



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
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**Subject: Comments on the Final Environmental Impact Statement (DEIS) for  
Tarmac King Road Limestone Mine, Levy County, Florida  
Filed: 08/08/13; CEQ Federal Register: 08/16/13  
CEQ Number: 20130241; ERP Number: COE-E67006-FL**

Dear Sir:

Pursuant to Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) Region 4 has reviewed the "Draft Environmental Impact Statement (DEIS) for Tarmac King Road Limestone Mine" dated August 2013. EPA understands that this FEIS was developed by the Regulatory Branch of the Jacksonville District, U.S. Army Corps of Engineers (COE), and was prepared in response to an application submitted by Tarmac America LLC (Tarmac) for a U.S. Department of the Army permit under Section 404 of the Clean Water Act (CWA) of 1972 (33 U.S.C. 1251 et seq.) associated with proposed limestone mining activities within southern Levy County in west-central Florida. The site is approximately 80 miles north of Tampa, Florida, and is located in Levy County just west of U.S. Route 19, approximately 5 miles north of the town of Inglis.

The FEIS notes that Tarmac's permit application proposes to mine areas that include wetlands, as well as discharging dredged or fill material into waters of the United States during the mining process. The mined material would provide construction-grade limestone aggregate for Florida road infrastructure and other building activities. The proposed site would be mined over an approximately 100-year period, and Tarmac is proposing to mitigate the adverse impacts of this action by restoring, enhancing, and preserving an adjacent wetland area. The overall Tarmac King Road Limestone Mine project involves two parcels of land totaling about 9,400 acres (15 square miles), 2,700 acres (4 square miles) of which would be mined. The overall mining area is on an approximately 4,800-acre (7.5-square-mile) parcel, and the proposed mitigation area is an approximately 4,600-acre (7.2-square-mile) parcel. The western portion of the proposed mitigation area adjoins the Waccasassa Bay Preserve State Park. The COE does not identify a preferred alternative within the FEIS. EPA understands the COE will identify a preferred alternative within the Record of Decision (ROD) and/or permit Statement of Findings.

Upon review of the Draft EIS (DEIS), EPA made several comments in our letter dated July 11, 2012. Many of our comments were addressed satisfactorily within the

FEIS. However, several issues remain and EPA offers the following specific comments on the FEIS:

## 1. Wetlands Issues

**a. Duration of Permit Length:** The FEIS notes that the proposed site would be mined over an approximately 100-year period and the applicant proposes a 40 year permit duration. The Corps has not identified the permit duration within the FEIS. Given the proposed long length of the permit duration, EPA recommends that any 404 permit issued should follow an adaptive management approach and include ongoing monitoring and periodic interagency reviews of mining and mitigation activities at least every 5 years, as well as periodic reporting of mining and mitigation activities on an annual or bi-annual basis to the Jacksonville District's Regulatory Division. This adaptive management approach should be coordinated collaboratively with all the resource agencies and committed to within the ROD and Permit Statement of Findings (SOF). Similar adaptive management approaches were implemented successfully within the permit special conditions of the Lake Belt Mining project and proposed recently with Phosphate Areawide project. Additionally, EPA requests that the draft ROD and SOF be coordinated with EPA prior to release to further enhance communications and coordination amongst our agencies.

**b. Least Environmentally Damaging Practicable Alternative (LEDPA):** Regarding the Alternative Mining Location Analysis, EPA understands that the COE will not identify the LEDPA alternative until the release of the ROD and SOF. As previously noted in our DEIS comment letter and 404 comment letter (both dated July 11, 2012), EPA has reviewed the onsite mining alternatives and wetlands analysis and based on the magnitude of the wetland impacts it appears that Alternative #7 is clearly the LEDPA. Alternative #7 has the least impacts to these important habitats. We note that Alternative #7 has 65 acres of hardwood wetland impacts, while Alternative #3 has 235 acres of hardwood wetland impacts, Alternative #4 has 170 acres of hardwood wetland impacts, Alternative #6 has 144 acres of hardwood wetland impacts, and Alternative #8 has 243 acres of hardwood wetland impacts. EPA encourages the COE to consider selecting Alternative #7 as the LEDPA.

## 2. Water Quality Issues

In our DEIS Comment Letter, EPA recommended that additional information/data be provided in the FEIS regarding how surface water quality could be impacted by the proposed limestone mining. We further recommended that information be presented on the long term impacts of each alternative on surface water quality after restoration/reclamation. EPA remains concerned regarding the water quality impacts of the mining activities. We have the following specific recommendations regarding potential water quality impacts.

**a. Turbidity and Total Suspended Solids (TSS):** On page 4-25, the COE lists several standard BMPs to prevent TSS pollution to nearby water bodies. EPA appreciates the COE listing these BMPs in the FEIS. To further solidify the applicant's

adherence to these BMPs, EPA recommends that these BMPs be listed within the ROD and included as special conditions in the permit.

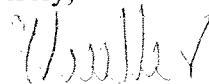
**b. Nutrients and Ammonia:** On page 4-27, the COE discusses possible mining activity impacts of nutrients and ammonia to water quality. The COE states that "Stormwater and waste controls to be implemented during mining activities would help prevent introduction of ammonia into the lakes and stream channels that cross the site." However, the COE does not discuss the type of stormwater and waste control measures to be implemented. Additionally, the COE states that nutrients and phosphorus (from cleaning and stockpiling organic matter respectively) would be stockpiled and controlled in such a manner as to prevent the discharge to nearby water bodies. However, the COE does not discuss or explain any specific measures to control or limit the discharge of nutrients and ammonia to water bodies. The COE also discusses the reclamation of the land after mining activities, but doesn't discuss specifics of these plans. EPA recommends that the COE commit to the implementation of stormwater and waste control measures, stockpiling procedures and plans for reclamation within the ROD and include them as special conditions of the permit. Also, EPA recommends that the COE commit within the ROD and permit conditions to using an adaptive management approach to address the reclamation and corrective action of any discharges to water bodies.

**c. Water Quality Criteria:** EPA notes that all permits associated with these activities should not cause or contribute to existing or future water quality impacts.

**d. Numeric Nutrient Criteria:** Given FDEP's recent nutrient criteria efforts for streams, the COE should confer with the State regarding the application of stream numeric nutrient criteria as it relates to non-perennial waters to ensure proper application of the applicable narrative and numeric nutrient criteria.

We appreciate the opportunity to comment on this FEIS. Please include us in any notifications of future interagency meetings, and please forward a copy of the draft ROD for our review when it becomes available. If you wish to discuss EPA's comments, please contact Jamie Higgins at 404-562-9681 ([higgins.jamie@epa.gov](mailto:higgins.jamie@epa.gov)) for NEPA comments or Eric Hughes 904-232-2464 ([Eric.H.Hughes@usace.army.mil](mailto:Eric.H.Hughes@usace.army.mil)) for wetlands/404 permit comments.

Sincerely,



Heinz J. Mueller, Chief  
NEPA Program Office  
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cc:

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