

Prepared By:
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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER 25-

**[REGARDING REVISED FINAL SITE PLAN APPROVAL
FOR FLORIDA SUPERIOR SAND MINE
WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION]**

WHEREAS, this Board has made the following determinations of fact:

1. Marandy Properties, LLC submitted an application for revised final site plan approval for the Florida Superior Sand Mine Project, located on lands legally described in attached Exhibit A.
2. Pursuant to Section 10.5.F.9., Land Development Regulations (LDR), Martin County Code, a review of this application is not required by the Local Planning Agency (LPA).
3. Upon proper notice, this Board considered approval at a public meeting on the application on April 22, 2025.
4. At the public meeting, all interested parties were given an opportunity to be heard.
5. The revised final site plan for the Florida Superior Sand Mine Project is consistent with the Comprehensive Plan and the Land Development Regulations.

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

- A. The revised final site plan for Florida Superior Sand Mine is approved. Development of the Florida Superior Sand Mine project shall be in accordance with the approved revised final site plan attached as Exhibit B.
- B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

C. No permits for construction or development activity shall be issued until all required documents, plans, fees and federal and state permits and approvals are received and approved as required by Section 10.11, LDR, Martin County Code.

D. Failure to submit the required documents, plans and fees as required by Section 10.11, LDR, Martin County Code, shall render approval of the revised final site plan for the Florida Superior Sand Mine project null and void.

E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.32.D, LDR, Martin County Code.

F. All permits for Florida Superior Sand Mine project must be obtained within one year, by April 22, 2026. Development must be completed within two years, by April 22, 2027.

G. In order to ensure that the drainage/stormwater management system functions as designed and permitted in perpetuity, Owner shall maintain the drainage/stormwater management system according to the Stormwater Management System Maintenance Plan as submitted with the revised final site plan application. The Maintenance Plan will provide that Owner shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Growth Management Director at revised final site plan approval in order to ensure it functions as intended and as approved by County. County shall not have any responsibility in maintaining the system.

H. Property corners and preservation areas shall be located and clearly marked in the field by a Professional Surveyor and Mapper prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No further clearing shall commence until an inspection of the required erosion control devices and preserve barricades has been deemed satisfactory or acceptable. Authorization to relocate gopher tortoises, as provided by required state agency permits, may be granted by the Growth Management Department upon acceptance of permit materials.

I. A quarterly Hauling Report and the associated hauling fee shall be submitted to the County Engineer to support funding the County's road maintenance program. Hauling Reports shall be prepared and certified by a Professional Engineer licensed in the State of Florida (Engineer) and shall include a summary of the quantity and purported destination of the material hauled out of Martin County in accordance with County Resolution 10-8.7. The Engineer shall retain all documentation supporting the quantity and destination of all hauled material and shall provide such documentation to the County Engineer upon request.

J. A semiannual Water Quality Sampling Report shall be submitted to the County Engineer to ensure that there is no degradation of water quality. Water Quality Sampling Reports shall be prepared and certified by an Engineer and shall include results of the samples collected for chlorides and total dissolved solids from a minimum of two on-site monitoring wells at the

surface and the maximum depth of the proposed excavation. For compliance, the results of the samples shall be less than the established background water quality, which consists of 12 mg/l chlorides and 750 mg/l total dissolved solids for Monitoring Well (MW) -1 and 19mg/L chlorides and 300mg/L total dissolved solids for Monitoring Well (MW) -3I. The Water Quality Sampling Report shall be submitted to the County Engineer within five days of the sampling results. Should any sample fail the compliance standard, the County Engineer shall issue a notice to cease and desist all activities on the site and require a plan to mitigate the degraded water quality within thirty days. No activities shall commence until the background water quality is restored.

K. An Annual Status Report shall be submitted to the County Engineer to ensure that the mining operation is proceeding in accordance with the terms of the development order. Annual Status Reports shall: be prepared and certified by the Engineer; summarize all work done since the approval; include a signed and sealed record ("as-built") drawing or a bathymetric survey with cross sections of the excavated and/or filled areas, the extent of excavated and/or filled areas, and the distance from the extent of the excavated and/or filled areas to all property lines and/or wetlands; and document the lake depth and side slope requirements have not been exceeded.

L. The first Hauling Report is due within three months of the pre-construction meeting. The first Water Quality Sampling Report shall be submitted concurrently with the second Hauling Report and may be submitted as a single report. The first Annual Status Report shall be submitted concurrently with the second Water Quality Sampling Report (and fourth Hauling Report) and may be submitted as a single report. Subsequent Hauling, Water Quality Sampling, and Annual Status Reports shall be submitted in conjunction with each other (as applicable) and may be submitted as single reports.

M. All disturbed areas shall be restored and reclaimed by planting or seeding a permanent native ground cover to reduce the loss of topsoil due to water and wind erosion, to prevent the establishment of prohibited plant species, and to provide adequate growing conditions. Restoration and reclamation shall begin immediately following each phase of excavation/fill.

N. All mining activities must be completed within five years of this approval, unless an extension is granted by the Board of County Commissioners.

O. A Final Certification Report shall be submitted to the County Engineer within 30 days of the completion of the mining and reclamation activities. The Final Certification Reports shall: be prepared and certified by the Engineer; summarize all work done since the approval of the Mining Operation development; include a signed and sealed record ("as-built") drawing or a bathymetric survey with cross sections of the excavated and/or filled areas, the extent of excavated and/or filled areas, and the distance from the extent of the excavated and/or filled areas to all property lines and/or wetlands; document the lake depth and side slope requirements have not been exceeded; and include the following certification statement:

I hereby notify Martin County of the completion of all mining and reclamation activities associated with Florida Superior Sand Mine Major Revised Final Site Plan and I certify that they were completed in conformance with the plans and specifications permitted by the County including, but not limited to: all area and quantities of all excavation and fill material; excavation setbacks, depths, and side slopes; vegetated littoral and upland buffer zones; and natural resources protection.

P. This resolution shall be recorded in the public records of Martin County.

Q. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 22ND DAY OF APRIL, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
SARAH HEARD, CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
ELYSSE A. ELDER
DEPUTY COUNTY ATTORNEY

ATTACHMENTS:

- Exhibit A, Legal Description
- Exhibit B, Revised Final Site Plan