

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, IN OPPOSITION OF STATE PREEMPTION OVER MINING FOR CONSTRUCTION AGGREGATE MATERIALS.

WHEREAS, construction aggregate materials includes crushed stone, limestone, lime rock, shell rock, coquina and sand; and

WHEREAS, construction aggregate material is needed for concrete, asphalt and road bases; and

WHEREAS, Florida Statute 337.0261 requires the County to consult with the Department of Transportation regarding a decision that may affect the availability, transportation and potential extraction of construction aggregate materials; and

WHEREAS, the Legislature recently created the Strategic Aggregates Review Task Force to evaluate the availability and disposition of construction aggregate materials and related mining and land use practices in Florida; and

WHEREAS, the Task Force will report its findings to the Governor, the President of the State Senate and Speaker of the House, identifying locations with significant concentrations of construction aggregate material and recommend actions intended to ensure the continued extraction and availability of construction aggregate materials; and

WHEREAS, the mining of construction aggregate materials frequently takes place for a period of twenty years or more and is conducted in several stages; and

WHEREAS, the mining of construction aggregate materials can severely impact local roads, traffic and adjoining land uses; and

WHEREAS, there are significant safety considerations in the siting of mines and determining haul routes as active mines are visited by hundreds of dump trucks and rock hauling semi trucks each day; and

WHEREAS, the mining of construction aggregate materials can have a severe and permanent impact on the surrounding environment, and

WHEREAS, because of the impacts to the local community and local environment, decisions concerning the permitting of construction aggregate mines should be made at a local level,

RESOLUTION 2008-001

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA that:

1. Local governments should continue to have the ultimate permitting authority over the mining of construction aggregate materials.
2. The Board is opposed to State preemption of aggregate mining regulation.
3. The Clerk to the Board of County Commissioners is directed to send certified copies of this resolution to our local legislative delegation, the Governor, the President of the State Senate, the Speaker of the House and the Strategic Aggregates Review Task Force.

This resolution was moved for adoption by Commissioner Wheeler, and the motion was seconded by Commissioner Davis, and upon being put to a vote, the vote was as follows:

Chairman Sandra L. Bowden	<u>aye</u>
Vice Chairman Wesley S. Davis	<u>aye</u>
Commissioner Joseph E. Flescher	<u>aye</u>
Commissioner Peter D. O'Bryan	<u>aye</u>
Commissioner Gary C. Wheeler	<u>aye</u>

The Chairman thereupon declared the resolution duly passed and adopted this 8th day of January, 2008.

Attest: J. K. Barton, Clerk \_\_\_\_\_

INDIAN RIVER COUNTY, FLORIDA  
by its Board of County Commissioners

By *Leona Allen*  
Deputy Clerk

By *Sandra L. Bowden*  
Sandra L. Bowden, Chairman

BCC Approved:

January 8, 2008

Approved as to form and Legal  
Sufficiency

*William K. DeBraal*  
William K. DeBraal  
Deputy County Attorney

STATE OF FLORIDA INDIAN RIVER COUNTY THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE JEFFREY K. BARTON, CLERK BY <u><i>Leona Allen</i></u> D.C. DATE <u>1/9/08</u>
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