

FINAL REPORT

DRI #251

Four Corners Mine Substantial Deviation/Phase II

Manatee County



Tampa Bay Regional Planning Council

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REPORT ADOPTED: October 14, 2002

**DRI #251 - FOUR CORNERS SUBSTANTIAL DEVIATION/PHASE II
MANATEE COUNTY**

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SECTION I - INTRODUCTION
DRI #251 - FOUR CORNERS MINE SUBSTANTIAL DEVIATION - PHASE II
MANATEE COUNTY

This report is prepared in accordance with the Florida Land and Water Management Act, Chapter 380, Florida Statutes (F.S.), and in compliance with this legislation addresses the development's efficient use or undue burdening of public facilities in the region, as well as the positive and negative impacts of the development on economics and natural resources. The report presents the findings and recommendations of the Tampa Bay Regional Planning Council (TBRPC) based upon data presented in the Development of Regional Impact (DRI) application as well as upon information obtained through on-site inspections, local and state agencies, outside sources and comparisons with local and regional plans. Policies cited in this report are from the Council's adopted policy document, *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region (SRPP)*, adopted March 12, 1996, as amended.

APPLICANT INFORMATION	
APPLICANT	IMC Phosphates Company Post Office Box 2000 Mulberry, FL 33860
AUTHORIZED AGENT	Mr. Robert Kinsey Vice-President of Operations Support IMC Phosphates Company Post Office Box 2000 Mulberry, FL 33860
CONTACT PERSONS	Ms. Dee Allen Manager of Permitting and Reclamation IMC Phosphates Company Post Office Box 2000 Mulberry, FL 33860
	Mr. T.A. Smith Chief Mine Development Engineer IMC Phosphates Company Post Office Box 2000 Mulberry, FL 33860
APPLICANT COUNSEL	Ms. Patricia Petruff Dye, Deitrich, Prather, Petruff & St. Paul, P.L. 1111 Third Avenue West, Suite 300 Post Office Drawer 9480 Bradenton, FL 34206

APPLICANT INFORMATION	
CONSULTANTS	Ardaman & Associates, Inc. 8008 S. Orange Avenue Orlando, FL 32809 (Floodplains and Stormwater Management)
CONSULTANTS (CONTINUED)	Janus Research, Inc. 2935 1 st Avenue North St. Petersburg, FL 33713 (Historical & Archaeological)
	Florida Transportation Engineering 8250 Pascal Drive Punta Gorda, FL 33950 (Transportation)
	Environmental Consulting & Technology, Inc. 1408 N. Westshore Blvd., Suite 115 Tampa, FL 33607 (General Assistance)

CHRONOLOGY OF PROJECT:	
Preapplication Conference	- July 28, 1997
ADA Submittal	- January 21, 2001
Site Visit	- February 14, 2001
ADA Response	- February 21, 2001
Sufficiency Response #1 (SR1)	- September 12, 2001
Comments to SR1 (extension granted)	- October 31, 2001
Sufficiency Response #2 (SR2)	- April 1, 2002
Comments for SR2	- May 1, 2002
Sufficiency Response #3	- July 19, 2002
Declared Sufficient (by TBRPC) & notified Manatee County to Set Hearing Date	- August 16, 2002
Notification Received of Hearing Date	- September 3, 2002
TBRPC Final Report	- October 14, 2002
Manatee County Planning Commission meeting	- November 7, 2002
Manatee County BOCC meeting (Scheduled)	- November 21, 2002

PROJECT DESCRIPTION

IMC Phosphates Company (IMC) is seeking Substantial Deviation Development of Regional Impact (DRI) approval to expand and extend mining operations in northeastern Manatee County, north of S.R. 62, west of Hardee County and south of the Hillsborough County line. **Map 1** (of this Report) is a General Location Map. **Map 2** provides an aerial photograph of the overall site and parcels. The proposal primarily involves the following requests:

- addition of 3,360-acres to the IMC phosphate mine land holdings. This 3,360-acre expansion is comprised of the four new parcels to be mined and two parcels to be disturbed but not mined.
- increase the mining associated with the Northeast Tract by 2,347, including the economic revision area, and the Jameson Tract by 235 acres;
- extend the timing associated with completion of mining activities for the Altman Tract to June 30, 2014, the Northeast Tract to June 30, 2017 and the Jameson Tract to June 30, 2018;
- extend the timing associated with completion of reclamation activities for the Altman Tract to June 30, 2018, and the Jameson and Northeast Tracts to June 30, 2024;
- revision of the mining rate (and number of draglines) for the total mine;
- addition of a pre-washer facility in the Northeast Tract;
- allow for the sale of excess tailings or overburden sand to third parties;
- allow for the use of innovative technologies for the transportation of products and byproducts (conveyor) and for the consolidation of the clay slurries; and
- allow beneficiation at either Four Corners or the Ft. Green Plant.

The reclamation program involves restoring mined land to their original uses, to the maximum extent practicable, as outlined in the Application for Development Approval and subsequent documentation. Sections #3 (*Developer Commitments*) and #4 (*Recommended Regional Conditions*) of this Report provide great detail about the type and extent of reclamation activities which have been committed and/or will be required. **Map 3** illustrates the Post-Reclamation Habitat. In addition, certain identified portions of the parcels will be preserved and/or “not disturbed.” **Map 4** includes a representation of these sites.

The following tables describe the actual size, extent and location of mining operations. The two smallest parcels (Parcel #3B and #7) are proposed as access corridors and will be disturbed but not mined.

The following table represents the overall and mining acreage associated with this *Final Report*:

DRI	SITE	SITES TOTAL		
		TOTAL AREA	TO BE MINED OR DISTURBED*	NOT DISTURBED
251	JAMESON TRACT	4,619 ¹	4,269 ³	350
	N.E. TRACT	5,078 ²	4,751 ⁴	327
	ALTMAN TRACT	319 ¹	319 ¹	0 ¹
	PARCEL #1 (N.E. TRACT)	492	492	0
	PARCEL #2 (N.E. TRACT)	124	123	1
	PARCEL #3 (N.E. TRACT)	525	496	29
	PARCEL #4 (ALTMAN TR.)	2,048	1,988	60
	PARCEL #3B (CORRIDOR)	127	73 ⁵	54
	PARCEL #7 (CORRIDOR)	44	0 ⁵	13
	New Parcel Subtotal →	(3,360)	(3,172)	(188)
TOTAL →	13,374⁶	12,510⁶	864⁶	

SOURCE: DRI #251/SR3/Table 35-1 (revised) as further modified by subsequent Parcel 7 revisions.

FOOTNOTES:

1. The total acreage associated with the Jameson Tract and Altman Tract remain identical to that currently approved under provisions of DRI #198.
2. The total acreage associated with the Northeast Tract has increased slightly (26 acres) as a result of improved surveying technology.
3. The applicant has requested authorization to mine an additional 235 acres within the Jameson Tract. This results in a corresponding reduction of “not disturbed” acres.
4. The applicant has requested authorization to mine an additional 2,347 acres within the Northeast Tract. This results in a corresponding reduction of “not disturbed” acres.
5. No mining or disturbance is proposed within Parcel #7. Parcel #3B will not be mined but a portion will be disturbed in association with the mining activities of adjacent parcels (ie. placement of dragline(s), construction of unpaved roadway for access...)
6. The totals portrayed may vary slightly due to the rounding of acreages identified in the columns above.

The expansion area is located in following Section/Township/Ranges:

PARCEL #	SECTION	TOWNSHIP	RANGE	ACRES ±	TOTAL
1	9	33S	21E	327.8	491.6
	10			163.8	
2	15	33S	21E	124.4	124.4
3	11	33S	21E	40.5	524.6
	12			373.3	
	7	33S	22E	110.8	
4	10	33S	22E	0.3	2,048.0
	11			329.4	
	12			648.8	
	13			562.9	
	14			323.1	
	24			183.5	
3B	5	33S	22E	4.4	126.8
	7			27.9	
	8			94.5	
7	2	33S	21E	43.6	43.6
TOTAL →					3,359

PROJECT HISTORY

On December 27, 1977, the Manatee County Board of County Commissioners adopted a Resolution constituting a Development Order for the Manatee County portion of the W.R. Grace and Company DRI project (#52). The Hillsborough County Board of County Commissioners followed with adoption of their respective Development Order for the W.R. Grace and Company project on January 4, 1978. Cumulatively, as identified in the Application of Development, mining was authorized for 12,845 acres of the three tracts totalling 18,685 acres. Two of the tracts are located in northeastern Manatee County (Jameson Tract/4,753 acres and the Northeast Tract/5,052 acres). The remaining parcel is located within southeastern Hillsborough County and was comprised of 8,880 acres. This parcel was referred to as the Ft. Lonesome tract and has subsequently been included with the Hillsborough County Mine Consolidation DRI (#213).

On January 10, 1989, IMC Fertilizer, Inc. became the sole owner of Four Corners Mine.

On September 5, 1991, the Manatee County Board of County Commissioners approved Ordinance No. 91-62 to serve as a Substantial Deviation Development Order (Four Corners Mine) for only the

Manatee County portion of (the previously approved) DRI #52. The Ordinance authorized:

- construction of a heavy media facility at the Four Corners processing plant;
- dismantling, mining and rebuilding of the F-1 waste clay settling area (approximately 740 acres);
- extension and synchronization of the mining periods for the Jameson Tract and the Northeast Tract to jointly expire November 30, 2006 and the reclamation period to November 30, 2010;
- extension of the reclamation periods for the Northeast Tract to November 30, 2010 and the Jameson Tract to November 30, 2018.
- mining of 211 acres within the Jameson Tract which were not previously-approved for mining; and
- recognition of the owners of the project to be IMC Fertilizer, Inc.

The Ordinance denied the developer's request to mine a 170-acre addition and within the right-of-way of Carlton Road, as well as allow the use of any truck haul route within the County other than State Road 37 north from the mine entrance.

Ordinance No. 91-62 was subsequently appealed based on issues pertaining to listed species, water use and transportation impacts.

The issues were resolved on January 12, 1993 with the adoption of Ordinance No. 92-64 as a Development Order Amendment by the Manatee County Board of County Commissioners. This Ordinance included the following authorizations and/or modifications:

- added a 170-acre addition to the project and allowed the mining thereof under certain conditions;
- added provisions for water quality monitoring/reporting requirements;
- allowed mining and relocating of Carlton Road at the developer's expense;
- established a specific truck haul route from Four Corners Mine to Piney Point/Port Manatee; and
- required submittal of a Spill Notification, Containment and Contingency Plan for clay-settling area F-3.

On May 17, 1994, Manatee County approved Resolution R-94-39 authorizing the transfer of the Operating Permit, the Master Mining and Reclamation Plan, and Development Order from IMC Fertilizer, Inc. to IMC Agrico, Inc.

On October 3, 1995, Manatee County adopted Ordinance 95-41 as a Development Order amendment to add 310 acres of land to the DRI and remove 316 acres. In addition, Ordinance 95-41 consolidated Ordinance 91-62 and Ordinance 92-64 into one Development Order. The 316-acre deleted parcel was purchased by Manatee County and removed from mining in order to protect the Manatee River watershed.

On December 19, 2000, the Manatee County Board of County Commissioners adopted Ordinance No. 00-49 as an independent Development Order for the Four Corners Mine/Phase I additions of land. The two parcels of land comprising the Phase I additions Development Order, referred to as "Parcels 5 and 6" or the "Southeast Tract Additions," are isolated from, but near, the existing Four

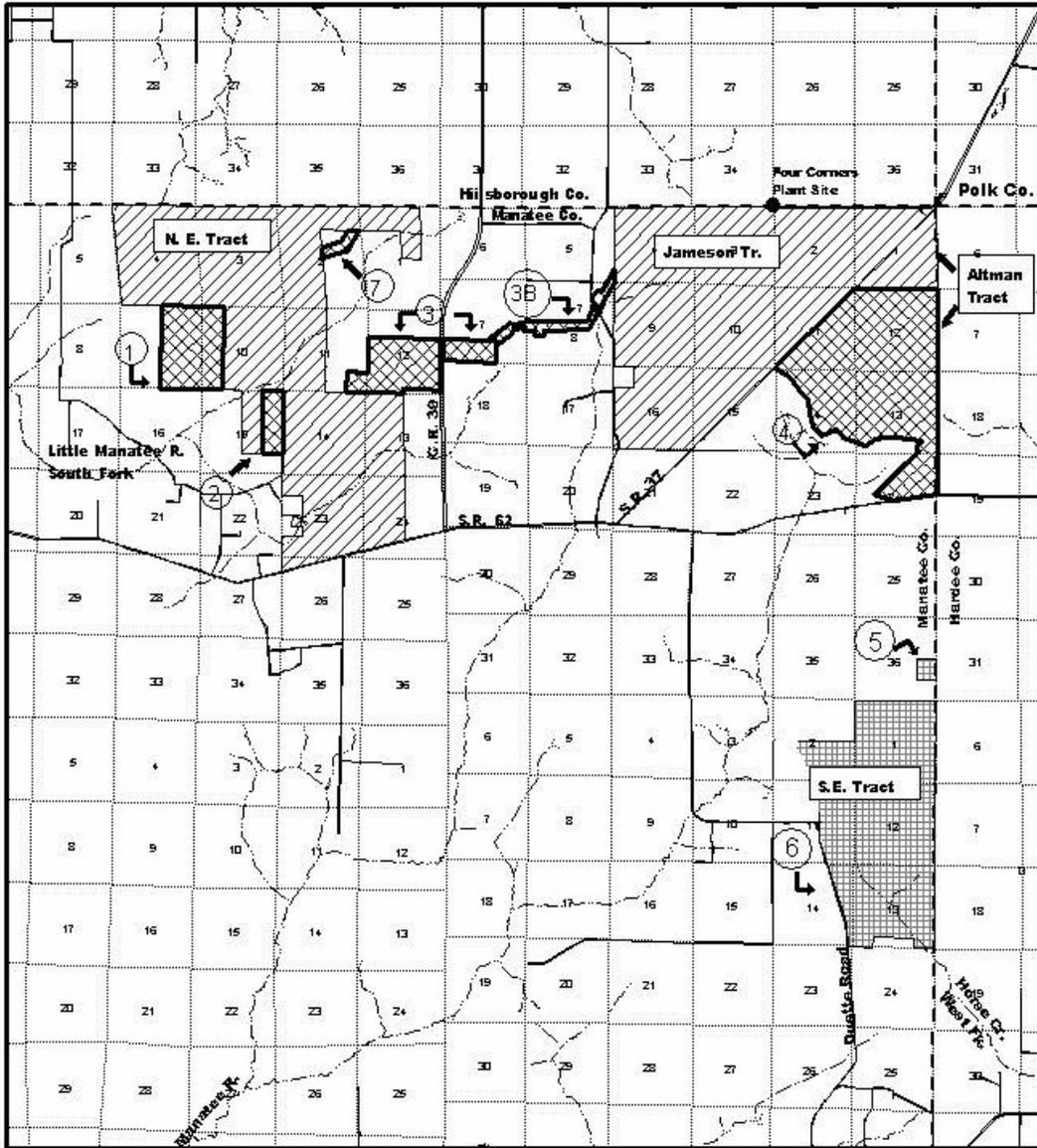
Corners mining operation in Manatee County and, as such, are not being considered as part of this *Final Report*.

The following Table quantifies the extent of previous approvals granted for the project:

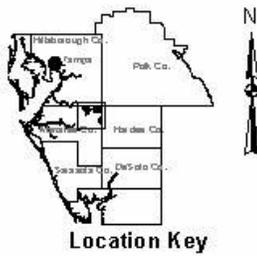
DRI	SITE	SITES TOTAL		
		TOTAL AREA	TO BE MINED OR DISTURBED	NOT DISTURBED
52 ¹	JAMESON TRACT (Manatee)	4,753	3,517	1,236
	NORTHEAST TRACT (Manatee)	5,052	2,386	2,666
	FT. LONESOME (Hillsborough)	8,880	6,942	1,938
198 ² (Original Approval)	JAMESON TRACT	4,906	4,359	547
	N.E. TRACT	5,052	2,458	2,594
	ALTMAN TRACT	0	0	0
198 ³ (Currently Approved)	JAMESON TRACT	4,581	4,034	547
	N.E. TRACT	5,052	2,458	2,594
	ALTMAN TRACT	319	319	0

SOURCES:

1. DRI #52/ADA/Table 35.2
2. DRI #198/SR2/Table 38H(2)-1
3. DRI #198/Ordinance No. 95-41



Scale: 1"=10,000 ft.



Location Key

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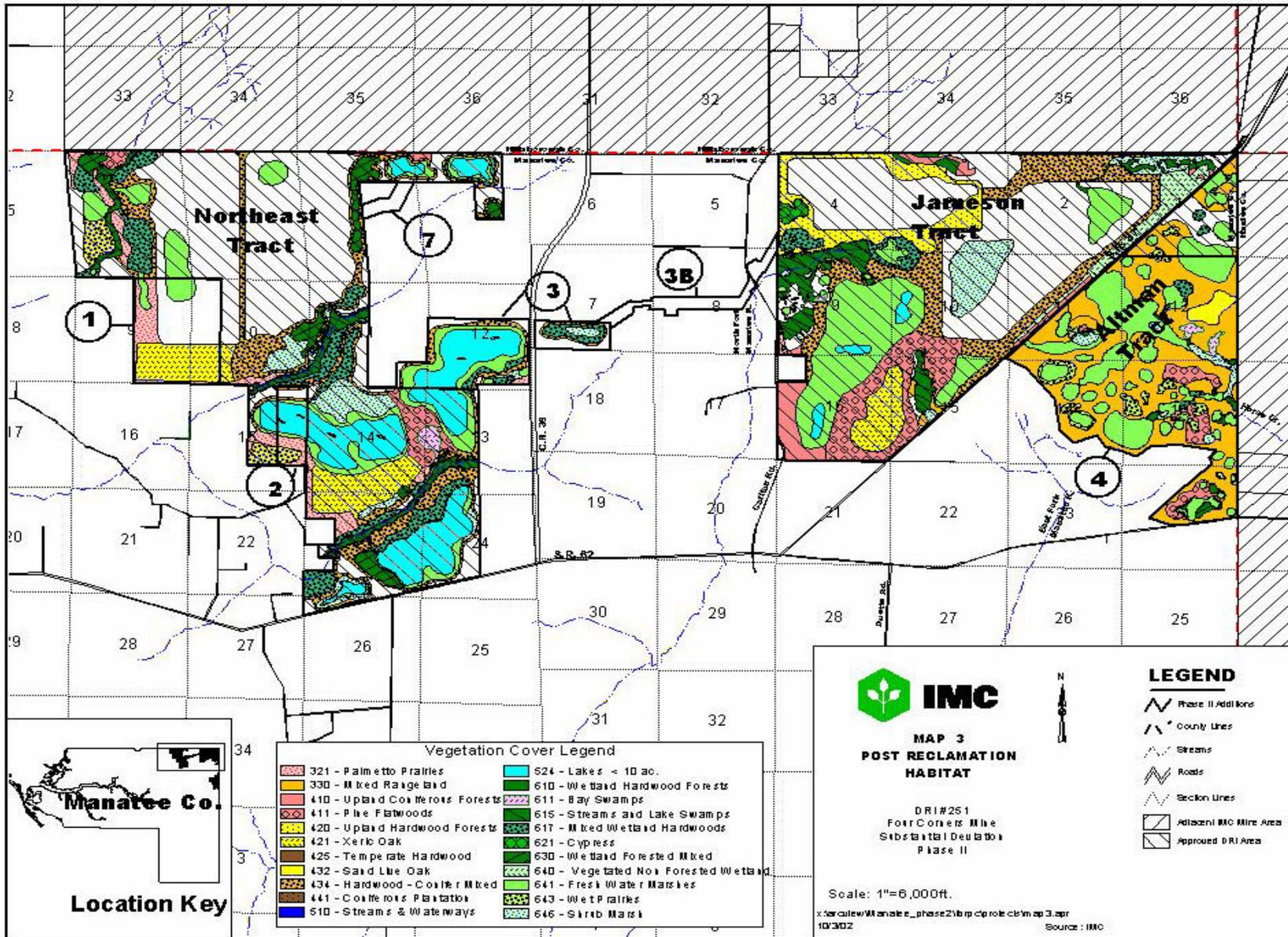
LEGEND

-  Phase 1 Addition Areas
-  Phase 2 Additions Areas
-  Existing Approved Areas
-  County Line
-  Streams
-  Parcel Number
-  Plant Site



**MAP 1
GENERAL LOCATION MAP**

DRI #251
Four Corners Mine
Substantial Deviation
Phase II



Vegetation Cover Legend

321 - Palmetto Prairies	524 - Lakes < 10 ac.
330 - Mixed Ridge land	610 - Wetland Hardwood Forests
410 - Upland Coastal Forests	611 - Bay Swamps
411 - Pine Flatwoods	615 - Streams and Lake Swamps
420 - Upland Hardwood Forests	617 - Mixed Wetland Hardwoods
421 - Xeric Oak	621 - Cypress
425 - Temperate Hardwood	630 - Wetland Forested Mixed
432 - Sand Lake Oak	640 - Vegetated Non-Forested Wetland
434 - Hardwood-Coalifer Mixed	641 - Fresh Water Marshes
441 - Coastal Palatiba	643 - Wet Prairies
510 - Streams & Waterways	646 - Salt Marsh



IMC

**MAP 3
POST RECLAMATION
HABITAT**

DR1#251
Four Corners Mine
Substantial Disturbance
Phase II



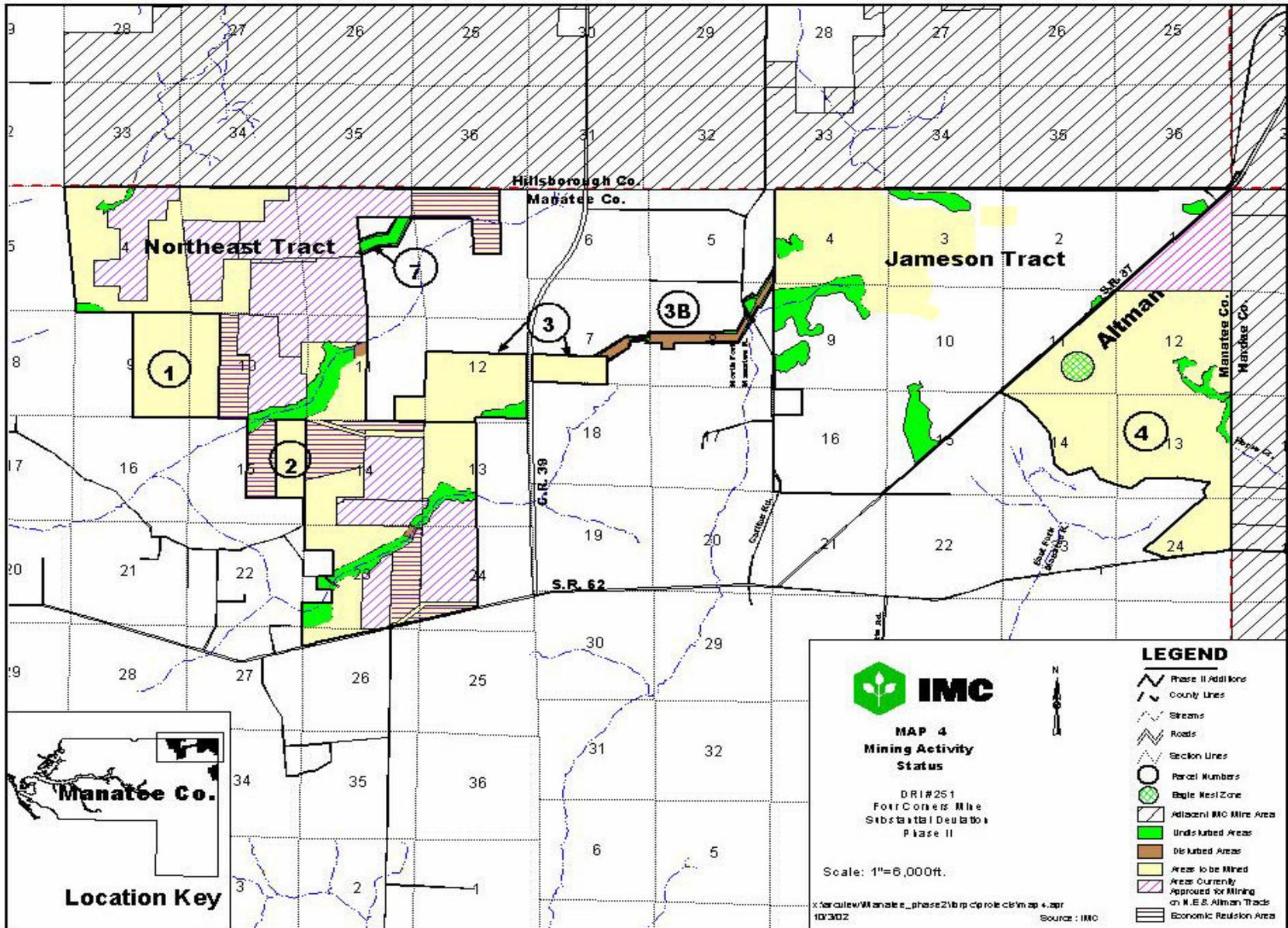
LEGEND

-  Phase II Additions
-  County Lines
-  Streams
-  Roads
-  Section Lines
-  Adjacent IMC Mine Area
-  Approved DRI Area

Scale: 1"=6,000ft.

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10/3/02 Source: IMC





**MAP 4
Mining Activity
Status**

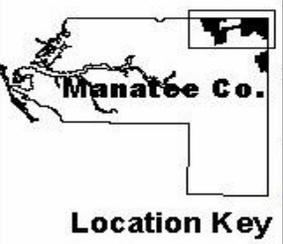
DRI#251
Four Corners Mine
Subsidiary (Deuda)
Phase II

Scale: 1"=6,000ft.

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10/302 Source: IMC

LEGEND

- Phase II Additions
- County Lines
- Streams
- Roads
- Section Lines
- Parcel Numbers
- Eagle Nest Zone
- Adjacent IMC Mine Area
- Undisturbed Areas
- Disturbed Areas
- Areas to be Mined
- Areas Currently Approved for Mining on N.E.S. Altman Tracts
- Economic Reclamation Areas



Manatee Co.

Location Key

SECTION II - REGIONAL IMPACTS
DRI #251 - FOUR CORNERS MINE SUBSTANTIAL DEVIATION/PHASE II
MANATEE COUNTY

ECONOMY

Revenues Generated

The Four Corners Mine Addition will provide revenues to Manatee County in the form of ad valorem taxes; severance tax receipts; and fees collected. These revenues are expected to total over \$8,000,000 during the project period.

Ad Valorem Taxes

The assessed value of the mining acreage is difficult to quantify since it changes acre by acre, depending upon what operations are occurring at the time. The highest valuations occur when the acreage is subject to mining activity since the parcel is temporarily rezoned as an "Extraction District," increasing the property assessed values from \$150.00 per acre to \$5,000.00 per acre, inclusive of a fee of \$4,300 per acre for mineral extraction. Applying the rotation of lands in and out of mining activity and the current millage rate of 17.873 for unincorporated Manatee County, ad valorem tax yields of \$3,400,000 over the 20-year life of the development.

Yearly Gas Tax

The State of Florida taxes the gasoline delivered to the Four Corners Plant site at a rate of 25.2 cents per gallon. Of this total, approximately 12.1 cents per gallon is rebated to Manatee County. Minewide, the Four Corners Plant currently consumes about 165,000 gallons of gasoline per year. The applicant anticipates the consumption rate to remain relatively constant in the foreseeable future. Based on the anticipated continuance of consumption rate, gasoline proceeds are expected to be approximately \$20,000 to Manatee County and \$21,600 to the State annually.

Severance Taxes

Manatee County can expect to collect approximately \$3,600,000 from the severance tax applied to phosphate rock over the next 15 years, this equates to approximately \$242,000 annually over this period.

Impact Fees

Manatee County does not assess impact fees for phosphate mining at the present time.

VEGETATION, WILDLIFE AND WETLANDS

The plan is to add about 3,360 acres to the Four Corners mine in six parcels. Mined or disturbed acreage would increase by approximately 5,626 acres, including 3,403 in the Northeast Tract, 1,988

in the Altman Tract, nine in the Jameson Tract and 763 in the Northeast Tract Economic Revision Area. One small parcel is proposed to be disturbed but not mined (Parcel 3B) and one parcel will not be disturbed (Parcel 7). The disturbance will be for mining-related activities, such as dragline crossings, unpaved access roads, etc. An estimated 188 acres of this new land will not be disturbed, including small amounts of Mixed Wetland Hardwoods, Freshwater Marsh, and Palmetto Prairie. The table below identifies the significant habitat types on-site, the current acreage and percent of the site, the acreage left undisturbed, and the acreage expected after reclamation.

HABITAT TYPE	FLUCFCS CODE(s)	CURRENT ACREAGE	UNDISTURBED AREA	ACREAGE AFTER RECLAMATION
URBAN	100s	0	0	0
Residential	110	0	0	0
AGRICULTURE	200s	1,480.6	76.2	606.7
Cropland	210	137.6	74.9	605.2
Improved Pasture	211	1,343.0	1.3	1.5
RANGELAND	300s	1,304.8	13.8	1,201.8
Herbaceous	310	135.6	0.0	0.0
Palmetto Prairie	321	234.9	7.9	142.3
Other Shrub and Brushland	320, 329	252.6	4.9	11.6
Mixed Rangeland	330	681.7	1.0	1,047.9
UPLAND FOREST	400s	499.7	3.8	601.3
Upland Coniferous Forest	410	0.0	0.0	2.7
Pine Flatwoods	411	58.0	0.1	115.1
Long Leaf Pine - Xeric Oak	412	22.5	0.0	0.0
Sand Pine	413	209.8	0.0	47.4
Upland Hardwood Forest	420	4.2	3.7	4.2
Xeric Oak	421	0.0	0.0	193.6
Temperate Oak	425	2.9	0.0	0.0
Live Oak	427	8.2	0.0	0.0
Sand Live Oak	432	154.2	0.0	46.7
Hardwood Conifer Mixed	434	33.1	0.0	191.6
Coniferous Plantations	441	6.7	0.0	0.0
WATER	500s	12.4	0.1	427.8
Streams and Ditches	510	8.2	0.0	0.1
Lake (100-500 Acres)	522	0.1	0.0	388.9
Lake (10-100 Acres)	523	0.0	0.0	38.8
Reservoirs (<10 Acres)	530	4.1	0.0	0.0
WETLANDS	600s	726.3	48.8	1,089.6
Bay Swamps	611	24.5	21.7	21.7
Stream and Lake Swamps	615	7.9	6.6	7.8
Mixed Wetland Hardwoods	617	36.8	7.7	114.6
Wetland Coniferous Forest	620	2.8	0.6	0.6
Mixed Wetland Forest	630	23.1	8.3	49.9
Vegetated Non-Forested Wetlands	640	8.1	6.6	8.1
Freshwater Marshes	641	331.7	7.0	874.8
Wet Prairies	643	58.4	0.0	81.7
Shrub Swamps	646	328.1	35.2	125.1

HABITAT TYPE	FLUCFCS CODE(s)	CURRENT ACREAGE	UNDISTURBED AREA	ACREAGE AFTER RECLAMATION
BARREN LAND	700s	0.2	0.0	0.0
Spoil Areas (Cattle Ponds)	743	0.2	0.0	0.0
TRANSPORTATION & UTILs	800s	2.9	0.0	0.0
Roads	814	2.9	0.0	0.0
TOTAL →		4,121.9	187.6	4,121.9

SOURCE: SR3/Revised Table 12-1 (Page 6 of 7), as revised by applicant (10/02/02) to account for Parcel #7 revision.

There are no Natural Resources of Regional Significance, as designated on the maps in the *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region*, in the Phase II expansion area. There are, however, several areas which are used by state- or federally listed species. These are considered to be natural resources of regional significance, pursuant to Policy 4.5.7 of the *SRPP*.

Listed species identified on the project site or highly-likely to occur include Florida Scrub Jay, Bald Eagle, Florida Sandhill Crane, Southeastern American Kestrel, American Alligator, Eastern Indigo Snake, Round-tailed Muskrats, Sherman's Fox Squirrel, Little Blue Heron, White Ibis, Snowy Ibis, Tri-colored Heron, Wood Stork, Gopher Tortoise, Florida Mouse, Scrub Pinweed, Small's Jointweed, Tampa Vervain, and Wild Coco.

The impacts to Florida Scrub Jays will be mitigated through translocation of birds, as recommended by the US Fish & Wildlife Service and the Florida Fish and Wildlife Conservation Commission. A Habitat Management Plan has been prepared, requiring IMC to mitigate for all proposed impacts and provide assurances that a Scrub Jay population equal to or exceeding the baseline conditions will exist. The plan is to relocate birds to the IMC Wellfield Mitigation Site, which will be managed to improve habitat to support 15 - 24 Scrub Jay families. Seven-hundred (700) acres of IMC property will be placed under perpetual conservation easements. A 200-acre portion of the 700 acres, at the IMC Wellfield Site, will be placed under the easement. Another 135 acres, in the West Preserve in Hillsborough County also will be protected under a perpetual conservation easement. The remaining 365 acres of conservation easements will be placed over areas at the discretion of the USFWS/FFWCC at the end of the mine life. Selected birds will be moved to the protection site, and monitored. In the first year, it is anticipated that nine birds will be relocated. In the second year - 4-8 birds; and in the third year, 4-8 birds. In future years additional translocations may occur, depending upon site response to management and previous efforts. The permit application, submitted in November, 2001, outlines the plan in great detail.

A Bald Eagle nest site on Parcel 4 has been used for many years. IMC plans to maintain the required buffer around the site until the eagles no longer uses the site. The specific tree has died, so it is expected that the eagles will move, though they may relocate to an adjacent tree or another within Parcel 4.

Additionally, IMC has offered to grant conservation easements on 229 acres within parcel 4 to ensure that land uses in these undisturbed and reclaimed habitats remain consistent with the reclamation and revegetation techniques. IMC's reclamation plans provide for development of the Integrated Habitat Network on the Four Corners mine site. On the Northeast Tract, the proposed IGHN corridors are the South Fork Little Manatee River and the Long Branch tributary. On Parcel 4, the reclaimed central marsh will be connected to downstream conservation areas along the Horse Creek IHN corridor in Hardee County. Conservation easements will be granted along habitat corridors.

Cattle grazing occurs in all habitat types on the site, and will continue until mining activities begin on specific portions of the site. Some existing agricultural uses are expected to continue after reclamation. Additional wildlife surveys will be conducted prior to mining, and plans adjusted if listed species are found nesting or breeding on-site. Recreated habitat will have connections to undisturbed habitats to facilitate repopulation by native species.

A 9.3-acre area adjacent to the Alderman Creek is proposed to be mined in the Jameson Tract. A ditch and berm system will be constructed to protect the floodplain. A portion of the Horse Creek (headwaters of the Peace River) floodplain, and a portion of Long Branch (tributary to the South Fork Little Manatee River) are also planned to be mined and reclaimed. It is planned that the natural hydroperiods of the avoided wetlands will be essentially maintained throughout mining and reclamation. High-quality, contiguous wetlands will not be disturbed, except for construction access corridors. All wetland impacts will be mitigated 2.1:1, pursuant to state and federal requirements.

An extensive description of wetland mitigation and reclamation plans can be found on pages 13-11 - 13-17 of the ADA. Vegetative communities to be planted during reclamation include forested and non-forested uplands, forested and herbaceous wetlands, and lakes. About 293 acres will be re-vegetated for use as crop and pastureland.

Adherence to the following list of Goals and/or Policies of the Council's *Strategic Regional Policy Plan* will help minimize any potential impacts experienced in the areas of Vegetation, Wildlife and Wetlands.

- 4.6.6 *Evaluate the potential to mitigate adverse impacts resulting from prior alteration of natural hydrologic and circulation patterns in surface and groundwater (e.g., finger canals, altered streams, saltwater intrusion, causeways).*
- 4.9.3 *Encourage the removal of invasive, exotic species such as punk tree (*Melaleuca*), Australian pine (*Casuarina*) and Brazilian pepper (*Schinus*) and the replacement by native species.*
- 4.11.6 *Land use decisions shall be consistent with federal- and state-listed species protection and recovery plans, and adopted habitat management guidelines.*
- 4.12.5 *Utilize vegetation native to the Tampa Bay region for mining reclamation and mitigation.*

WATER QUALITY AND STORMWATER MANAGEMENT

Water Quality classifications vary for the two watersheds on-site. Of the new lands being added to the DRI, 2,048 acres are within the Horse Creek basin. Horse Creek, a tributary of the Peace River, is designated as Class III waters; however, portions of Horse Creek (Peace River), about 33 miles downstream of the site are designated Class I waters, and Charlotte Harbor, at the mouth of the river, is a designated National Estuary Program. Most of the rest of the area is within the Little Manatee River basin. The eastern half of Parcel 3B is within the Manatee River Basin, designated as Class I. Long Branch, tributary to the South Fork Little Manatee River, is Class III. The mining area is a small fraction of the watershed of either system.

Three aquifers underlie the site: the surficial, or water table; the intermediate; and the Floridan aquifer. Water quality is good. The proposed mining operation will not impact the water-bearing part of the intermediate or the Floridan aquifers because mining will not breach the confining layers of these aquifers. Groundwater quality will be monitored through a series of wells placed throughout the project area.

Recharge to the Floridan aquifer occurs naturally, and IMC contends that recharge will continue after reclamation, including through the clay settling areas.

IMC has voluntarily proposed that any neighboring wells in the Phase II area that are located within 1,800 feet of proposed mining will be inventoried and tested (for flow and water quality) prior to mining and reclamation, with the owner's consent. In other locations, IMC installed several irrigation and domestic wells for neighbors in the south half of Section 15, Township 33 South, Range 22 East. The implication is that, if there are problems related to IMC activities, the company will replace the neighbor's well.

Surface water management is key in phosphate mining. First, a ditch and berm system is constructed, capable of retaining all runoff from a 25-year/24-hour storm. This system retains turbid water and stormwater from the mining area and recharges adjacent wetlands. Zero discharge is expected from the ditch and berm system or the process water systems, except through permitted NPDES (National Pollutant Discharge Elimination System) outfalls. An additional outfall will be constructed to serve this project. Flows will be maintained through seepage from the ditch and berm system and through discharge via the NPDES outfall, as presently occurs. A detailed description of measures to be used to mitigate effects on ground- and surface-water quality is included in pages 14-12 - 14-17 of the ADA. There will be no withdrawals from streams flowing through the property. The only water captured for use in the recirculation system will be rainfall directly on the land disturbed for mining.

Stormwater drainage patterns will be restored by reclaiming the area. The extensive ditching associate with mining will be eliminated in the post-reclamation landscape, replaced by sheet flow and meandering channels.

Adherence to the following list of Goals and/or Policies of the Council's *Strategic Regional Policy Plan* will help minimize impacts in the areas of Water Quality and Stormwater Management:

- 4.1.1 *Implement plans to prevent, abate and control surface water and groundwater pollution so that the resource meets state standards.*
- 4.2.1 *Implement plans to prevent, abate and control groundwater pollution so that the resource meets state or local standards, whichever is more stringent.*
- 4.3.6 *Encourage the use of the lowest quality water reasonably available, suitable and environmentally-appropriate to a given purpose in order to reduce the use of potable-quality water for irrigation and other non-potable purposes.*
- 4.3.9 *Promote environmentally acceptable effluent disposal alternatives, toward the goal of achieving 100 percent reuse throughout the region.*
- 4.4.4 *Implement water reclamation and reuse alternatives for stormwater disposal to surface water bodies, as appropriate.*
- 4.4.5 *Provide sufficient inspection and maintenance of all stormwater facilities.*
- 4.12.4 *Efforts should be made in reclamation plans and activities to coordinate developed areas, operational mine areas, preservation areas, and mandatory, non-mandatory and reclaimed lands within each watershed into a comprehensive watershed plan to promote and enhance watershed health and viability.*

SOILS

A wide variety of soil types occur on the project site, but no unique geological features exist. The area has a low probability of sinkhole occurrence. The soils do not present undue obstacles to use in the mining operation, or to reclamation. Topsoil and overburden (the soils over the phosphate deposit), as well as sand and clay from the mining process, will be used in reclamation. A cattle-dipping vat is located in the southwestern portion of the site. Testing revealed the arsenic levels to be below state-directed clean-up levels, and the site is proposed for mining.

Steps will be taken to control erosion during preparation, mining, reclamation and afterwards. Clearing will be limited to lands planned to be mined within the next 4-12 months.

FLOODPLAINS

A very small portion of Parcel 3B is within the 100-year floodplain. No erosion problems currently exist, and it is expected that standard measures used to control erosion during all phases of the mining operation will protect surface waters from erosion.

During construction and filling of the settling ponds surface water levels are controlled to provide storage for a >100-year storm. After reclamation the abandoned dams are graded so that the settling

areas do not hold flood water.

Adherence to the following list of Goals and/or Policies of the Council's *Strategic Regional Policy Plan* will help minimize impacts in the areas of Soils:

4.6.9 *Protect the water storage and water quality enhancement functions of wetland and floodplain areas through acquisition and/or application of Best Management Practices.*

4.11.3 *Implement floodplain management strategies to prevent erosion, retard runoff and protect natural functions and values.*

WATER SUPPLY

The water demand will not increase over the currently permitted levels as a result of the mining area expansion. The applicant has significantly reduced the amount of water demand as the use of production wells has decreased over the past years. This trend is projected to continue. Water demand has, and will continue to be, limited to only the domestic needs of the employees and effectively eliminate all Floridan Aquifer withdrawals except during extremely dry conditions.

The applicant will submit an application to plug and abandon all current water wells proposed for disturbance within the property boundaries. All other wells will remain operational. No new production water supply wells will be drilled in association with the mining expansion.

IMC will locate large slurry pipeline booster pumps in the expansion area, as authorized by the Southwest Florida Water Management District Water (SWFWMD) Use Permit No. 2011400.06. Sealing water wells, typically six to eight inches in diameter and 600 feet below the land surface may also be required in conjunction with the SWFWMD Permit. These sealing water wells can generate about 200,000 gallons of water per day. However, this increase in water will not have any bearing on the total water supply currently permitted, just a change in the location of the withdrawal points.

The applicant will also drill water table monitoring wells and piezometers as required by Manatee County, SWFWMD and Florida Department of Environmental Protection permit conditions.

WASTEWATER MANAGEMENT

The rate of domestic or industrial wastewater generation will not increase over the currently permitted levels for Four Corners Mine as a result of the mining area expansion. In essence, the applicant will be extending the currently permitted quantity of wastewater to 2024, representing the estimated time period to mine and reclaim the expansion area. Additionally, an NPDES surface water discharge outfall is proposed to provide an alternate to the existing outfall to the Little Manatee River via Alderman Creek. The mine's domestic wastewater treatment plant effluent is discharged into the mine recirculation water system, reusing 100 percent of the treated domestic effluent.

TRANSPORTATION

Since there will only be a minimal increase in personnel and the existing equipment and access

roadways will be utilized to serve the expansion area, no additional significant impacts are anticipated to the current transportation system.

Parcels 1, 2, 3 and other Northeast Tract mining components will be accessed via County Road 39 and State Road 62. A new access drive is proposed where Parcel 3 crosses County Road 39. It is proposed that the Jameson Tract and Parcel 4 will be served by new and existing access drives along State Road 37. Access points to the Altman Tract will remain unchanged. If permitted, the additional access drives will be designed and constructed at the applicant's expense.

Including the proposed sale of excess sand tailings or overburden, the project will not exceed the 750 truck loads per day currently approved for the site.

AIR QUALITY

The mining operation will employ a number of conventional techniques to minimize fugitive dust generation during mining and reclamation. These measures include: limiting the clearing of lands in advance of when necessary to prepare for mining; using hydraulic slurry transport of phosphate matrix, sand and clay; reclamation of mined lands and revegetation in accordance with state rules; using water trucks to control vehicle-generated dust; and using quick-germinating temporary cover crops on reclaimed land.

Adherence to the following Goals and/or Policies of the Council's *Strategic Regional Policy Plan* would help minimize the air quality impacts of the proposed project:

- 4.13.7 *Encourage the development and implementation of innovative and cost-effective pollution prevention and control technologies.*
- 4.14.5 *Implement land-use related performance standards, such as setbacks and prohibition of conflicting land uses, that minimize negative air quality impacts resulting from development.*
- 4.15.8 *Encourage the development and implementation of innovative and cost-effective pollution prevention and control technologies.*

HISTORICAL AND ARCHEOLOGICAL

The entire site has been surveyed for historical and archaeological resources. The Florida Division of Historical Resources (FDHR) has acknowledged that the site has been adequately assessed for eligible historic sites. FDHR concluded with an opinion that the proposed project will have "no effect on the sites listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical or archaeological value."

MINING OPERATIONS

The phosphate rock to be mined is a sedimentary form of apatite, in a pebble, silica sand and clay matrix. It is estimated that three million tons of phosphate rock will be removed from the site per

year, at an average rate of 525 acres per year.

Through the DRI process IMC is also seeking permission:

- to beneficiate ore extracted primarily from the Altman Tract (in Manatee County) at the Four Corners or the Ft. Green plant located in Polk County;
- to convert, if feasible, to a covered conveyor belt (from an hydraulic pipeline) method of transporting the matrix. These would operate in the same mine access corridors as the pipelines, but could significantly reduce energy consumption and possibly lessen the potential for spills; and
- to sell excess tailing or overburden sand to third parties as a co-product. There is an estimated 50,000 tons per year of material in excess of what is needed for reclamation.

It is proposed that mining will be by the same conventional, opencast strip-mining techniques currently used throughout IMC's operations. Matrix will be slurried to the Four Corners and/or the Ft. Green beneficiation plants. A new pre-washer will be constructed on the N.E. tract to improve the ore-handling process. Four or more draglines will perform the mining. Production requirements will dictate the actual schedule and equipment.

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SECTION III - DEVELOPER COMMITMENTS
DRI #251 - FOUR CORNERS MINE SUBSTANTIAL DEVIATION - PHASE II
MANATEE COUNTY

The following commitments have been made by, or on behalf of, the applicant in the Application for Development Approval (ADA), the first Sufficiency Response (SR1), the second Sufficiency Response (SR2) and/or the third Sufficiency Response (SR3). In instances where the applicant may have posed recommended Development Order condition language, the language may have been included in this list of commitments. These commitments must be taken in the context of the section or question being responded to in the application.

GENERAL

1. The following currently-approved (County) Master Mining Plan/DRI elements of the Four Corners Mine **are not proposed to be changed:** (ADA/Page 10-4)
 - the currently approved mine water use (SWFWMD WUP);
 - the method of mining used (i.e. impacts on air, noise, radiation, energy use, etc.);
 - materials disposal method;
 - the source of police, fire, and emergency medical services;
 - beneficiation plant capacities (i.e. impacts on methods of product shipment); and
 - Reclamation Plan for Jameson tract.
2. As shown on the maps and tables, the post-reclamation vegetative cover will include a significant increase in the acreage of upland and wetland natural systems. Agricultural lands (i.e. pasture and crop land) will decrease by approximately 874 acres, or 59 percent (ADA/Page 10-9, as revised by SR3/Table 12-1)
3. Following the temporary use of the land for phosphate mining, the [designated] land use will revert to agricultural after the reclamation phase of the project is completed. (ADA/Page 10-10)
4. IMC is respectfully requesting approval of mitigation ratios of 2.07 acres of created forested wetlands and 2.13 acres of created herbaceous wetlands for each acre of existing wetlands of the same type to be disturbed. (ADA/Page 10-20 as revised by SR3/Table 13-1)
5. The Four Corners Mine Additions Phase II project will not subject the public to radiological or other adverse impacts. (ADA/Page 10-37)
6. IMC employs the staged-settling waste disposal procedure to minimize the acres required for clay settling areas. This procedure involves alternating filling and drying a clay settling area over several years to more efficiently store the clay. This process will be used for the clays from the Altman and N.E. Tracts. (ADA/Page 10-37)

7. Following mining and reclamation of the site, the surface water drainage patterns and storm water runoff intensity and duration will be returned to essentially pre-mining conditions... In addition, potential future use of surface water resources may be made available through the reclamation lakes proposed to be constructed on the N.E. Tract. (ADA/Page 10-40)
8. All pipelines will be double-cased with proper spill protection systems included within stream crossings. (SR1/Page AI-45)

ECONOMY

The proposed project will not require expenditures for the development of new public facilities or the expansion of current facilities. (ADA/Page 10-30)

VEGETATION AND WILDLIFE

1. A principle objective of the reclamation plan will be the development of a large integrated natural system on parcel 4 that will extend the Horse Creek corridor upstream from IMC's other similar efforts along Horse Creek downstream in Hardee County. This area will be reclaimed as a mixture of forested wetlands and herbaceous and shrub marshes, surrounded by upland forests, palmetto prairies, and xeric communities. (ADA/Page 10-9)
2. Table 12-1 illustrates that a significant acreage of natural systems will be revegetated on each of the parcels and that the acreage of land vegetated by improved pasture grass species will decrease significantly. No irrigation systems are required or planned. (ADA/Page 10-18 & SR3/Page 1-10)
3. The plant communities that will remain undisturbed throughout the mining and reclamation periods are shown using an outlined symbol on the F-series vegetation maps and the H-series mine plan maps. These areas follow the concept contained in current approvals, in that the main stream channels will be undisturbed where they are forested systems. (ADA/Page 12-12)
4. In the event any listed species are observed breeding or nesting, in an area to be cleared, IMC will contact FFWCC and implement the recommended measures for species protection. (ADA/Page 12-21)
5. IMC will report in the DRI annual report all implementation activity associated with the approved Plan and/or listed species permits. (ADA/Page 12-22)
6. Listed species observed in plant communities that are proposed to be left undisturbed will not be relocated. In these communities, IMC will protect listed species by maintaining the viability of the vegetative community and precluding public access. (ADA/Page 12-22)

7. The prime protection for birds will be to protect their nesting areas and to restrict clearing activities to the non-nesting season for selected species. (ADA/Page 12-22)
8. IMC will reclaim the Altman Tract to a mosaic of upland and wetland natural systems that will provide over 2,000 acres of wildlife habitat in addition to the natural systems that have been or are currently being reclaimed on the adjacent mined land in Hardee County. (ADA/Page 12-23)
9. A pre-clearing survey of the deeper water areas (Horse Creek and Little Manatee drainages) will be conducted prior to mining. (ADA/Page 12-24)
10. Pre-clearing vehicular and pedestrian transects will be conducted in all upland habitats. (ADA/Page 12-24)
11. Prior to clearing, appropriate habitats for the nesting of designated species will be surveyed. (ADA/Pages 12-25 - 12-29)
12. Native species will be utilized in reclaiming natural systems and mitigation areas. (SR1/AI-30)
13. Prescribed fire plans will be developed for each management unit and a natural fire regime of approximately two to three years in the flatwoods and approximately ten years in the xeric oak community will be established. (SR1/AI-38)
14. A total of 700 acres of scrub jay habitat on IMC property is proposed for perpetual conservation easements with management [in Manatee and Hillsborough Counties] (SR1/Page AI-38)
15. IMC is committing to maintaining exotic and nuisance species in the proposed mitigation wetlands to less than 10 percent relative cover in the ground cover and less than 10 percent of the total trees in the canopy. (SR1/Page AI-44)
16. IMC maintains vegetated preserves consistent with the Integrated Habitat Network that provide wildlife corridors for these [listed] species to safely move to adjacent habitats. (SR1/Page AI-83)
17. Proposed side slopes for reclaimed marshes will approximate the slopes found on existing [surveyed] marshes... and will generally range from 40:1 to 500:1. (SR1/Page AI-91)
18. [Recreated habitats will be located adjacent to preserved plant communities of the same type to encourage natural revegetation and wildlife recruitment.] (SR1/Page AI-158)
19. Upon completion of reclamation, IMC has offered - and USFWS has accepted - the placement of perpetuity conservation easements over the best xeric oak scrub and certain pine

flatwoods (up to 700 acres) within the project. IMC will be responsible for the management of the conservation easement areas during the mining operations through reclamation release, then the Florida Department of Environmental Protection assumes reclamation responsibility for perpetuity management. (SR2/Page 2-30)

To implement the HMP, IMC will complete and adhere to the terms and conditions listed below (#20 - #28):

20. IMC, within one year of issuance of USFWS biological opinion, will grant in favor of FDEP a perpetual conservation easement with management requirements over 200 acres of the Manatee Wellfield site as identified in Map 14 of the HMP, respectively, in general accordance with the easement language in Exhibit A. Following the completion of mining and reclamation, the Service in coordination with FDEP will identify an additional 365 acres of FFWCC Type I or occupied scrub-jay habitat for dedication of a perpetual conservation easement in favor of FDEP. (SR2/Page 2-41)
21. IMC shall manage through a combination of mechanical treatments and prescribed fires the potentially suitable occupied Florida scrub-jay habitats on unmined portions of the Mine Site and the entire Manatee Wellfield Mitigation Site during the life of the mine in accordance with the HMP. (SR2/Page 2-41)
22. IMC shall be responsible for managing the reclaimed and native HMP habitats, including the West Tract Preserve and the Manatee Wellfield site, through the FDEP release of reclaimed HMP habitats, at which time FDEP will assume management responsibilities of the Florida scrub-jay habitat areas identified in [Item 24] above. (SR2/Page 2-41)
23.
 - A. No clearing of vegetation will take place within occupied territories on the project site place during the florida scrub-jay nesting season (typically March 1 through June 30), removing the potential to destroy active nests and kill or injure nestlings. (SR2/Page 2-41)
 - B. Mechanical and fire management can take place in the occupied territories during the scrub-jay nesting season; however, the management area should be carefully inspected to locate any active nests and protect the nests from any kind of management that may occur to prevent “take” of scrub-jays. (SR2/Page 2-41)
24. IMC will try to band all Florida scrub-jays on their Four Corners Mine and the Manatee Wellfield properties using unique color combinations to track the status of individuals. IMC should consider radio telemetry on at least a subset of the translocated jays. (SR2/Page 2-41)
25. IMC shall monitor on an annual basis reclaimed scrub sites occupied by scrub-jays, all unmined occupied baseline survey sites on the Four Corners/Lonesome Mine and the Manatee Wellfield, as identified in the HMP, with sufficient intensity to document a) the response of the scrub-jay habitat management units to all reclamation, restoration and management

activities, and b) the distribution and status of the resident Florida scrub-jay population on each of these management units. Monitoring of these areas shall continue on an annual basis until such time as a minimum population of 14 pairs of scrub-jays are documented to be present on IMC lands for three consecutive years, at which time monitoring can be reduced to every other year for the remaining life of the 30-year permit, so long as 14 pairs are present. If 28 families or more are documented within the project area during the last ten year period, monitoring can be reduced to once every 5 years, so long as presence/absence surveys show 20 families or more present. Monitoring reports shall be submitted within 120 days of completing the field work (described below) in each calendar year to the USFWS and Manatee County. (SR2/Pages 2-41 - 2-42)

A. Scrub-jay Habitat Management Units

- i. A description of all work completed on upland management units since the previous report, or since the permit was issued (initial monitoring report). Indicate on maps or figures those management units where work has been completed. (SR2/Page 2-42)
- ii. A description of all work proposed on upland habitat units in the next year. Indicate on map or figures those management units where work is proposed. (SR2/Page 2-42)
- iii. For each management unit, IMC shall establish a representative sample of permanent photo stations. The photographs taken at these stations will include date taken, station number and contain a 3.0 meter stake as a reference point. Baseline photographs will be taken prior to all major management activities. (SR2/Page 2-42)

B. Florida Scrub-jay Populations

- i. IMC shall conduct in March of each year a survey of all management units of adequate intensity to determine the status of each Florida scrub jay family, including the number of non-breeding helpers with each pair and the approximate size and configuration of each territory. (SR2/Page 2-42)
- ii. IMC shall prepare and include in the monitoring report a table summarizing the known history of each scrub-jay family through time, including any movements or changes in family composition (see Conservation Recommendations), and corresponding maps identifying the locations of each territory. (SR2/Page 2-42)

26. IMC shall maintain a minimum of 10 pairs of Florida scrub jays on the IMC property during the first 10 years of mining and a minimum of 14 pairs during the following 20 years

(minimum population standard). If IMC can document through banding and/or radio telemetry studies that scrub-jays dispersing from IMC property have successfully established a territory or paired with a jay on a territory off-site and contributed to the M4 metapopulation, these jays will count towards the minimum population standard. If, as a result of mining activities, the IMC Florida scrub-jay population drops below the minimum population standard in any year, then IMC in coordination with the USFWS will develop an appropriate action plan to remedy the population standard shortfall by the following nesting season. If the minimum population standard is not achieved within two nesting seasons following the reported shortfall, then IMC shall immediately cease mining of occupied Florida scrub-jay habitat and reinitiate section 7 consultation. (SR2/Page 2-42)

27. Translocation of scrub jays is recommended in order to minimize take resulting from the mining of occupied habitat and to establish scrub jays on the Manatee Wellfield and at suitable reclaimed sites on IMC property. Translocation should follow the protocol established by Mumme and Below (1995, 1999), as outlined in the HMP. As detailed in the biological opinion, the Service recognizes that both the “do nothing” and the “maximum on-site preservation/restoration” alternatives pose substantially greater risks to the long-term viability of the M4 metapopulation than the combination “reclamation/Manatee Wellfield” alternative proposed in the HMP. However, this preferred alternative will require time to establish a source population through natural recruitment, immigration and potentially experimental translocations from the mine site or elsewhere. (SR2/Page 2-42)
28. IMC will work cooperatively with Manatee County and the Southwest Florida Water Management District (SWFWMD) regarding management of their scrub habitat to the north and south, respectively, of the Manatee Wellfield site. (SR2/Page 2-42)
29. No natural slopes equal to or exceeding 26.5 degrees are proposed to be altered during the project development process, nor will any be created. (SR2/Page 4-8)
30. [The applicant’s suggested a Development Order Condition:] IMC will follow the USFWS/FFWCC Bald Eagle Management Plan (Site MN-08) for any and all bald eagle nests on site. If the eagles move the existing nest, the Management Plan will be updated accordingly to the USFWS/FFWCC rules. If the site is officially abandoned by USFWS/FFWCC, then IMC may mine the site. The nest status will be reported in the Annual Report. (SR3/Pages 2-5 - 2-6)
31. IMC will attempt re-establish the wild coco specimens found by direct transplanting of the plants to similar reclaimed or preserved areas. (SR3/Page 2-8)
32. [The Site Habitat Management Plan has been expanded to include Parcels 3B & 7] (SR3/Page 3-3)

WETLANDS

1. Table 13-1 illustrates that IMC will avoid disturbing half of the forested wetlands subject to FDEP jurisdiction within Area 4. (ADA/Page 10-19)
2. Riverine resources are depicted on or adjacent to the Northeast Tract (e.g. the Little Manatee River). This significant wetland riverine system will remain undisturbed as shown on Map H-1B, with the exception of the approved access corridor crossing. (ADA/Page 10-31)
3. As shown on Map F-2A, the headwater channel of Horse Creek along with two adjacent, relatively large bay swamps, will be avoided. (ADA/Page 13-5)
4. Areas proposed to be avoided are shown on Maps F-2A, F-2B, H-3A and H-3B. A total of 322 acres of FDEP jurisdictional wetland area will be left unmined. (ADA/Page 13-6 as revised by SR3/Table 13-1)
5. A combination of techniques will be used to protect unmined wetlands during mining and reclamation activities, including buffers, vegetated perimeter berms, and recharge ditches adjacent to all undisturbed wetlands. (ADA/Page 13-6)
6. The types of wetlands proposed to be disturbed will be mitigated in kind and consist of wetlands that the U.S. Army Corps of Engineers and FDEP and other Florida agencies readily acknowledge are reclaimable following phosphate mining. (ADA/Page 13-8)
7. Mitigation for parcels 1, 2, and 3 will be integrated into the regional post reclamation landscape of the N.E. Tract. (ADA/Page 13-8)
8. If muck is not available, herbaceous wetlands will be planted with a diverse array of native plant species at a density of up to 4,800 plants per acre (i.e. 3-foot centers). Forested systems will be planted with trees at a density of up to approximately 600 trees per acre (i.e. 8-foot centers). Species proposed for planting will be selected on the existing or historic character of the lands being mined. (ADA/Page 13-8)
9. The reclamation plan will eliminate ditching in the post reclamation landscape both within Phase II parcels and in the surrounding areas. (ADA/Page 13-8)
10. Following mining, the land adjacent to all wetlands, whether avoided or created, will be reclaimed to natural systems that will act as buffers between the wetlands and crop and pasture lands. (ADA/Page 13-9)
11. Limits of disturbance lines, as shown on Maps F-2A and B, will be established in the field and staked by land surveyors. Trained biologists will review the staked line as a quality assurance check. (ADA/Page 13-10)
12. A source of clear water will be used for recharge water for the ditches. Input into the recharge ditches will be adjusted to maintain appropriate ground water and surface water elevations. (ADA/Page 13-10)

13. Any erosion that might occur from extreme rainfall events will be repaired and replanted until a self-sustaining vegetative cover is established. (ADA/Page 13-11)
14. Viable topsoil or “muck” from premining wetlands, where available, will be stockpiled prior to mining and spread over reclaimed wetlands to provide a favorable growing medium and a source of plant propagules. (ADA/Page 13-11)
15. A minimum of 70 percent vegetation cover on the reclaimed non-forested wetlands will achieve success. Exotic and nuisance species will be controlled so as to not exceed a 10 percent relative cover. (ADA/Page 13-12)
16. A minimum of 70 percent of each stratum will consist of plants listed as “Typical”, “Associated”, or “Additional” species for bay swamps, deep swamps, and deep water swamps in *A Guide to Selected Florida Wetland Plants and Communities* (USACOE, 1988) for the bay swamp, hardwood swamp, and mixed hardwood forest swamp types, respectively. Exotic and nuisance species will be controlled so as not to exceed 10 percent relative cover in the ground cover and 10 percent of the total number of trees in the canopy. (ADA/Page 13-12)
17. Hardwood and mixed forest swamps will be designed with irregular bottoms due to the presence of hummocks or earthen platforms and have 10:1 or flatter side slopes and seasonal high water depths ranging from 0.5 to 1.0 foot. (ADA/Page 13-12).
18. Mitigation is proposed at a ratio of 2.1:1 for forested wetland systems (see Revised Table 13-1 at the beginning of Question 13). (SR1/Page AI-54 as revised by SR3/Table 13-1)
19. The locations of the proposed disturbances are shown on Maps F-2A and B. Table 13-1 illustrates that IMC is proposing to create 1,489.6 acres of herbaceous wetlands and 595.4 acres of forested wetlands as compensatory mitigation. In addition, IMC is proposing to create 829.7 acres of open water habitat. Maps I-2A and B illustrate the location of the wetlands proposed to be created. (SR1/Page AI-59 as revised by SR3/Table 13-1)
20. IMC routinely employs best management practices to prevent excessive erosion and subsequent deposition of fine particles such as silt and clay in wetlands. Erosion control barriers such as hay bales and/or silt fences are placed at critical points in the landscape during and after construction. (SR1/Page AI-89)
21. The large headwater marsh wetland in the Horse Creek drainage system in the Altman Tract will be mined between years 9-12 only after the creation and connection of a replacement headwater system is approved by FDEP. (SR1/Page AI-92)
22. Monitoring and maintenance of mitigation wetlands will continue after planting until the wetlands meet success/release criteria as set forth by FDEP and USACOE, usually at least

three years for herbaceous and five years for forested. (SR1/Page AI-158)

23. IMC proposes to provide a wetland buffer through the construction of a protective berm. This berm will be grassed, so that the runoff from the berm will have the same water quality that currently exists coming from the adjacent agricultural land. [IMC identified an acceptable Development Order Condition, similar to that imposed on the South East Tract Development Order] (SR2/Page 2-50)
24. Preserved non-riparian wetlands in the watershed that do not receive runoff from the area occupied by the clay areas will be hydrated by the proposed recharge system. Riparian wetlands that currently receive groundwater inflow from the area occupied by the clay areas will continue to receive the same quantity of groundwater outflow from the area currently occupied by the clay area because IMC will install recharge systems along the preserved wetlands down gradient from the clay areas to maintain the groundwater outflow at pre-mining levels. (SR3/Page 4-8)

WATER QUALITY AND HYDROGEOLOGY

1. The surficial aquifer will be restored to its pre-mining conditions during the reclamation process. The surficial aquifer on adjoining lands not controlled by IMC and sensitive wetlands on and off the IMC property will be protected by a series of artificially filled recharge ditches/wells site specifically designed and positioned to prevent dewatering of areas that will not be mined. (ADA/Page 10-40)
2. Mining excavations will not remove the confining beds which separate the water-bearing part of the intermediate aquifer system in the Arcadia Formation from the surficial aquifer system and, therefore, will not impact either the water-bearing part of the intermediate aquifer system nor the underlying Floridan aquifer system. (ADA/Page 14-4)
3. Perimeter recharge ditch and berm will be inspected during each shift [*developer change: daily*]. Staff gauges will be installed to ensure adequate water is present in the ditch to maintain the ground water levels... Piezometers will be read weekly and the information will be reviewed by IMC's Environmental Staff to be sure that the recharge ditches are maintaining the water table at proper levels. (ADA/Page 14-13)
4. Where practical, cleared lands will be drained into the active mining pits instead of the perimeter system so the turbid runoff becomes part of the mine process water system. (ADA/Page 14-13)
5. Only after the perimeter berm area has been revegetated will the silt curtain be removed. (ADA/Page 14-13)
6. During the time period that lapses from the first disturbance through the substantive completion of reclamation, all storm water runoff generated within disturbed areas will be

captured and routed to the mine water recirculation system, treated to meet technology and water quality-based effluent limitations, and released only through outfalls permitted by a federal NPDES permit. (ADA/Page 14-14)

7. The Four Corners mine will continue to use the lowest quality water that is available. The priority for the water sources are: collected rainfall, pit drainage, deep wells. (SR1/AI-27)
8. Any neighboring wells in the Phase II area that are located within 1,800 feet of the proposed mining will be inventoried and testing of the well (flow and water quality) will be conducted prior to mining and reclamation (with the owner's consent). (SR1/Page AI-50)
9. As part of this [water table maintenance] program, IMC will monitor the water level at the IMC property line prior to mining, during mining and following reclamation. (SR1/Page AI-106)
10. To minimize groundwater withdrawals, IMC endeavors to maintain about 5,000 acre-feet of surge storage capacity in the recirculation systems. (SR1/Page AI-112)
11. IMC has designed this corridor segment [Parcels 3B & 7] to include protective measures to protect the water supply function of the Lake Manatee Reservoir, both in terms of water quality and water quantity, by placing the double-encased pipes below grade or within BMP isolation berms. (SR2/Page 4-6)

SOILS

1. Maps I-2A and B illustrate that all of the lands proposed to be reclaimed as natural systems will be reclaimed by backfilling with sand and then grading an overburden cap... In the event there is found to be hard or compacted soils at the surface at the end of the reclamation earthmoving, the area will be plowed at the time of upland tree planting. (ADA/Page 15-2)
2. IMC has specifically committed to segregating, stockpiling, and beneficially using existing hydric and xeric topsoils when reclaiming wetlands and xeric uplands, where practicable. (ADA/Page 15-2)
3. All of the sand and clay backfill will originate from IMC property and all overburden spoil generated by mining the Four Corners Mine Additions Phase II parcels will be beneficially used onsite as part of the reclamation process. (ADA/Page 15-2)

FLOODPLAINS

1. To eliminate non-conformity with Manatee County Policy 2.3.3.1., IMC will design the South Fork Little Manatee River crossing to preclude an increase in offsite flood levels. (ADA/Page

10-14)

2. To reduce non-conformance with Manatee County Policy 2.3.3.2., IMC will capture storm water runoff from the South Fork Little Manatee River drainage basin and route it to clay settling areas to reduce flooding potential. (ADA/Page 10-14)
3. No mining is proposed to occur in areas where natural floodplain features exist. (ADA/Page 10-35)
4. The 100-year floodplain storage volume will equal or exceed the existing storage volume during all phases of development and use of the proposed corridors. (SR2/Page 4-8)

WATER SUPPLY

1. No additional ground water withdrawals will be required to mine and reclaim the Altman and N.E. Tracts, including the N.E. Tract Additions, beyond those currently permitted by SWFWMD. (ADA/Page 10-31)
2. No water will be withdrawn from surface water bodies that support navigation, recreation, or fish and wildlife. (ADA/Page 10-36)
3. In order to protect surface water resources in the vicinity of the Four Corners Mine Additions site (i.e South Fork of the Little Manatee River, and its Long Branch tributary, and Horse Creek), IMC will use a series of perimeter ditches to capture storm water runoff and route these flows through settling ponds for treatment prior to reuse or discharge. (ADA/Page 10-40)
4. As depicted on the Map D-2 legend, only wells and piezometers within the surficial aquifer located along property boundaries of the areas not proposed to be disturbed will continue to be used. All other wells will be abandoned and plugged in accordance with SWFWMD and Manatee County regulations. (ADA/Page 17-1)
5. Due to the continued regional water supply concerns, IMC has designed several lakes for portions of the location of the former designated reservoir site. Should the County desire to have a reservoir, then these lakes could be either modified to form a reservoir or simply used as is for water supply purposes. (SR1/Page AI-42)

WASTEWATER MANAGEMENT

1. Employees working in active mining or reclamation areas that are remote from the beneficiation plant will continue to be provided portable facilities provided by contract vendors who transport the wastewater offsite for treatment. During the years that mining or reclamation activities occur on lands addressed by this Phase II ADA... the aggregate mine wide volume [of wastewater] will not change. (ADA/Page 18-1)
2. The new Pre-Washer facility is proposed to be served by a septic tank and drain field system that will be designed for the site and projected usage. (ADA/Page 18-1)
3. The mine's domestic waste water treatment plant effluent is discharged into the mine recirculation water systems; thus, IMC is reusing 100 percent of the treated domestic effluent. (SR1/AI-27)

STORMWATER MANAGEMENT

1. The rate of storm water discharge will not exceed the existing 25-year frequency, 24-hour duration storm event during the mining and reclamation phases. (ADA/Page 10-24)
2. Maps I-1A and B and I-2A and B illustrate that IMC plans to reclaim the mined land into a mosaic of upland and wetland natural systems by backfilling the mined voids with sand and clay or, in the case of portions of parcels 1, 2, and 3, reshaping the available onsite overburden to form portions of two large lakes surrounded by upland and wetland natural systems. The existing drainage patterns will be re-established by grading the maintained (and backfilled) land to the elevations shown on Maps I-1A and B to form drainage divides which approximate existing conditions. (ADA/Page 19-2)
3. Typical cross sections of the two lakes proposed to be built on parcels 2 and 3 will consist of littoral zones that cover at least 25 percent of the highwater surface area and submerged vegetation zones less than six feet deep that cover at least 20 percent of the low water surface area. No portions of the cross sections of these lakes will have slopes steeper than 1 foot vertical to 4 feet horizontal. (ADA/Page 19-2)
4. IMC will maintain the storm water management system from commencement of construction, through use of the corridors, until the reclamation phase of the project is complete, at which time the storm water management system, including passive control structures, will have been constructed and revegetated to self-sustaining conditions. (SR2/Page 4-12)

TRANSPORTATION

1. Mined materials will be transported by pipeline to an existing beneficiation plant. The intensity of roadway and rail use will not be increased by the proposed mining of the Altman and N.E. Tracts, including the N.E. Tract Additions. (ADA/Page 10-38)
2. The applicant will be responsible for the cost of design and construction of an access point driveway on CR 39 where Parcel 3 crosses CR 39 and two additional access driveways along

SR 37 to serve Parcel 4. (ADA/Page 21-4)

3. [The routes of buyers of excess materials will be restricted to designated truck routes.] (SR1/AI-34)
4. The total truck traffic will not exceed the currently-approved rate of 750 truck loads per day. (SR1/AI-34)
5. IMC agrees to [transportation] conditions that would regulate shipment on County-maintained roads to: provide that trucks are weighed to ensure that they are within the weight limits of the roads; notify the County of any spills on County maintained right-of-way; not exceed 200 loads per day (400 trips); use the existing Mine entrance on SR37; and note that the sale of sand is not the same as shipping a known quantity of product between two known points as was done at Nu-Gulf. (SR2/Page 2-23)

AIR QUALITY

IMC will employ the identified techniques to minimize the generation of fugitive dust during mining and reclamation of the Four Corners Mine Addition site. (ADA/Page 22-1)

HURRICANE PREPAREDNESS

The Four Corners Mine Hurricane Procedures Manual will be expanded to include the Phase II lands following issuance of the Development Order. The update of this Manual is included in the Four Corners Mine DRI annual report submittal to Manatee County and TBRPC and other agencies. (ADA/Page 23-1)

HISTORICAL AND ARCHAEOLOGICAL SITES

Should IMC discover additional potential archaeological sites when conducting mining operations on the Four Corners Mine Altman or N.E. Tract Additions, the land disturbing activities will cease until trained cultural resource experts can examine the area and determine, in consultation with DHR, whether the potential site is significant. (ADA/Page 10-27)

MINING OPERATIONS

1. IMC will construct a vegetated berm system around the perimeter of all areas to be mined or disturbed before conducting mining operations on the Four Corners Mine Additions Phase II parcels or the economic revision areas within the N.E. Tract... The berm and ditch system will be maintained until the postreclamation vegetation has stabilized so that regrading and revegetating of the berm and ditch system is the final reclamation step in any given area. (ADA/Page 10-13)

2. The vegetated berm and ditch system will be designed and constructed to contain the runoff produced by a 25-year storm event. Once operational, these perimeter systems will be inspected daily and deficiencies, if any, will be noted on the inspection sheet. Established followup procedures will be implemented to ensure that any needed maintenance or repairs are promptly completed. (ADA/Page 10-13)
3. Best management practices will be implemented during mining activities to minimize erosion, fugitive dust, and other air emissions. (ADA/Page 10-17)
4. Throughout the proposed mining activities and the reclamation which will follow, privately held land will be restricted to public access to ensure public safety. (ADA/Page 10-32)
5. The actual mining sequence will be determined on a year by year basis, and will be part of the information contained in the annual reports. (ADA/Page 35-10)
6. The spoil will generally be placed in the mined out portions of the pit, and later used for land reclamation. (ADA/Page 35-10)
7. At the time of [clay settling] construction areas, refined size specifications, proposed dike construction materials and Emergency Response Plan update will all be provided. (ADA/Pages 35-10 - 35-11)
8. Approximately 530.4 acres of the Phase II parcels will be re-vegetated for use as crop and pastureland [FLUCFCS 210]. (ADA/Page 35-16, as revised by SR3 and subsequent Parcel 7 changes)
9. Approximately 1,188.1 acres are proposed to be reclaimed as a mixture of various herbaceous, mixed, and shrub and brush covered rangeland vegetation communities [FLUCFCS 300]. (ADA/Page 35-16 as revised by SR3/Table 12-1/Page 1-10)
10. Soil types and site-specific hydrology will be considered when selecting species to be planted, as native rangeland includes xeric, mesic and hydric communities. (ADA/Page 35-16)
11. IMC will reclaim 100 acres of mined land to be suitable for palmetto prairie development by creating a landform similar to the pine flatwood community but with slightly more variation in the surface topography [FLUCFCS 321]. (ADA/Page 35-17)
12. Longleaf and South Florida slash pines will be planted at a density of 200 trees per acre. Nuisance species invasion will be controlled through the use of selective herbicides. (ADA/Page 35-17)
13. The normal fire frequency for pine flatwoods is every one to three years. In reclamation projects, fire will be excluded for several years to allow establishment of the pines and to build a seed source unless it is deemed appropriate as a management tool. (ADA/Page 35-17)

14. Approximately 191.6 acres will be revegetated as upland forest communities, exclusive of the lands to be reclaimed as pine flatwoods and xeric communities [FLUCFCS 400]. (ADA/Page 35-17 as revised by SR3/Table 12-1/Page 1-10)
15. Approximately 46.7 acres of xeric forests will be reclaimed in the Horse Creek watershed to provide habitat for listed species and form analog “scrub islands” to those which existed historically [FLUCFCS 413, 421, and 432]. (ADA/Page 35-17 as revised by SR3/Table 12-1/Page 1-8)
16. Approximately 427.7 acres will be reclaimed as lakes and 1,618.2 acres as wetlands [FLUCFCS 500 and 600]. (ADA/Page 35-17 as revised by SR3/Table 12-1/Page 1-10)
17. The proposed F-9 settling area will be reclaimed to an elevation of 120 to 124 feet NGVD as compared to an existing elevation of 94 to 110 feet NGVD. (ADA/Page 35-18)
18. Reclamation has the highest priority and no material will be sold unless all available reclamation areas have been backfilled in accordance with the approved plan. (SR1/AI-34)
19. [If the developer elects the conveyor system for the transport of product] The conveyors will be covered (or tube conveyors). All crossings of roads or water courses will have the same secondary spill protection design features, as current pipelines. (SR1/AI-34)
20. In areas where total mine depth will range from 60-80 feet, IMC proposes to use recharge wells in addition to recharge ditches and cast overburden on the mine cut face adjacent to wetlands. (SR2/Page 2-8)
21. As part of the final work on IMC’s Four Corners Regional dredge and fill permit, IMC is granting to the Trustees of the Florida Internal Improvement Fund a Conservation Easement on the 25-year Floodplain area of Long Branch and the South Fork of the Little Manatee River on the North East Tract... IMC is also providing a conservation easement over a portion of the IMC wellfield in Manatee County to protect scrub jays and scrub jay habitat. Further, a commitment to place a conservation easement on an additional 365 acres of scrub jay habitat has been made for the end of the mine life [the exact location of this easement will be determined by USFWS following completion of mining]. (SR2/Page 2-22)
22. The requested permitted use of Parcels 3B & 7 will be for access corridors. IMC does not propose to mine these properties. (SR2/Page 4-1)
23. All equivalent tons of tailings sand from mining the Four Corners reserves are committed to be used at Four Corners and not sold. (SR3/Page 2-5)
24. Since freshwater corrosion of the pipes may cause a problem, IMC proposes to utilize smooth steel 1/4-inch walled pipe that will be galvanized and/or with an epoxy coating to resist corrosion or similar system to insure the pipe life exceed the required use. (SR3/Page 3-6)

25. A road will be constructed to provide access to the corridor[s] for inspection and maintenance purposes. (SR3/Page 4-1)

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SECTION IV - RECOMMENDED REGIONAL CONDITIONS
DRI #251 - FOUR CORNERS MINE SUBSTANTIAL DEVIATION/PHASE II
MANATEE COUNTY

VEGETATION, WILDLIFE AND WETLANDS

1. In the event that any additional state- or federally-listed species or colonies of species are discovered using the project site for breeding, the developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
2. Planning for the clearing of areas to be mined shall consider the listed species of concern. Berming and ditching around the area to be cleared shall not be used if listed species within the area cannot traverse the ditch/berm structure naturally. Contact with the Florida Fish and Wildlife Conservation Commission and/or the US Fish and Wildlife Service shall be performed before each area is prepared for clearing. A discussion of site planning shall be included in each annual report.
3. Mining and reclamation of the northern reach of the West Fork Horse Creek floodplain shall proceed as specified in the ADA. Any change that meets the criteria defined in Subsection 380.06(19), F.S. shall be subject to a substantial deviation determination.
4. Mining and reclamation of the area within the South Fork Little Manatee River watershed shall proceed as specified in the ADA. Any change that meets the criteria defined in Subsection 380.06(19), F.S. shall be subject to a substantial deviation determination.
5. The habitat preserved throughout mining or recreated post-mining on Parcels 1, 2, 3, and 4, shall be protected in perpetuity through the establishment of a conservation easement. This shall be in addition to the area proposed for conservation easement in association with Integrated Habitat Network and translocation of the Florida Scrub Jay.
6. Existing wetlands which are permitted to be altered or eliminated shall be used as donor material for revegetation or mitigation where practicable.
7. Existing agricultural activities on the site may continue until the area is prepared for mining, but at no greater density or intensity than at present.

WATER QUALITY & STORMWATER MANAGEMENT

Erosion control measures such as siltation screens and hay bales shall be used to prevent surface water quality degradation. Best Management Practices shall be employed throughout preparation, mining and reclamation to minimize surface and groundwater quality impacts.

SOILS

Best Management Practices, including those identified in the ADA, shall be employed during site preparation and construction to prevent soil erosion.

FLOODPLAINS

1. There shall be no net loss of 100-year floodplain storage capacity.
2. No impervious surfaces shall be constructed in the 25-year floodplain.

WATER SUPPLY

There shall be no net increase in the public water demand in excess of the currently permitting volume as it pertains to mining in the expansion area.

WASTEWATER MANAGEMENT

There shall be no increased wastewater generation in excess of the currently permitting volume as it pertains to mining in the expansion area.

AIR QUALITY

Best Management Practices, including those identified in the ADA, shall be employed during site preparation, mining and reclamation to minimize air quality impacts.

HURRICANE PREPAREDNESS

The Disaster and Hurricane Plan shall be updated to reflect the expansion area, as appropriate. The revised Plan shall be included in the Annual Report submitted following construction of the first clay settling pond in the expansion area.

HISTORICAL AND ARCHAEOLOGICAL RESOURCES

If further historical or archeological sites are discovered within the Four Corners Mine Addition project site, the Florida Division of Historical Resources shall evaluate the significance of such findings and assess the measures which will be taken to avoid, minimize, or mitigate any adverse impacts prior to continuation of mining activities.

MINING OPERATIONS

Should the pre-mining, mining or post-mining scenarios depart significantly from the schedules and methods described in the ADA, the project will be subject to a Substantial Deviation Determination

pursuant to Subsection 380.06(19), F.S.

GENERAL CONDITIONS

1. All provisions of the original Development Order shall remain intact unless superseded by specific Conditions to address the Four Corners Phase II Mine Addition or specifically deleted by the new Development Order.
2. Any change to the project which meets the criteria set forth in Subsection 380.06(19), F.S., shall constitute a substantial deviation.
3. Any approval of this development shall require that all of the developer commitments set forth in the ADA and subsequent Sufficiency Responses, and summarized in Section III of this Report, be honored, except as they may be superseded by specific terms of the Development Order.
4. Payment for any future activities of the TBRPC with regard to this development including, but not limited to monitoring or enforcement actions, shall be paid to the TBRPC by the applicant/developer in accordance with the Rule 9J-2.0252, FAC.
5. The Development Order shall address any recommendation provided by the various DRI review agencies, including but not limited to those provided by the Southwest Florida Water Management District and the Florida Fish and Wildlife Conservation Commission (attached).

Jerry King, Chairman

ATTEST: _____
Steve Simon, Secretary/Treasurer

These comments and recommendations were approved by a majority vote of the Tampa Bay Regional Planning Council on this 14th day of October, 2002.



Southwest Florida
Water Management District

Southwest Florida Water Management District

Tampa Service Office
7001 Highway 302 North
Tampa, Florida 33637-8759
(813) 985-7481 or
1-800-836-0797 (FL only)
SUNCOM 6712670

Dartow Service Office
270 Century Boulevard
Dartow, Florida 32830-7900
(863) 534-2418 or
1-800-492-7612 (FL only)
SUNCOM 5726200

2379 Broca Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-428-1476 (FL only)
SUNCOM 628 4250 TDD only 1-800-331-6133 (FL only)
On the Internet at: WaterMatters.org

Sarasota Service Office
8750 Fruitville Road
Sarasota, Florida 34240-9411
(941) 377-3729 or
1-800-428-3503 (FL only)
SUNCOM 681 6100

Leesato Service Office
2600 West Sovereign Path
Suite 206
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(262) 527-8133
SUNCOM 667 0271

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- Thomas G. Dabney, II**
Vice Chair, Sarasota
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Hillsborough
- John K. Renke, III**
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Executive Director
- Gene A. Heath**
Assistant Executive Director
- William S. Blenky**
General Counsel

September 25, 2002

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning
Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Subject: IMC Four Corners Mine Additions, Phase II-Development of Regional Impact

Dear Mr. Meyer:

The Southwest Florida Water Management District (District or SWFWMD) has completed its final review of the referenced project. Thanks for this opportunity. Since the SWFWMD water use permit has been issued for the project, our review only identified the need for further coordination in the area of compliance. We encourage the applicant to follow up with the District's Bartow Regulation office on how to best accomplish this. Mike Balsler, Bartow's Water Use Manager, at (863) 534-1448 can assist with issues related to the project.

Should you have any questions or if I can be of further assistance, please contact me in the District's Planning Department.

Sincerely,

Trisha Neasman, AICP
Government Planning Coordinator

TN
cc: Carol Clarke, Manatee County Marina Pennington, DCA
Mike Balsler, SWFWMD Steve Minnis, SWFWMD

#251

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



QUINTON L. HEDGEPEETH, DDS
Miami

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BRIAN S. BARNETT, ACTING DIRECTOR
OFFICE OF ENVIRONMENTAL SERVICES
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679

September 18, 2002

Mr. John Meyer
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
Tampa, Florida 33702

Re: Hillsborough County, DRI #251-Four
Corners Mine Substantial Deviation (Phase
II), 3rd Additional Information

Dear Mr. Meyer:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission (FWC) has examined the referenced document for potential impacts to protected species, and offers the following comments.

Our review of the document indicates that no listed species were located on Parcels 3B and 7, both primarily active agricultural areas. Additionally, the Site Habitat Management Plan exists to provide review and coordination with the FWC for the protection of listed species that may migrate into the site in the future.

Based upon the material provided, the wildlife surveys are sufficient and we have no additional questions. Upon completion, please provide a copy of the proposed final development order for our review.

If you have any questions concerning our comments, please contact me, or Mr. Bill Smith in the Punta Gorda office at (941)575-5765.

Sincerely,

Brian S. Barnett, Acting Director
Office of Environmental Services

BSB/WRS
ENV 1-11-3
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Mr. John Meyer
September 18, 2002
Page 2

cc: Mr. Robert H. Kinsey
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