-3	Monitor water levels and water quality as mining approaches PWS wells.	X	X
PWS-MW-4	Monitor water levels and water quality as mining approaches PWS wells.	X	X

* Monitoring being done voluntarily by Florida Rock Industries.

Water Level Measurement

Water levels to be measured using data logger/transducers with quarterly downloads and manual confirmation measurements.

Water Quality Sampling Parameters

Samples to be analyzed for the following based on the Chemical Constituent List for Proposed Mining provided by Lee County dated December 11, 2006:

Chloride tetrometric Argentometric.

Sulfate

Total Dissolved Solids

Iron

Florida PRO

Water Table Elevation

Water Quality Sampling Frequency

Water quality samples to be collected quarterly during mining.

Water quality samples to be collected semi-annually after completion of mining, for two years.

Water quality samples to be collected annually after completion of semi-annual monitoring, for two years.

Monitoring Reporting

Monitoring reports to be submitted to Lee County quarterly.

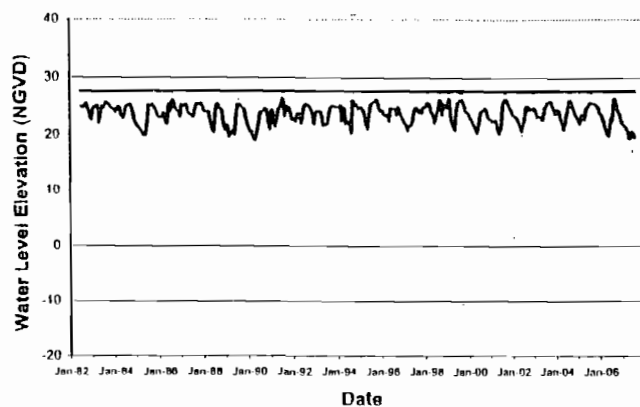
Reports to include water level hydrographs and laboratory analytical data reports.

Harper Brothers Rock Mine

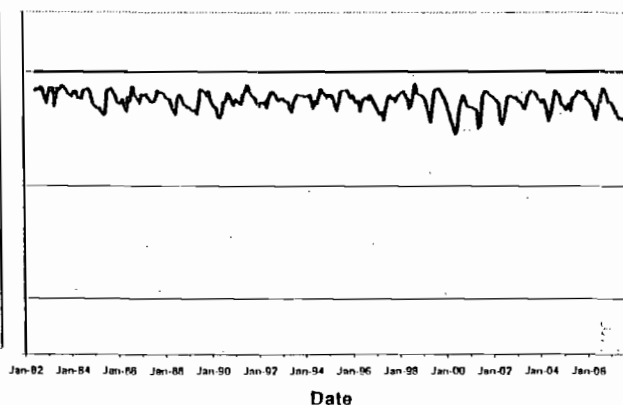
Water Level Hydrographs

Attached are water level hydrographs for six monitor wells located at the Harper Brothers Rock Mine. This includes three wells that have been monitored since the 1980s (LM-1891, LM-1892, and LM-2290), and three wells that have been monitored since April 2007 (Section 11 East Well, DEW-MW-1, and DEW-MW-2). Two hydrographs are included for each of the LM-series wells, one for the entire period of record, and one for a one year period (April 2005 to April 2006). The one year period hydrographs illustrate that the variability in water level elevation over a shorter period visually appears less dramatic than the variability of water level elevation shown over a longer period. This is directly related to the effect of the scale used on the hydrograph and the amount of time that has elapsed on the scale. The gradual nature of water table fluctuation (increase during the rainy season (May- Oct) and decrease during the dry season (Nov-April)) is more evident with the one year scale format. The long-term hydrographs demonstrate that the water levels in recent years are consistent with historical water levels. No discernable effect on groundwater levels from the mining and dewatering operations is therefore evident.

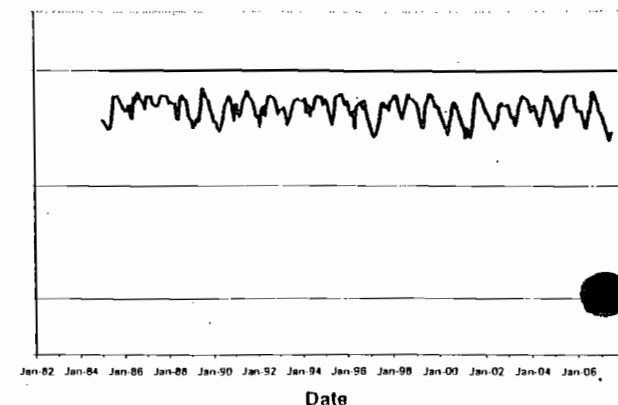
Well LM-1891



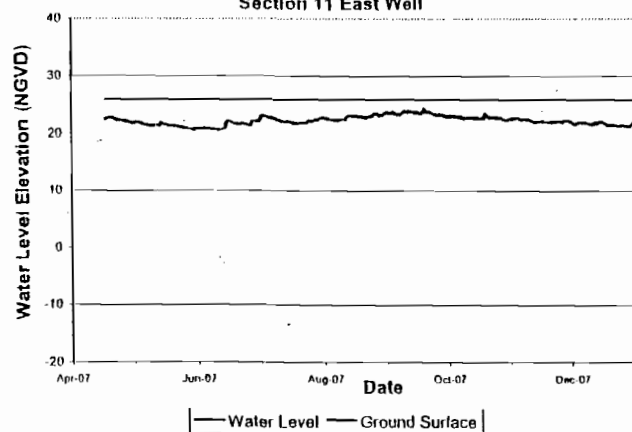
Well LM-1892



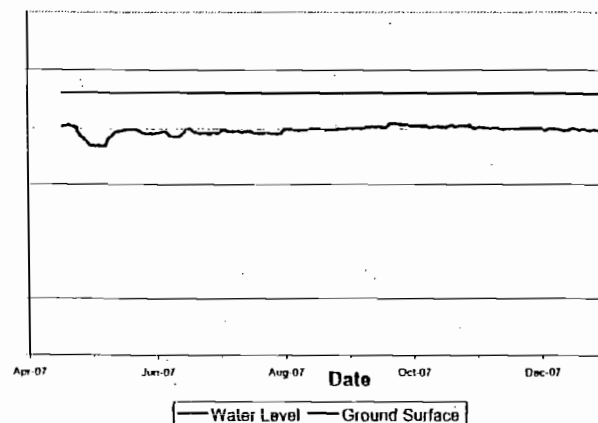
Well LM-2290



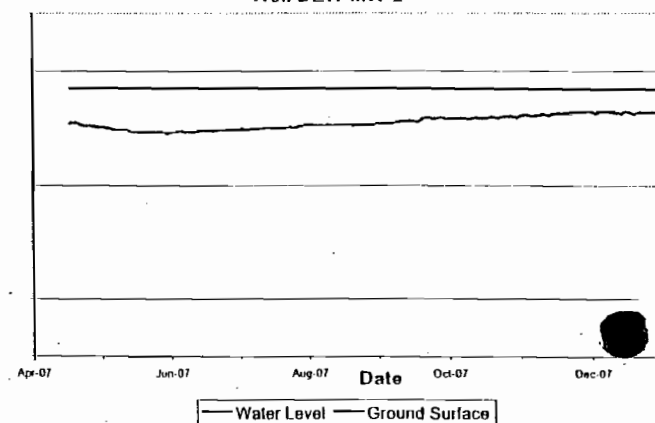
Section 11 East Well



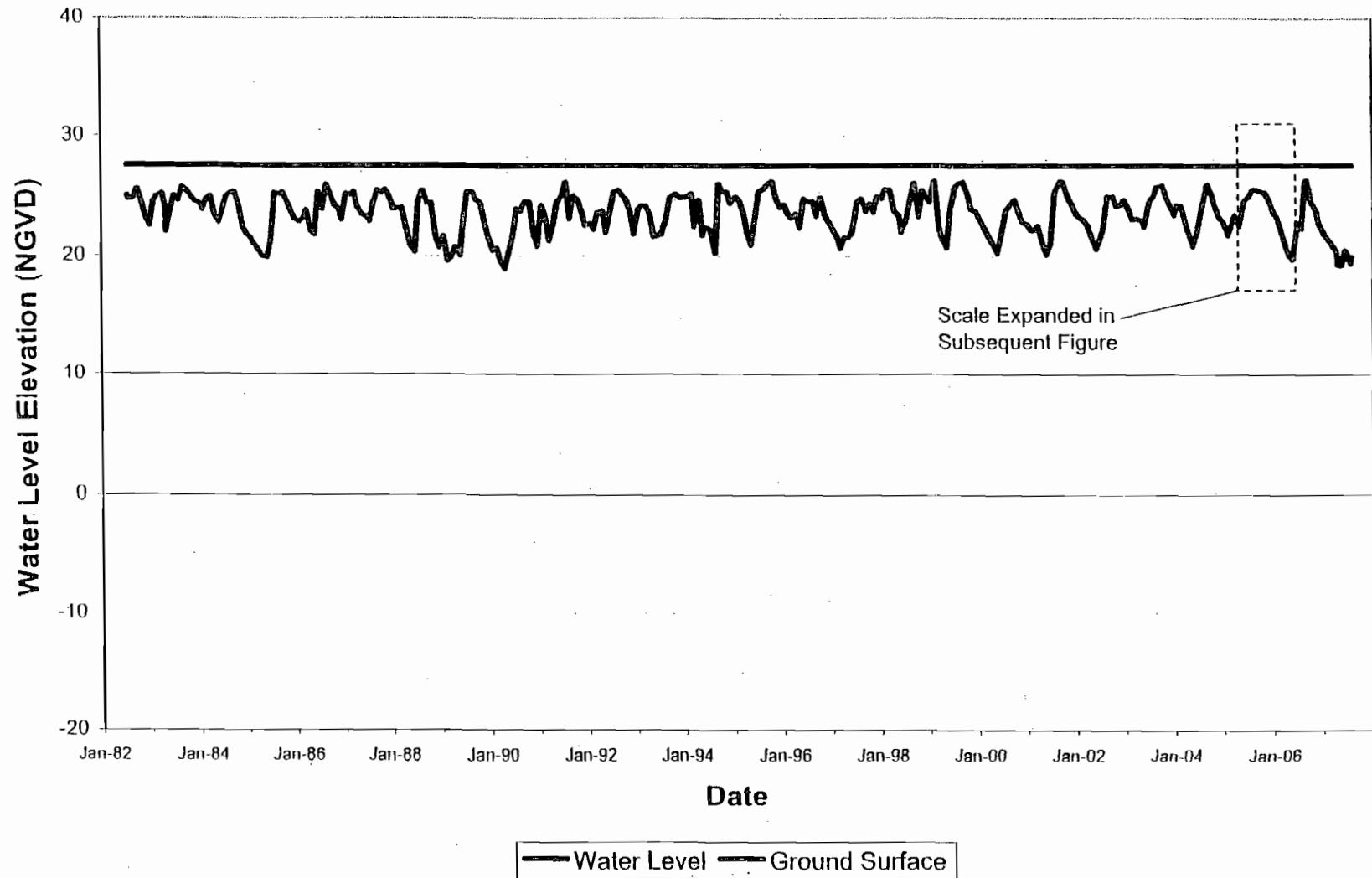
Well DEW-MW-1



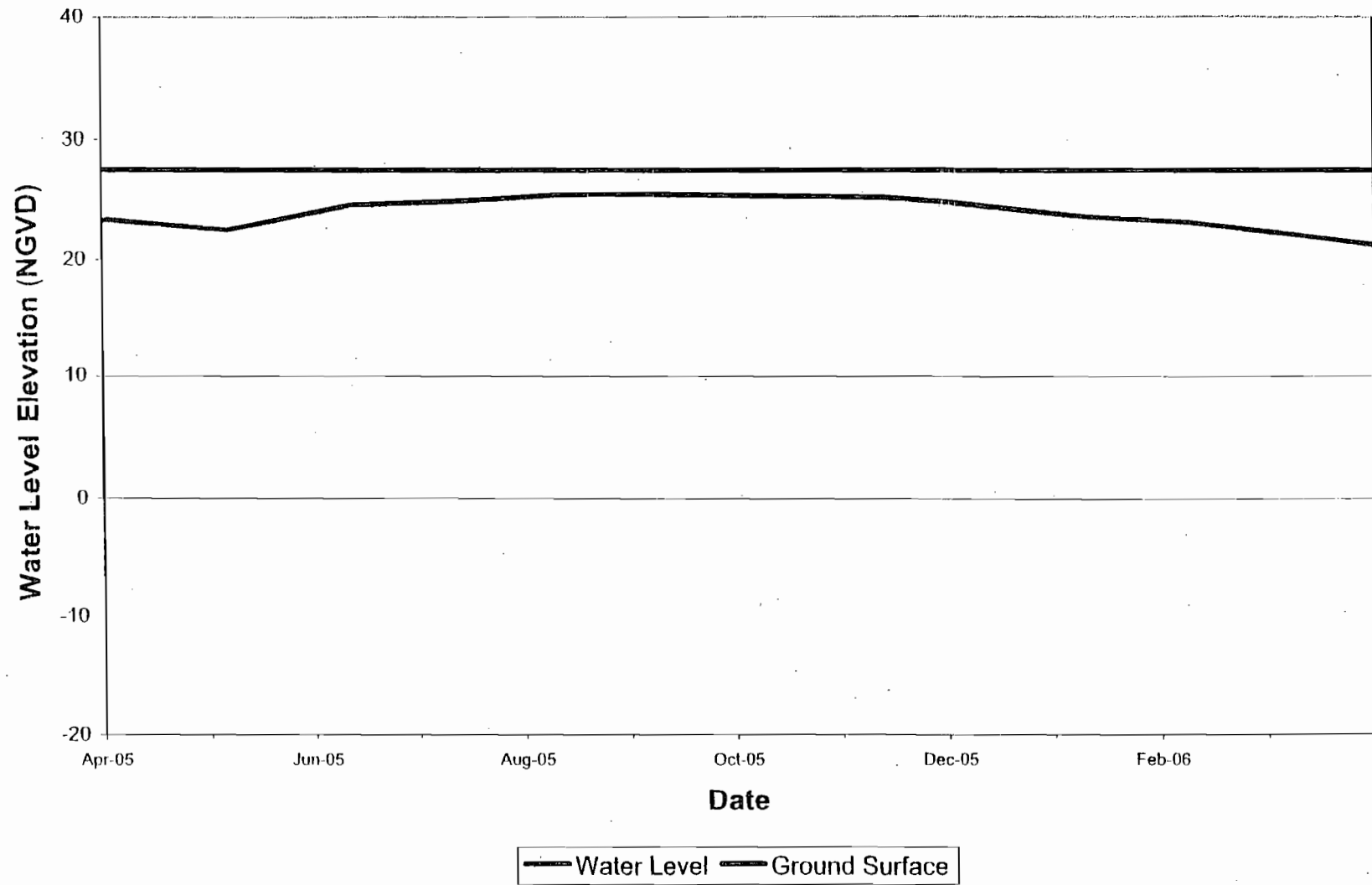
Well DEW-MW-2



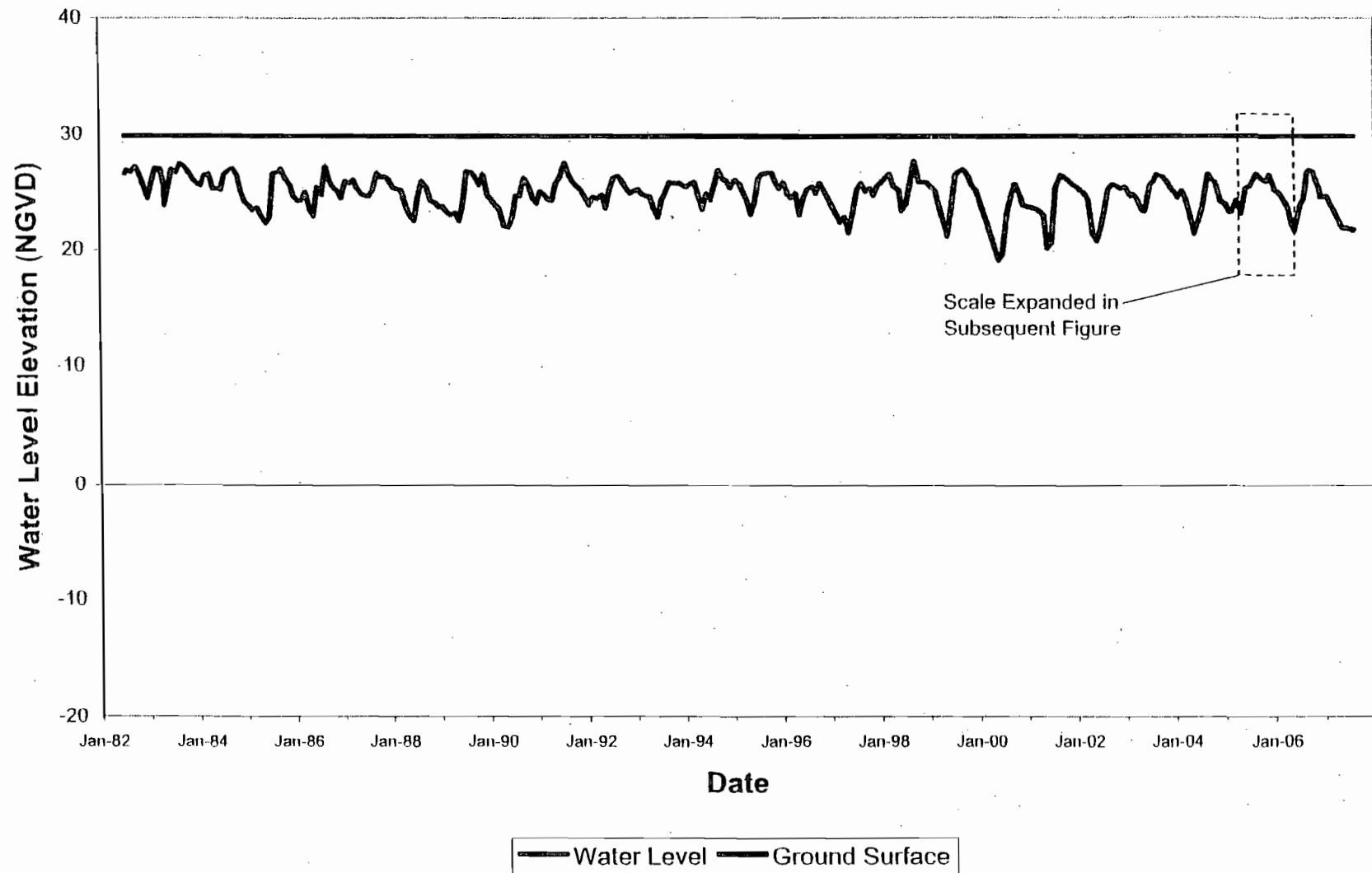
Well LM-1891



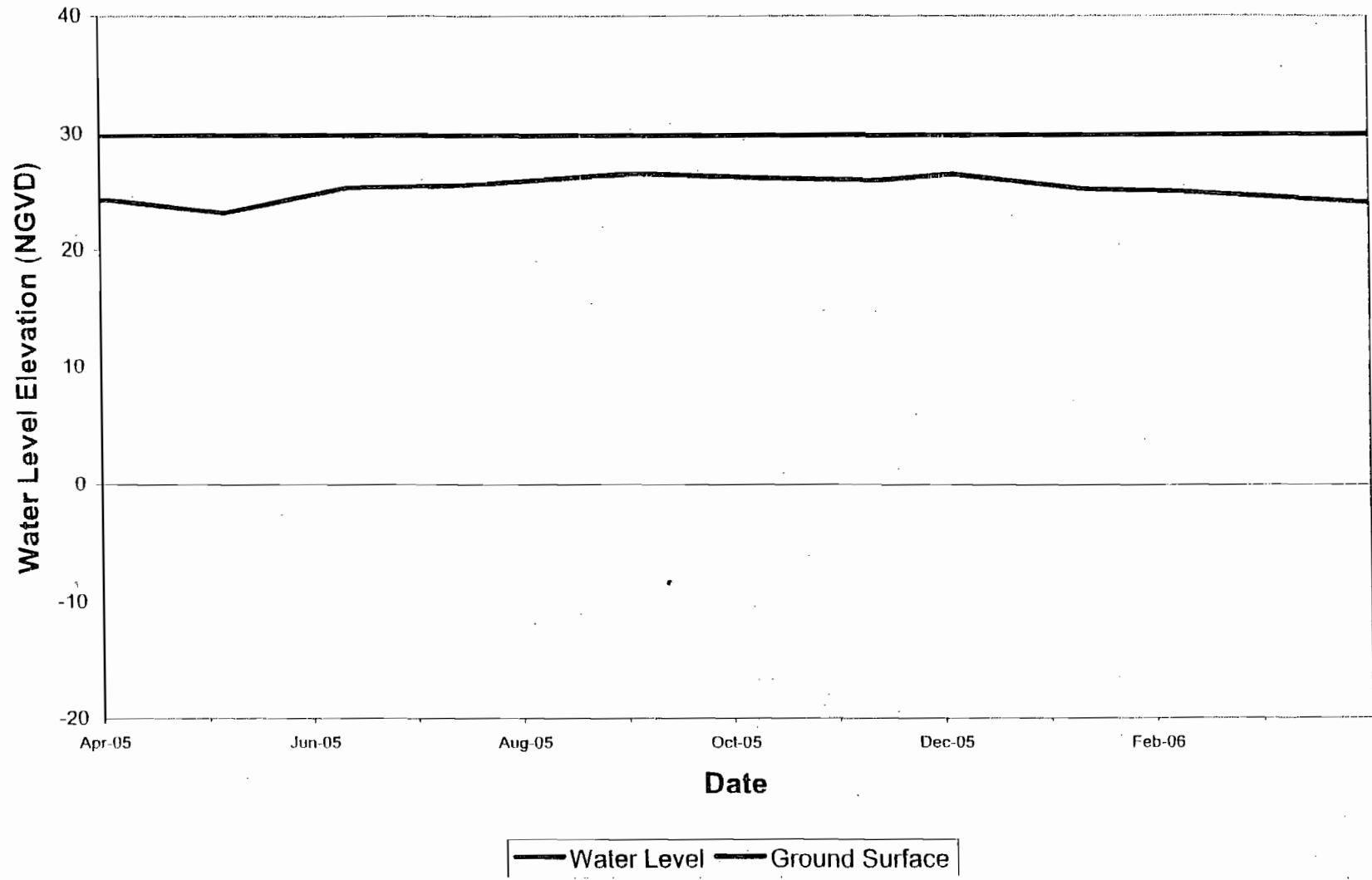
Well LM-1891



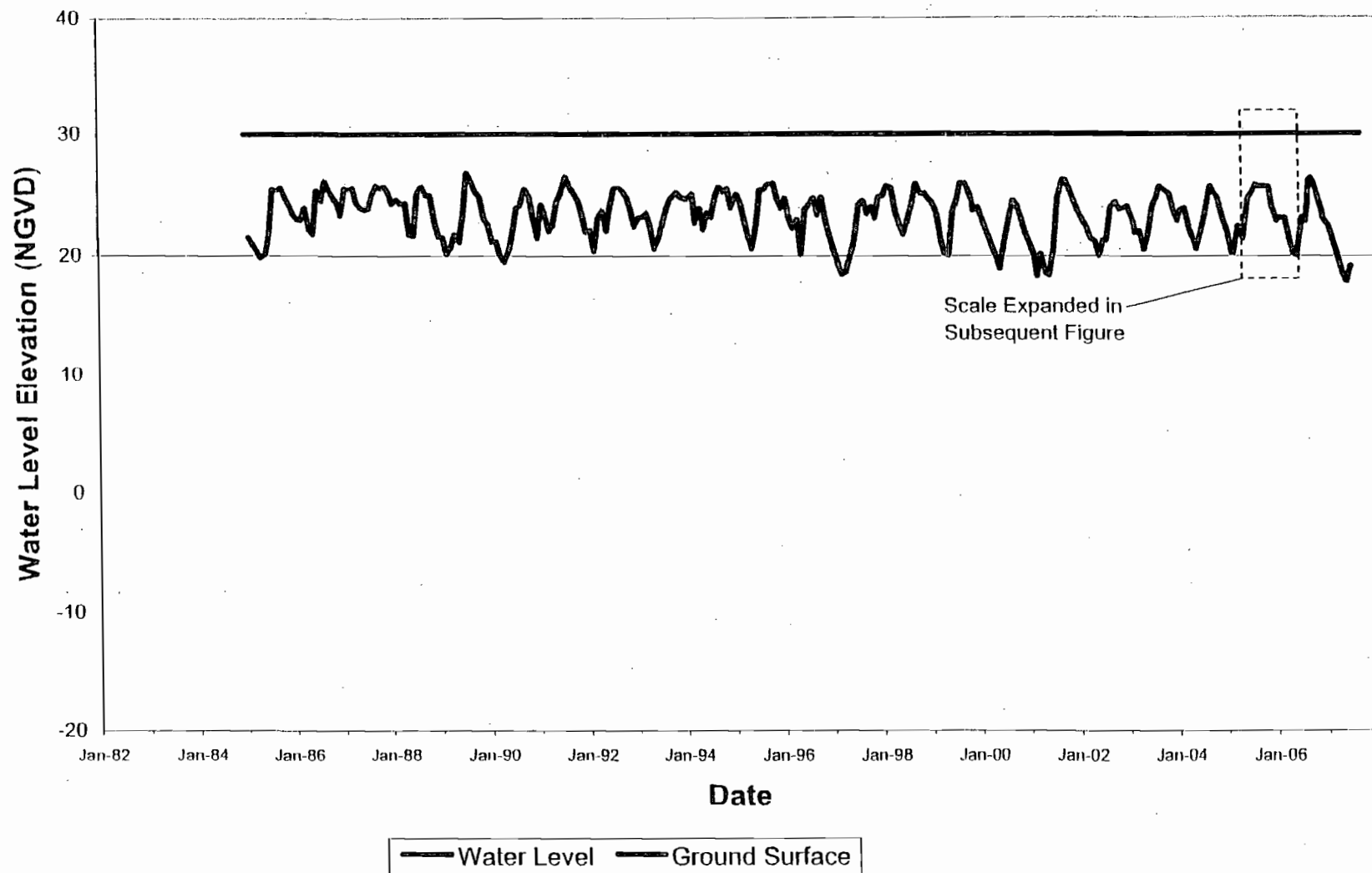
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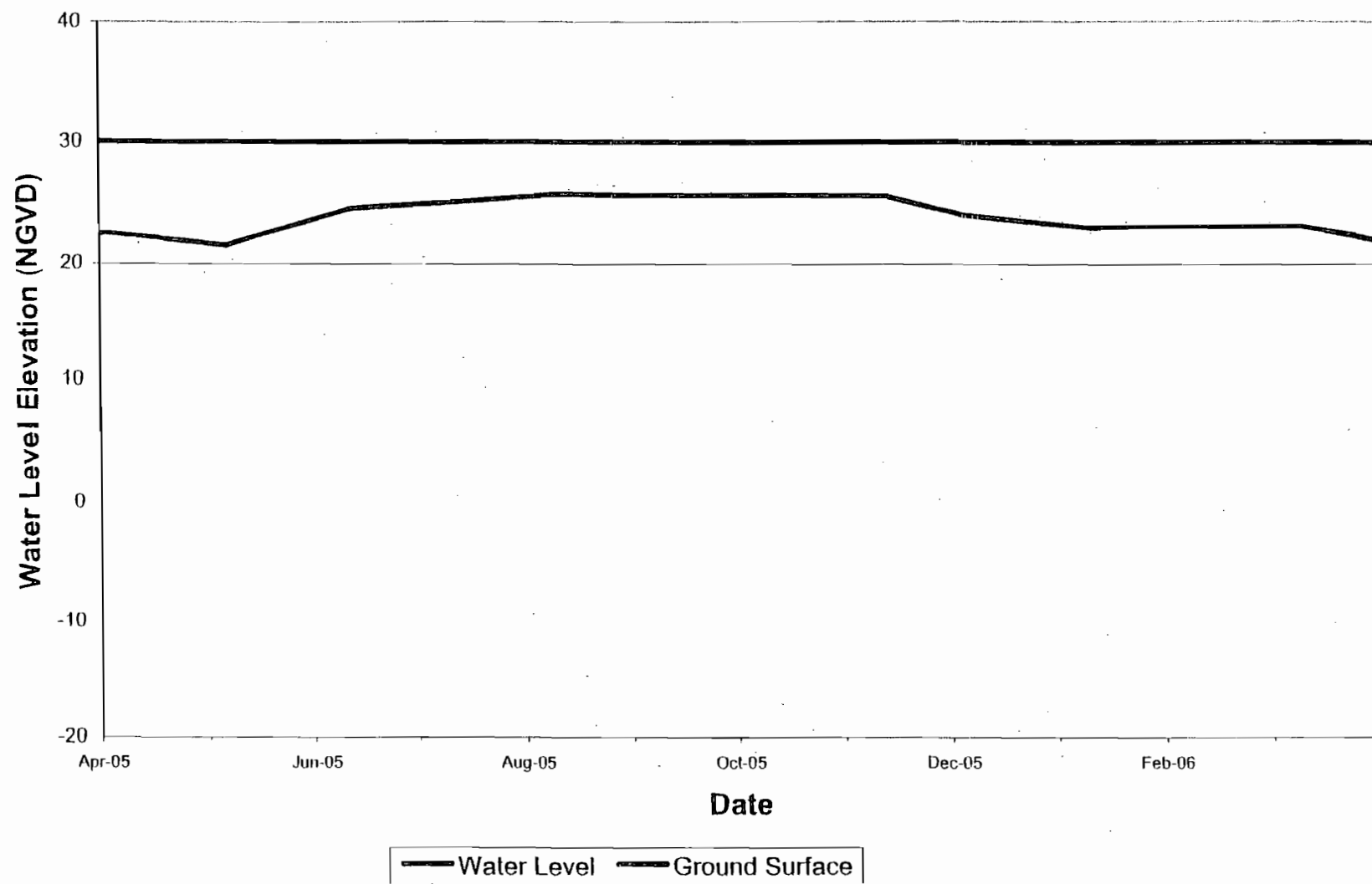
Well LM-1892



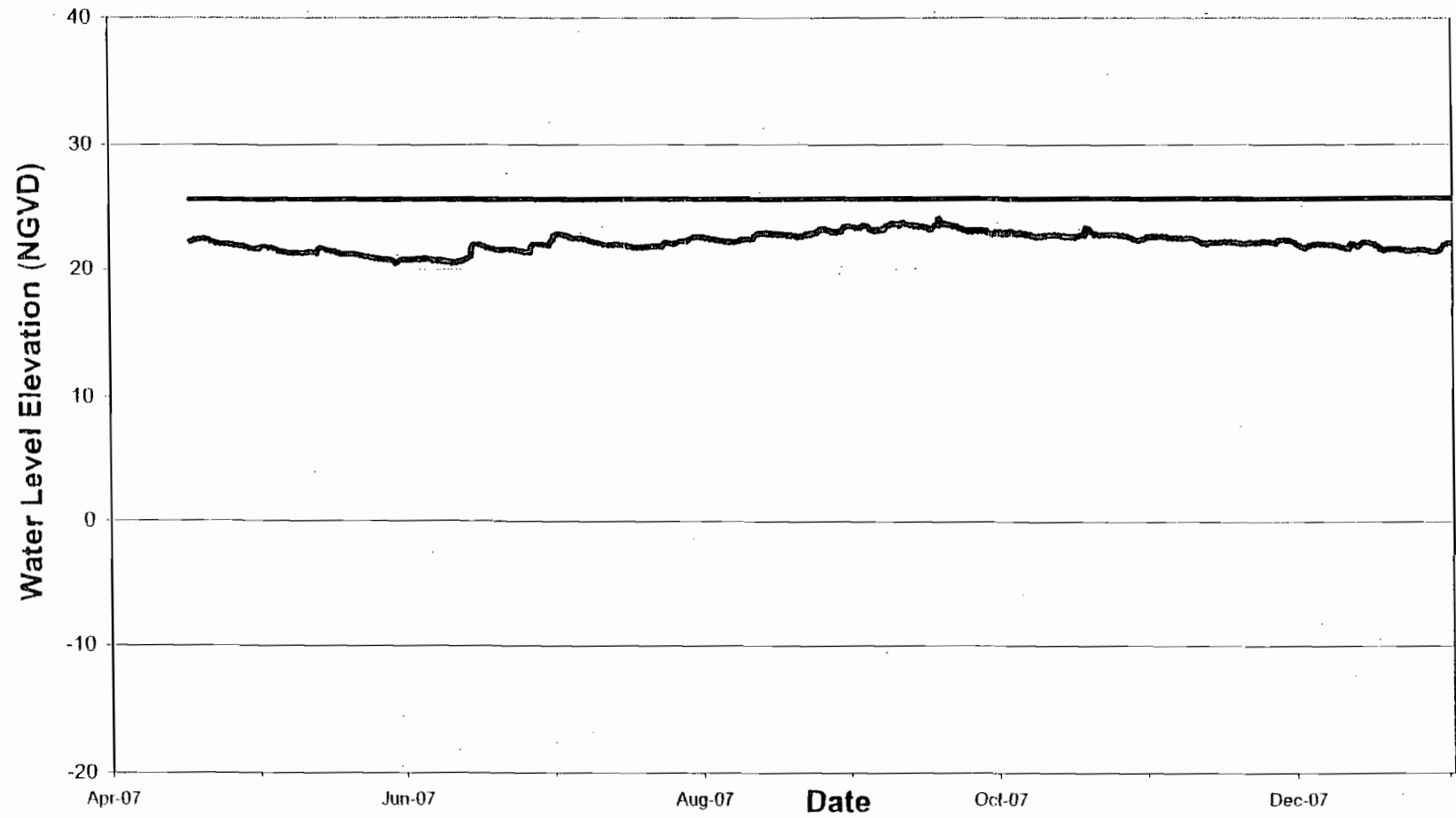
Well LM-2290



Well LM-2290

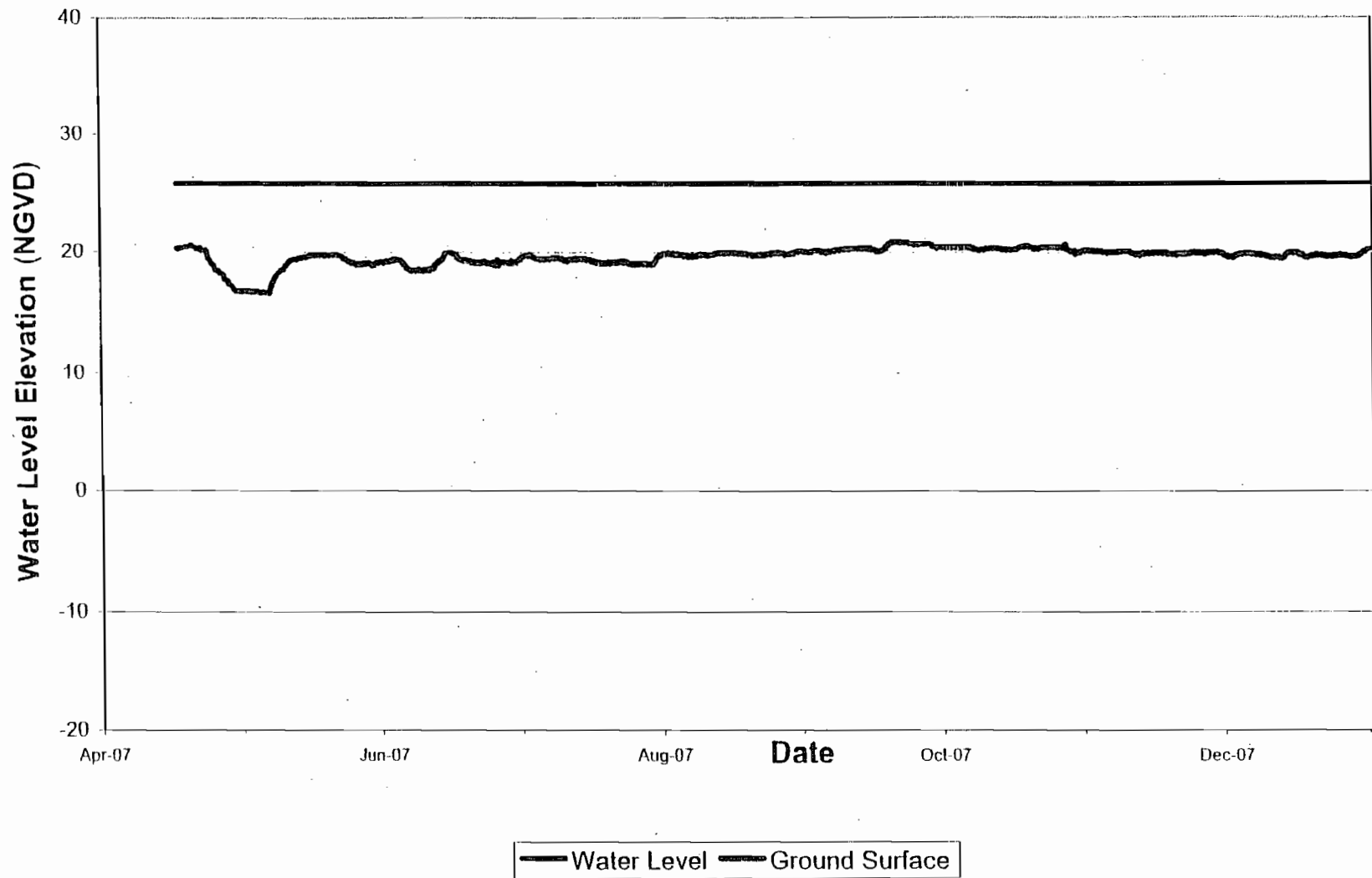


Section 11 East Well

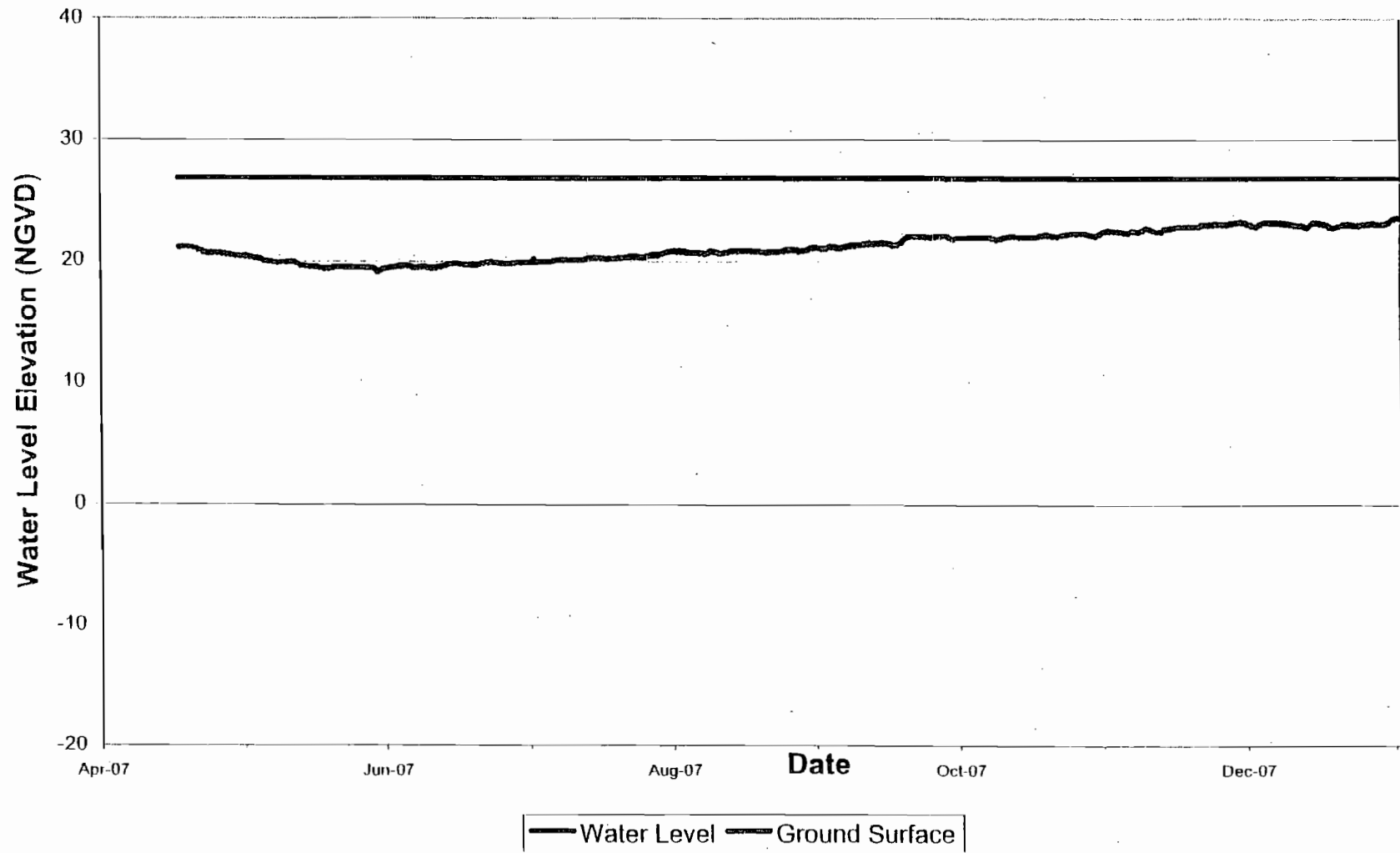


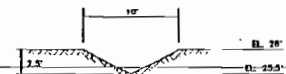
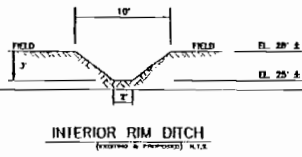
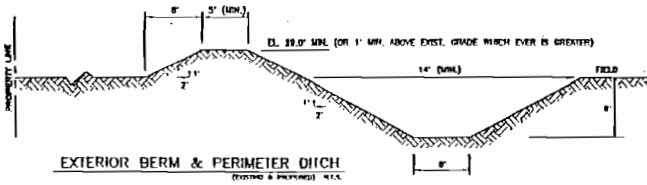
— Water Level — Ground Surface

Well DEW-MW-1

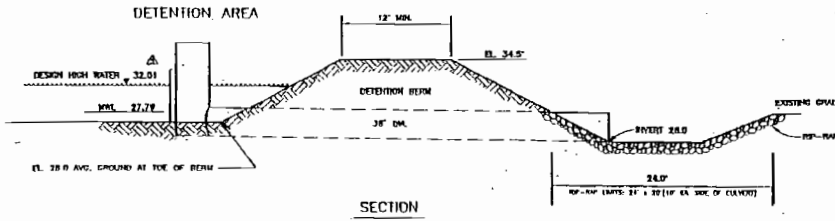
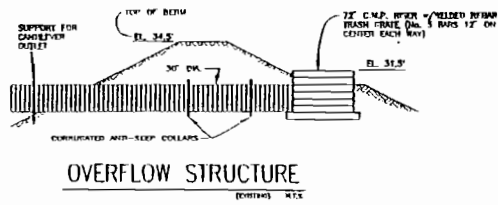


Well DEW-MW-2





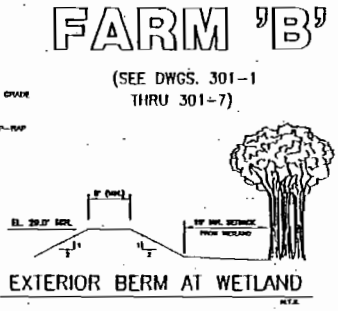
DITCH CROSS SECTIONS



DRAINAGE CONTROL STRUCTURE, WEIR DISCHARGE, SPREADER SWALE AND DETENTION BERM

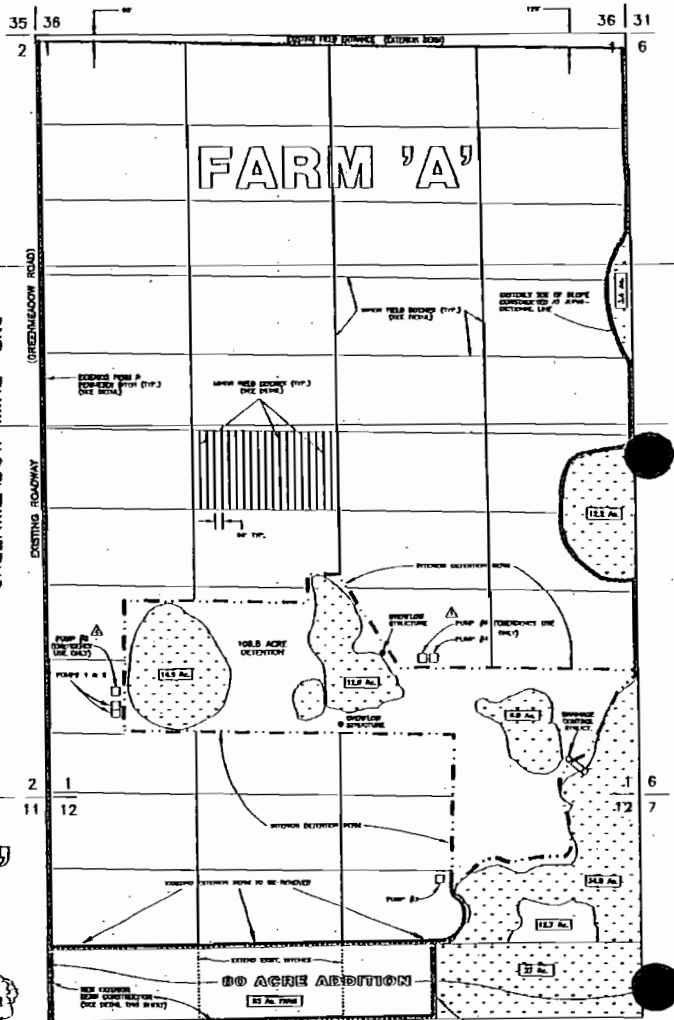
LEGEND

- EXTERIOR BERM & PERIMETER DITCH
- INTERIOR DETENTION BERM
- WETLANDS
- OVERFLOW STRUCTURE
- DRAINAGE CONTROL STRUCTURE



SCALE: 1" = 500'

Existing "ALICO ROAD GREENMEADOW MINE" Site



NOTE:
THE PURPOSE OF THIS DRAWING IS TO MODIFY PERMIT #36-00612-S TO ADD PUMP #8.

PUMP	DA	GPM	CFS
1	20'	15,000	20.3
2	20'	15,000	20.3
3	20'	15,000	20.3
4	20'	15,000	20.3
5	20'	15,000	20.3
6	20'	15,000	20.3
7	20'	15,000	20.3
8	20'	15,000	20.3

A WARNING OF DANGER IS TO BE MAINTAINED (THIS IS NOT A WARNING OF DANGER) THE USE OF THE EXISTING BERM (SEE EXISTING MAP AT YELLOW 100)

NO.	REVISION	DATE
1	REVISE PUMPS & DESIGN HIGH WATER	5/17/95
2	ADD PUMP #8 AND PUMP CHART	6/14/95
3	ADD EX. BERM AT WETLAND DETAIL	6/15/95
4	ADD BUFFER NOTE	6/15/95
5	ADD PUMP NO. 5 & NOTE	1/25/97

HARPER BROS., INC.

NO.	REVISION	DATE
1	REVISE PUMPS & DESIGN HIGH WATER	5/17/95
2	ADD PUMP #8 AND PUMP CHART	6/14/95
3	ADD EX. BERM AT WETLAND DETAIL	6/15/95
4	ADD BUFFER NOTE	6/15/95
5	ADD PUMP NO. 5 & NOTE	1/25/97

HMA HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
WATERS - FLOOD CONTROL - DRAINAGE

WATER MANAGEMENT PLAN
(SFWMD PERMIT # 36-00612-S)

NO.	REVISION	DATE
1	REVISE PUMPS & DESIGN HIGH WATER	5/17/95
2	ADD PUMP #8 AND PUMP CHART	6/14/95
3	ADD EX. BERM AT WETLAND DETAIL	6/15/95
4	ADD BUFFER NOTE	6/15/95

8766001 389-1
87.66 1 or 2



Date of Photo August 31, 1961



SCALE: 1" = 500'

ARCHIVES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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HARPER BROS., INC.

DATE 4-05-92
 BY JRS
 CHECKED 4-08-92
 BY JD
 REVISION 5-15-92
 BY RLM
 SCALE 1"=500'
 NONE



HOLE, MONTES & ASSOCIATES
 ENGINEERS - PLANNERS - ARCHITECTS
 LARCHES - TOWN PLANNING - POWER SERVICES

AERIAL

THESE DIMENSIONS ARE NOT APPROVED UNLESS TYPED AND SEALED BELOW	8766002	389-2
DATE	87.66	2 OF 2