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Proposed Alteration of Rules for Reclamation of Phosphate Mined Lands

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We examined the DNR Phosphate Reclamation Regulations (pertinent sections attached), DNR Site Evaluation Forms (attached), Manatee County Zoning Regulations (pertinent sections attached), and made several site visits to phosphate reclaimed areas to develop recommendations necessary to insure consideration of fish and wildlife resource values.

1. A basic problem is the lack of a clear cut objective or statement of purpose for the reclamation of disturbed phosphate lands. Neither chapter 211.32 of the Florida Statutes nor chapter 16C-16 of the Rules of the State of Florida, DNR provide such a statement. Chapter 211.32 does require that
 - a.) water quality considerations
 - b.) soil stabilization
 - c.) elimination of health and safety problems
 - d.) conservation and preservation of remaining natural resources, and
 - e.) time schedule for completionbe included in all reclamation programs. This provides, at most, implied objectives for reclamation.

Recommendation: That F.S. 211 be amended to provide a clear cut statement of reclamation program objectives embracing a much expanded definition of "reclamation" to include the following concepts:

- i.) mandatory, planned consideration for the restoration of fish and wildlife values on mined lands.
- ii.) water quality considerations
- iii.) soil stabilization
- iv.) elimination of health and safety hazards
- v.) restoration of natural resource values existing prior to severance.

2. Recommendation: That only those reclamation programs be approved which restore or recreate prior existing resource values on disturbed lands. [Note: Here we are concerned primarily about upland terrestrial areas since the wetlands created often provide more diversity for wildlife and retention of some wetlands is valuable for wildlife management. Current philosophy simply provides for a state subsidy for the "development" of wild lands. As a compromise we might require implementation of this level of restoration on a portion of reclaimed lands.]

*PHILOSOPHY
DELIMITING
CREATION OF WETLANDS
VS. RESTORATION*

3 Recommendation: That Chapter 16C-16, Rules of the State of Florida, Department of Natural Resources and [local county zoning ordinances] be similarly amended to reflect this philosophy.

DON'T KNOW THAT WE CAN IMPACT COUNTY ORDINANCES

2. Slime Pit Restoration

Current philosophy is generally to try to dry out and fill in slime pits as soon as possible unless [lakes are planned for the area.] It generally takes several years to "dry out" slime pits,

DON'T THINK LAKES ARE PART OF SLIME PIT SCHEME

and during this interval, these areas are particularly attractive to wildlife (esp. waterfowl and waterbirds).

1 Recommendation: That regulations requiring relatively fast "restoration" of slime pits be revised to include some provisions for perpetuating some slime pits as valuable wetlands.

a. Currently, littoral zones of reclaimed lakes are required to have a subaqueous slope of 4:1 (DNR regulations) or 3:1 (some county regulations).

2 Recommendation: A shallower slope (eg. 8:1) should be required in reclaiming at least portions of slime pits. The shallower slope would produce wider littoral zones and allow more subaquatic light penetration (already made difficult by the frequent turbidity of the water).

b. Water control structures are often silted in and buried during slime pit reclamation procedures.

3 Recommendation: Water control structures are necessary if slime pits are to be kept as wetlands and manipulated as such. Retaining water control structures in working order (if possible) would be of great benefit for the possible future use of this area as a wetland.

FISHERIES
MIGHT NEWPOINT
MIGHT
ARGUMENT