

**Sheer Wall Rule Development
Existing Statutes and Rules**

Text search for “sheer” and “transition”

**The 2012 Florida Statutes
Title XXVIII NATURAL RESOURCES; CONSERVATION, RECLAMATION, AND USE
CHAPTER 378 LAND RECLAMATION**

378.503 Limestone reclamation performance standards.—

- (7) Resource extraction which results in a water body shall provide one of the following shoreline treatments:
- (a) A littoral shelf not less than 18 feet in width with a berm on the waterward side.
 - (b) A straight slope not steeper than 1 vertical to 3 horizontal, and extending downward from average water level to 6 feet below the average water level.
 - (c) Where a **sheer wall** results, then in lieu of a shoreline treatment, access shall be controlled by the use of berms, fences, or other restrictive methods, all of which shall be used in conjunction with a **transition shelf** of at least 10 feet in width.
 - (d) Slope requirements of the United States Army Corps of Engineers or the department under part IV of chapter 373.
 - (e) The secretary may allow other shoreline treatments to achieve appropriate safety and environmental considerations.
- (8) Where a dry **sheer wall** results, access shall be controlled by the use of berms, fences, or other restrictive methods, all of which shall be used in conjunction with a transition shelf of at least 10 feet in width.

History.—s. 1, ch. 86-294; s. 334, ch. 94-356; s. 6, ch. 2007-191.

**CHAPTER 62C-36
LIMESTONE RECLAMATION REQUIREMENTS**

62C-36.002 Definitions.

For the purpose of this chapter, the following words and terms shall have the definitions and meanings ascribed to them in this section:

- (19) “**Sheer wall**” means any near vertical surface of consolidated limestone that is above the water table and ten feet or more in height.

Specific Authority 378.404 FS. Law Implemented 378.404 FS. History—New 7-16-87, Formerly 16C-36.002, Amended 1-3-02.

62C-36.003 Notices, Plans, and Information Required.

(3) Information Required. In order to clearly identify the operator and the mine location and to evaluate the operator's understanding of and probable compliance with the reclamation performance standards in Rule 62C-36.008, F.A.C., the secretary must obtain a minimum amount of information for each mine; therefore, the following information shall be provided in whole or in part, as specified in subsections (1) and (2), above:

(b) Conceptual plan. A conceptual plan for mining and reclamation shall include:

1. Separate maps that show the:

a. Mine boundary on the most recent U.S. Geological Survey, 1:24,000, topographic map or maps of the mine area.

b. Total area to be mined and disturbed. Areas to be disturbed, but not mined, shall be identified separately. This map shall also show the projected sequence of mining. In addition, for existing mines this map shall show areas that have been or will be mined or disturbed before January 1, 1989, and the current status of those areas.

c. Approximate depths to which mining will occur or depth to the water table, if mining will occur below the water table.

d. Estimated postreclamation topography, drainage features, and structures.

e. Planned postreclamation vegetation.

2. Typical cross sections that clearly show the design of reclaimed **sheer walls** and shore line treatments for water bodies.

3. A general discussion of the mining operations and reclamation activities.

4. An estimated time schedule for reclamation.

5. The estimated life of the mine.

6. A list of approved permits. This shall include copies of any dredge and fill permits approved by the U.S. Army Corps of Engineers or the Florida Department of Environmental Protection, water use or surface water management permits issued for existing and proposed facilities or works, and any permits and reclamation plans approved by the appropriate local government.

7. A list of pending permit applications which are related to reclamation.

8. A list of other permits which are related to reclamation and are known to be required.

9. A copy of the Application for Development Approval and the Development Order, if applicable.

(5) Conceptual Plan Changes.

(a) An operator shall notify the secretary of the following changes to the conceptual plan prior to implementing such changes. Such changes are changes in the:

1. Originally noticed area to be mined that are greater than 20 percent or 100 acres, whichever is smaller.

2. Reclamation design of **sheer walls** or shorelines.

3. Elevations of reclaimed uplands that are greater than 10 feet and affect more than 20 percent or 100 acres, whichever is smaller, of the disturbed area.

4. Postreclamation drainage patterns that affect more than 20 percent or 100 acres, whichever is smaller, of the disturbed area.

5. Revegetation plan which affect more than 20 percent or 100 acres, whichever is smaller, of the area to be revegetated.

6. Plans that are not consistent with the reclamation standards in Rule 62C-36.008, F.A.C.

Specific Authority 378.404, 378.501(3) FS. Law Implemented 378.501, 378.502 FS. History—New 7-16-87, Formerly 16C-36.003.

62C-36.008 Reclamation Standards.

The following standards shall apply to each entire new mine after October 1, 1986, and to any new surface area disturbed after January 1, 1989, at existing mines.

(1) All reclamation activities shall be initiated at the earliest practicable time.

(a) Where overburden is used to eliminate **sheer walls**, the placement of overburden against any section of **sheer wall** shall begin as soon as practical after mining operations are no longer taking place along that section, but no longer than six months after overburden becomes available and mining operations are complete. Contouring of the overburden shall be completed no later than six months after the overburden has been placed.

(b) The requirements in subsections (7) and (8) below for treating final shorelines and **sheer walls** shall be initiated and completed no later than one year after the calendar year in which the length and final location of shoreline or dry **sheer wall** was established and other mining operations have ceased in such area. The secretary shall waive this requirement for any reasonable length of time when necessary to prevent unacceptable contamination of the resource being extracted.

(e) If mining operations temporarily cease at a mine for more than 24 months:

1. The requirements of subsections (7) and (8), below, shall begin immediately and be completed at a rate of at least 1000 feet of shoreline or dry **sheer wall** per three-month period; or

2. The operator shall post a bond or other surety in an amount reasonably related to the cost of completing reclamation and for the period of time the initiation of reclamation will be delayed, both of which shall be acceptable to the secretary; or

3. The operator shall begin reclaiming an equivalent amount of nonmandatory land at the rate specified in subparagraph 1., above.

4. Compliance with the requirements of subparagraphs 1., 2., and 3., above, shall be tolled by the length of time that a temporary cessation results from attempts to obtain necessary permits for operations.

5. The secretary shall waive the commencement of the requirements in subparagraphs 1., 2., and 3., above, for good cause for the length of time necessary, up to a maximum of one year.

(4) Provisions for safety to persons, wildlife, and adjoining property must be provided.

(a) Site cleanup.

1. All lands shall be reclaimed to a neat, clean condition by removing or adequately burying, where allowed by law, all visible debris, litter, junk, worn-out or unuseable equipment or materials, as well as all poles, pilings, and cables.

2. Large rocks and boulders shall be placed at the base of **sheer walls** to the extent practical to provide fill for establishing acceptable slopes; otherwise, they shall be placed in common locations at the surface or buried to a minimum depth of four feet.

(5) The operator shall use the best management practices to minimize erosion.

(e) A suitable berm or backsloping shall be used along the tops of **sheer walls** above any required **transition benches** to prevent uncontrolled surface runoff over the **sheer wall**.

(6) Reclamation shall include revegetation, with species native to the area, of littoral zones and upland areas, except that revegetation shall not be required in those areas where revegetation is impractical or not in accordance with good land management practices.

(d) **Sheer walls** are not subject to the revegetation requirement.

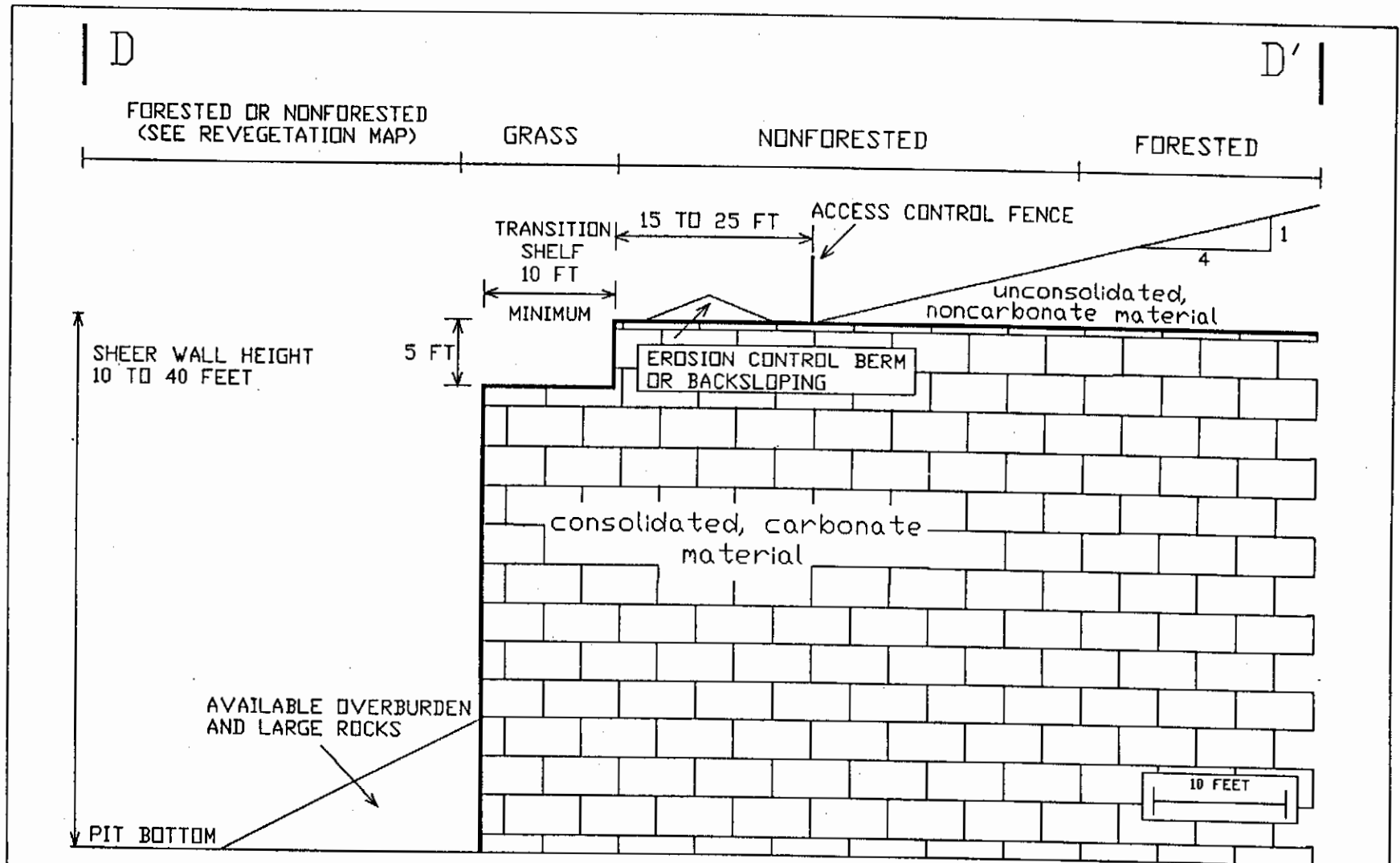
(e) **Transition shelves** required under paragraph (7)(c), below, shall be revegetated with perennial grasses.

(7) Extraction which results in a water body shall provide one of the following shoreline treatments:

(c) Where a **sheer wall** results, then in lieu of a shoreline treatment, access shall be controlled by the use of berms, fences, or other restrictive methods acceptable to the department, all of which shall be used in conjunction with a **transition shelf** of at least 10 feet in width that shall be constructed five feet below the top of such **sheer walls**.

(8) Where a dry **sheer wall** results, access shall be controlled by the use of berms, fences, or other restrictive methods, all of which shall be used in conjunction with a **transition shelf** of at least 10 feet in width that shall be constructed five feet below the top of such **sheer walls**.

Specific Authority 378.404 FS. Law Implemented 378.404, 378.503 FS. History—New 7-16-87, Formerly 16C-36.008.



Chert Eng., Inc.	DIGGUM MINING CO.	CROSS SECTION D-D'	
	NEWTOWN MINE	DATE DRAWN: 4/6/90	DATE REVISED:
		DATE REVISED:	DATE REVISED: