



BLASTING CITIZENS ADVISORY COMMITTEE MEETING MINUTES

January 18, 2024

6:30 P.M.

A meeting of the Blasting Citizens Advisory Committee took place on Thursday, January 18, 2024, at 6:55 p.m. at the City of Miramar Parks & Recreation conference room, 2200 Civic Center Place, 2nd floor, Miramar, Florida 33025.

I/II. CALL TO ORDER/ROLL CALL

The following members were present:

Chairperson Ryan Millay, Sunset Falls
Vice Chairperson Patricia Lara, Nautica
Jorge Solis, Riviera Isles
Audrey Tomlinson, Miramar Resident

The following members were absent:

Melissa Thomas, Huntington
Rose Thompson, Miramar Resident

A quorum was achieved.

City staff present:

Leah deRiel, Recording Secretary

Additional attendees:

Miguel Martinez, Chair, Miami Lakes Blasting Advisory Board

III. APPROVAL OF MINUTES

- **November 16, 2023**

A motion was made and seconded to approve the minutes of November 16, 2023, as presented. The motion passed unanimously.

IV. NEW BUSINESS: NONE

V. OPEN DISCUSSION

Chairperson of the Miami Lakes Blasting Advisory Board updated the board on his board's activities, and interactions with White Rock Quarries, various state representatives, and the COO in Tallahassee; he highlighted the following:

- The telephone poles along Miramar Parkway west of the I-75 were all leaning away from White Rock Quarries due to their foundations being compromised by the nearby blasting activities; Florida Power & Light (FPL) were out at the location stabilizing them
- Culverts, fence poles, and telephone poles were collapsing for the same reason
- The City of Miami Lakes spent a significant funding restoring their side of the canal embankment twice, and the damage was due to seismic energy
- When Florida Department of Transportation (FDOT) was made aware of the situation, they went onsite, as their jurisdiction was 150 feet from the intersection of the traffic lights; they restored the embankment at that corner; which indicated they were well aware of the damage the blasting was causing, despite their claims to the contrary
- Miami-Dade Board of Education had their own building department that was out of the jurisdiction of Dade County Building Department; their blasting board was advised by the Teacher of the Year at Spanish Lakes Elementary that they witnessed a glass balcony shatter right after a blast, and the floor cracked; the school board was invited to have dialog with his board, and after much hesitation they sent their building official, who claimed he was unaware of such incidents having, yet the school system denied any problems related to blasting
- Regardless of the many photographs, dates, times he provided, all government entities denied any adverse effects from blasting due to their having a good neighbor policy of denying blasting per day and week, despite there being six occurrences in one day
- Under the CFO's officer, they created certain regulations written in the miners' favor; there was a limit as to the number of blasts mining

companies could do per user permit; however, White Rock Quarries covered such a large area, it encompassed a multitude of folio numbers, and each folio number was required to have its own permit; thus, each folio or location could blast each day, hence the damage being done to some Miramar residential developments

- They went to Tallahassee, lobbied, and spoke to the CFO, his deputy, Julie Jones, and John Gatlin who was in charge of blasting; another caveat the CFO's office was doing was they only enforced the peak particle velocity (ppv) limit of .5 inches per second within the urban development boundary (UDB);
- The UDB was an imaginary line developed by Miami-Dade County, stating the density could be up to that line; outside that line there was agricultural and other farming uses, which meant Krome Avenue; anything west of Krome Avenue was outside the jurisdiction of the CFO; however, seismic vibrations nor their effects did not stop at the imaginary line
- The Miami Lakes Blasting Advisory Board would be meeting the coming Monday, at which one of the topics of discussion would be the CFO's frivolous responses of irrelevant facts to his written notification of violations
- The CFO would only enforce reports by the official seismographs; there was one, and it was maintained by the miners
- Manny Diaz was instrumental in passing the law that created the Miami-Dade pilot program; the program was to record energy waves from a series of machines that allowed the creation of a radius with the intersection of the radiuses would be the location of the blasts
- The pilot program had 14 of the 23 machines operating in the Dade County around White Rock Quarries due to community complaints; he believed on December 13 a machined recorded .702 ppv in Riviera Isles; yet, the official machine recorded .32 ppv, way below the .5 ppv limit
- He was not contesting that the official machine was altered; all the machines were supposed to be recalibrated yearly.

Chairperson Millay asked if the bill sponsored Mr. Diaz specifically directed Miami-Dade County to establish blasting standards.

Mr. Martinez answered no. The pilot program was not codified in any state laws. The study was named the Miami-Dade County Pilot Program; it was an initial study just to investigate the situation. He said this was the reason seismographs were placed in Broward County to record the energy waves. He continued:

- Dade County washed its hands as to blasting issues, claiming the State preempted any regulations of limits to blasting, which was true, but

because the blasting was taking place in Dade County, the latter had some jurisdiction over certain things, but the County was voiding everything

- He disagreed, and communicated this to the County, letting them know neither could step out into the other's jurisdiction; the matter was sent to the County attorneys, and the County refused to act
- He sent them a brief summary response
- State Representative Tom Fabricio was submitting another bill to lower the blasting intensity; the bill was based on the findings that the majority of the blasts were below .15; however, the few times a year the blasts reached .7 was problematic; the bill was about the limit having to be .15 or less; it was not about distance, location, etc.
- In the past, such bills were not even placed on the agenda for discussion by committees, which effectively killed the bill before it could even be deliberated; one official could stop the bill from being heard, and if they were tainted, the bill was dead; this was what happened in the past
- In the current legislative session, the chair of the subcommittee set to review the bill was not tainted, and they met with him; he gave his word that he would do everything to get the bill on the subcommittee's agenda, and hold a hearing at which he asked Mr. Martinez to speak in order to educate the committee, so they understood what was transpiring; the only issue was he would have 24 to 48 hours from the scheduling to the actual meeting
- Their board was prepared to go up there, and they budgeted to pay for the trip if things unfolded as planned
- Miami-Dade County Commissioner René Diaz proposed a resolution to the County Commission to support Fabricio's bill; part of the resolution included using the County's lobbyist in Tallahassee to push the bill; Mr. Diaz feared his resolution would not be approved, and removed it from the agenda; their board requested that Mr. Diaz and the lobbyist meet with them to get better educated on the matter before pushing the bill in Tallahassee, without which they would be lobbying something they knew little about; the Miami-Dade County Commission approved their lobbyist meeting with their board members to discuss blasting
- Miami-Dade County Mayor Daniella Cava went to Tallahassee to lobby in favor of the subject bill; she met with the CFO directly, urging him to do act.

Chairperson Millay observed after the first bill was passed, the state representative should have worked on bringing Dade and Broward Counties together on the issue to try to get some traction.

Mr. Martinez indicated one was a state legislation, and the other was for local municipalities. The previous chair of the Dade County Commission would hear nothing on blasting issues.

Vice Chairperson Lara wished to know CFO Jimm Patronis, Jr., position on blasting, asking if he refused to listen to anything to do with lowering blasting levels, and he was deaf to any community complaints.

Mr. Martinez affirmed, Mr. Patronis indicated there was no problem with blasting.

Vice Chairperson Lara asked if there was something that could be done to try to limit the number of blasts per day. On January 17, she experienced no less than seven blasts; she had been making a daily record of the number of blasts for her own purposes.

Mr. Martinez pointed out, as the blasting locations moved around, the closer it was to the Miramar boundary, the more the vibrations were felt. He mentioned a County regulation required a buffer zone between a mining operation, and the nearest residential community of 1,000 feet, and when the mine was first laid out, that was a respectable distance. However, the mining company was later granted a variance to reduce the buffer to 700 feet, bringing them closer to the Miramar homes.

Ms. Tomlinson asked if Miramar could participate in the efforts in Miami-Dade County.

Mr. Martinez said everyone could participate in the support of a bill, and the numbers were needed to get the bill noticed.

Mr. Solis wondered if Mayor Messam could be asked to participate in such efforts with the affected residents; one of the key items Mayor Messam would be asked about a lobbyist residents could work with, so they could lobby on the residents behalf. Mayor Messam could speak with (unintelligible 24:09), emphasizing how important the matter was, as well as making a commitment with the Broward County Mayor to act. He said Mayor Messam should speak with State Representative Fabricio about any roadblocks he was encountering pushing his bill through, and then the blasting advisory boards in Miramar and Miami Lakes could help, whether via trips to Tallahassee, sending letters, emails, etc. He wondered if the complaints residents were filing daily were just going into an empty box.

Mr. Martinez stated this was not the case, and he spoke with Mayor Cava, and she brought up the matter with the CFO; if one were to go to the CFO's website,

all the complaints that were filed could be seen, and they were numerically ordered; when last he checked, the number of complaints were approaching 10,000. Yet the CFO claimed to Mayor Cava the number of complaints was not significant; however, more important than the number of complaints was the content of the complaints.

Mr. Solis mentioned a resident of Riviera Isles who pointed out to him that the blasting was getting closer to Miramar homes, to the extent that they could also hear the noise from mining equipment, such as the cranes. The law in Miami-Dade County was it was acceptable to make noise on residential and nonresidential properties from 7:00 a.m. to 10:00 p.m., and during the quiet period from 10:00 p.m. to 7:00 a.m., they could make no noise. However, if one were to visit the area of the blasting, you would hear noises from the cranes even at midnight. The resident was directed to contact the nonemergency number for Miami PD, 305-595-6263 to let them know there was noise after 10:00 p.m., so they could get them to cease their activities during the quiet timeframe. He said residents in Broward County could call the Miami PD to complain, as the noise was being generated in Miami, so this was an option for residents.

Mr. Martinez agreed; the right of peaceful enjoyment of one's property was not a written law, but a covenant. As far as noise abatement, you were not allowed to bother your neighbor 24 hours a day, and this as the law; however, because it was such a broad scope, the police only enforced the noise abatement regulations during the peaceful hours, as it was too much work.

Chairperson Millay concurred with the loud noises from the mining property happening during all hours of the night.

Vice Chairperson Lara if there was a point at which White Rock Quarries would finish mining the current site, and move onto another site.

Mr. Martinez said he was told by multiple people that the life expectancy of the mine was seven years, of which two remained. His concern was that when White Rock stopped blasting, and residents were no longer being bothered, they would forget all the efforts they made to stop the blasting, but their homes were still damaged, and could be seriously damaged during a large weather event, or a collapse like at Surfside.

Mr. Solis recalled Vice Mayor Davis making a commitment to meet with White Rock Quarries, asking if the board saw any value resulting from such a meeting.

Mr. Martinez answered no. His board extended an olive branch to White Rock Quarries, and invited them to a meeting on December 2022 that was held in

Miami Lakes, to which residents were also invited to voice their complaints, so at a roundtable discussion the following January, the blasting board could show White Rock the testimonials of residents who suffered damage to their property due to the blasting. He said after first accepting, the town received a phone call from White Rock's home office, asking that their name be removed from their website, stating they would not attend the townhall meeting. When it was explained that it was the plant manager at White Rock in Miami who accepted the invitation, she informed them he did not have the authorization to agree to attend the town hall meeting, and that the gentleman no longer worked for them. After no other mining company replied to the invitation, they sent a letter to the Miami-Dade Limestone Products Association, and they responded a day before the meeting, backdating their letter, so it appeared as though the letter was sent two weeks prior. He said when the letter became public, that association was successful in their attempt to discredit the board by claiming the board failed to share with the public that there would be no presentation at the town hall meeting. The board replied to the association in a strong letter, explaining that their assistance was not being requested, rather they sought to work with them, and it was clear that the claims on their website that they worked in the best interest of the public were false. This was the current status. Mr. Martinez agreed that Miramar's blasting advisory board should speak with the City Commission, and request that the City's lobbyist be asked to help push the bill forward.

Mr. Solis asked when would the subcommittee meetings to discuss bill take place.

Mr. Martinez replied that he did not know when, as it was the subcommittee chair who decided when bills were heard; to get on that agenda, pressure had to be applied, so the bill was prioritized for discussion.

Chairperson Millay asked if the City retained lobbyists; if so, what were their limits, and were they City employees or outside persons contracted as lobbyists.

Mr. Solis knew the City had lobbyists, and they were guided by the Commission's directives, which were usually dictated by matters of great interest to the City of Miramar, of which blasting was one. They were not City employees, they were contracted by the City.

Mr. Martinez showed the board the new image the Miami Lakes Blasting Advisory Board created, including a new logo, along with copies of Fabricio's new House Bill (HB) 245, and Senate Bill (SB) 198. They took the new marketing information to Tallahassee. He recently presented his board's status report to the town council, and he put on the record that their board continued to work with

Miramar's blasting advisory board, in order to create a network to facilitate their efforts.

Mr. Solis made a motion for members of the Miramar Blasting Advisory Committee to meet individually with members of the City Commission to discuss the City's support of HB 245 and SB 198 in Tallahassee; and for the City Commission to direct City lobbyists to advocate for the two bills on the City's behalf. The motion was seconded by Vice Chairperson Lara. The motion passed unanimously.

Mr. Solis made a motion for the Miramar Blasting Advisory Committee to requested that Mayor Messam meet and speak directly to Taylor (unintelligible 40:38) to discuss including HB 245 and SB 198 among the bills to be discussed at the subcommittee in Tallahassee. The motion was seconded by Vice Chairperson Lara. The motion passed unanimously.

Mr. Solis made a motion for State Representative Fabricio to hold a discussion with the Miramar City Commission to discuss how the support the HB 245 and SB 198 was being organized, to enable the City of Miramar could add its support of the bills in Tallahassee. The motion was seconded by Chairperson Millay. The motion passed unanimously.

Mr. Martinez mentioned a presentation by a University of Miami professor to Mayor Cava; INSAR was a system developed by NASA, and through satellite imagery, they could measure movement of the strata, the surface of the earth; thus, they could detect any shifting taking place. The professor was working with professors at other universities, some of whom he was already working with on blasting issues. He said the UM professor was working on matters related to the Surfside incident, investigating strata movement due to the adjacent properties pile driving activities. During that investigation, one of the professors he worked with suggested to the UM professor that he look at the area around White Rock Quarries blasting activities in northwest Dade County. Mr. Martinez said the UM professor investigated, and he present his findings in a presentation to Miami Lakes; the results showed that the Home Depot building in Miramar west of I-75 moved one inch north; his office building located just northwest of Miami Lakes shifted 7/8th of an inch; the shifting resulted in them having to reset pavers, and complications with waterpipe breaks that led them to receive a water bill for \$11,000.00 versus their usual \$60.00. The UM professor provided links to show how buildings shifted. Along with UM, other universities involved in the blasting investigation included Florida Atlantic University (FAU), and University of Central Florida (UCF). His city lobbied for them to get state funding to pay for an in depth study; it would run parallel to the Miami-Dade Pilot Program data.

Chairperson Millay asked when the data on the shifting was gathered.

Mr. Martinez said they received the data in 2019, and he asked what could have caused the shifting, as the miners always claimed the settlement of foundations, but settlement did not move in directions. He asked if it was possible to check if all buildings around the mining activities were moving away from the mine, as this would establish a point source. This would be part of further investigation. He was advised that the only way to move a building to that extent was if a massive amount of energy over an extended period of time, or by an earthquake.

Mr. Solis commented that the point was the blasting was getting closer to the Miramar housing developments, as in the past it was further away.

Mr. Martinez stated it not so much about the distance, but the frequency of the blasts.

Mr. Solis mentioned there was an earlier agreement with White Rock Quarries that it would be one blast per day; however, today it was multiple times a day, sometimes even on weekends.

Mr. Martinez clarified there was never an agreement; rather, it was a proposal by Miramar to the miners, and it was never codified, so it was never finalized. However, the miners claimed to have a good neighbor policy of blasting once a day, but they worked around that agreement by having multiple adjacent folios with blasting permits that allowed them to blast on each once a day.

Ms. Tomlinson questioned if the new mall was still being planned.

Mr. Martinez indicated he met with mall lobbyist the previous day, and he was told the mall project was still moving forward. They were two separate matters, and he opined the mining operations would be concluded before the mall was completed.

Ms. Tomlinson wondered if the miners were ramping up their activities in response to the mall being built, as when the mall was built, the mining operations could not continue as is.

Mr. Martinez mentioned this to the mall lobbyist, who stated that the mall would be on commercial property, so they would not be affected by the mining blasts, so he informed him the seismic vibrations from the miner's blasting activity affected both residential and commercial properties. He mentioned the mall developers had an agreement with FDOT to wait until all the infrastructure was

completed, which was the Turnpike exit to the mall property, and that was nearing completion. The plans for the mall were already resubmitted to the Miami-Dade County Building Department, and the mall would be built in three phases.

Vice Chairperson Lara asked if once construction on the mega mall began, would the blasting cease.

Mr. Martinez said it should.

Mr. Solis assumed the owners of the mining site would sell the property for millions after White Rock left, and build housing.

Mr. Martinez pointed out the mining went so deep, it would be a hazard to build housing on it; this was evident when driving along the Turnpike where there were now beautiful water bodies where quarries were no longer mined, but there was nothing around them; some were 85 feet deep. He said there was a proposal to use the bodies of water to float (unintelligible 53:27) to make an electric plant. He mentioned going to the LinkedIn group, where this lady compiled information; he said she was a retired communications director, and he asked what the residents could do to get better coverage, as regardless of the local efforts, the decisions were made at the state level. She advised him that they needed to get coverage in a Tallahassee newspaper; she contacted him the day after with contact numbers for all the reporters of the *Tallahassee Democrat*, and they were all going to join the group. The previous week, they had over 8,000 articles read on the group, so word was spreading, and awareness of the problem was growing.

Ms. Tomlinson expressed surprise that local television stations had not picked up the matter. Insurance companies, based on the blasting, could refuse to fix damage at homes.

Mr. Martinez stated Yuniesky Ramirez with Channel 23 was at a Miami Lakes Commission Meeting.

Vice Chairperson Lara recalled there was media coverage at the Mayor Cava meeting. She knew several local television news stations ran stories on the blasting issue, and she saw them interviewing residents.

Mr. Martinez said they were creating a video on property owners affected by the blasting activity, asking board members to put the word out, so any affected businesses willing to be filmed could be included; they were looking at featuring three or four people per episode. Those people who were already active in the

blasting issue were not going to be featured; they would feature people no one heard of before. He said board members could forward their contact information to him, and he would send it to Francesca to contact them, as she was handling the production.

Vice Chairperson Lara assured Mr. Martinez the board would do its part to support whatever was needed.

Mr. Martinez invited board members to attend the upcoming town hall meeting on the coming Monday at 7:00 p.m.

VI. ANNOUNCEMENTS & INFORMATION:

Next meeting: February 15, 2024, at 6:30 p.m.

VII. ADJOURNMENT:

The meeting was adjourned at 8:14 p.m.



Ryan Millay, Chairperson
RM/cc