

January 9, 2026

Dear Stop the Sand Mine Group,

We hope you had a good Christmas and wish you a Happy New Year. While many of us were focused on the holidays, new information continued to emerge regarding the proposed Southworth sand mine and the October 24 excavation incident nearby.

What follows is a consolidated update based on agency statements, internal emails, and technical records related to that excavation incident. This is not speculation or opinion, it reflects what agencies themselves have now confirmed and highlights serious, still-unanswered questions about regulatory consistency, investigation, and transparency.

It is also clear that our work is being taken seriously. Communications show involvement and attention from multiple agencies, including the Governor's Office, FDEP, SWFWMD, and FDOT. We encourage you to take the time to read the information below. If you are interested in helping in a more active way, please reach out by email or call/text us at (518) 637-6829.

PRESS RELEASE

FOR IMMEDIATE RELEASE

Stop the Sand Mine Committee Calls for Further Investigation After Agencies Confirm Excavation Below Groundwater Table in Kings Bay Springshed

Crystal River, FL — The Stop the Sand Mine Committee is calling for a formal, independent investigation into the October 24

excavation incident that occurred within the Florida Department of Transportation's (FDOT) right-of-way, after the Southwest Florida Water Management District (SWFWMD) confirmed that excavation extended below the surficial groundwater table and that groundwater inflow was expected.

This acknowledgment does not resolve public concerns, it confirms them.

The Committee's request for further investigation is not based on speculation, but on documented site conditions that, under Florida law, require heightened subsurface protection, analysis, and documentation. The excavation occurred in a known karst region that directly contributes groundwater to Kings Bay, an Outstanding Florida Spring system.

Core Issue: Required Protections Were Not Applied at the Incident Site

The primary concern is not simply that groundwater was encountered, but that Florida's Environmental Resource Permitting (ERP) framework requires stricter safeguards when excavation occurs in karst terrain.

Under **Rule 62-330.301, Florida Administrative Code**, permitted projects must provide reasonable assurance that activities will not cause adverse impacts to water quality, water quantity, or connected natural systems. In karst settings, this includes subsurface evaluation and design measures intended to prevent direct interaction with the aquifer unless adequately studied and justified.

Suncoast Parkway Phase 3A project reports include extensive subsurface data, including roadway borings, ground-penetrating radar, and GPS-documented locations. Collectively, this information confirms that the project area is a karst landscape with complex underground conditions. Despite having this data, SWFWMD has not meaningfully addressed the excavation incident. As reported in the *Citrus Chronicle* on December 17, formal investigative reports were not required.

SWFWMD has stated that the excavation was “allowed under the permit.” However, the critical issue is not whether excavation was allowed in general, but whether the activity complied with ERP requirements for subsurface protection and whether FDOT has provided reasonable assurance that construction and operation activities will not cause prohibited impacts, including impacts to water quantity, water quality, or offsite flooding.

§404 (Federal) Review – What Did Not Occur

FDOT documented a §404 Water Permit as “obtained” in its August 8, 2024 State Environmental Impact Report Re-Evaluation Form, when in fact what existed was a **No Permit Required (NPR)** determination. As a result, no Clean Water Act §404 permit was issued, and the federal §404 review process, including evaluation under the §404(b)(1) Guidelines, did not occur, whether administered by the State of Florida during its assumed authority period or by the U.S. Army Corps of Engineers.

That federal review process is specifically designed to require an **affirmative demonstration** that excavation and construction activities will:

- Avoid or minimize impacts to aquatic resources and groundwater-connected systems,
- Prevent significant degradation of waters of the United States, and
- Be consistent with the public interest, particularly in environmentally sensitive and karst landscapes.

By proceeding under an NPR, **these determinations were never made**. No federal agency evaluated excavation below the groundwater table, subsurface instability, hydraulic connection to underlying limestone, or risk to downstream Outstanding Florida Springs such as Kings Bay, despite the project's location in a known karst springshed.

How This Directly Relates to ERP “Reasonable Assurance”

While the Clean Water Act §404 program does not use the phrase “*reasonable assurance*,” Florida’s Environmental Resource Permitting (ERP) program **does**, and the two standards are functionally parallel.

Under **Rule 62-330.301, Florida Administrative Code**, an applicant must provide **reasonable assurance** that construction

and operation activities will not cause prohibited impacts to water quality, water quantity, flooding, or connected natural systems.

In this case, the absence of §404 review is not merely procedural; it exposes a substantive failure to meet ERP reasonable assurance requirements. The same types of impact analyses required under federal §404 review were also necessary to demonstrate reasonable assurance under Florida's ERP rules. Here, those analyses were either never completed following excavation below the groundwater table, or were rendered inadequate by the site conditions and incident that actually occurred.

Evidence Showing Reasonable Assurance Was Not Met Under the ERP

1. **Confirmed excavation below the groundwater table**, with expected groundwater inflow.
2. **Absence of a protective clay confining layer**, based on nearby well logs and geotechnical borings.
3. **Documented karst instability**, explicitly warned of in Test Lab's March 3, 2025 geotechnical report.
4. **No formal subsurface failure analysis or investigative report** following the incident.
5. **Undisclosed water sampling results**, with no transparency regarding methods or findings.
6. **Location within a Springs Priority Focus Area**, where heightened protection is required.

Together, these facts demonstrate that reasonable assurance has not been established.

Conclusion

Federal §404 review would have required proof that excavation would not harm connected waters. Florida's ERP program requires reasonable assurance of the same outcome. Neither occurred.

Given the confirmed interaction with groundwater, known karst conditions, lack of a protective clay layer, and absence of a formal investigation, the Stop the Sand Mine Committee believes the only responsible path forward is to avoid further subsurface disturbance in this area, including eliminating sand mining at this location, to protect Kings Bay and the aquifer that feeds it.

This is not about assigning blame. It is about applying environmental protections consistently, transparently, and in accordance with risks agencies themselves recognize elsewhere.

Transparency and accountability are essential.

Media Contact:

Stop the Sand Mine Committee

A citizen-led organization advocating for the protection of Kings Bay, local springs, and groundwater resources

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Thank you for taking the time to read through this update. Our goal remains the same: to ensure that environmental protections are applied consistently, transparently, and in accordance with the known risks in this sensitive area.

We will continue requesting records, tracking agency responses, and sharing verified information as it becomes available.

Your continued attention and support matter, not just for this project, but for the long-term protection of Kings Bay, our aquifer, and our community.

Thank you!
Stop the Sand Mine Committee
Colleen Farmer Chair
Tony Ayo Co-Chair
David Bishop Vice Chair