



Tampa Bay Regional Planning Council

ARS

Annual Report Summary

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DRI #42/#95 - WINGATE CREEK MINE MANATEE COUNTY RY 2004-05

On January 28, 1975, Manatee County granted a Development Order to Beker Phosphate Corporation for the mining of 6,065 acres of the project's 10,971 acres located in east central Manatee County. This particular Development Order had been modified two times.

Resulting from a settlement agreement between the County, Roger Broderick, Roy Carlin (Trustee) and Nu-Gulf Industries (NGI), Manatee County approved Resolution No. R-88-236 as a substantial deviation (S/D) to DRI #42, on October 18, 1988.

The S/D Development Order has been amended a total of seven times, the latest occurring on September 14, 2004 (Resolution No. 04-58). The amendments have cumulatively: modified the haul routes and destinations of cargo; extended the effective period for phosphate mining operations (to July 31, 2011), the Development Order expiration date (to July 31, 2011) and the date by which mining reclamation must be completed (to December 31, 2015); required all transportation improvements to be complete by July 31, 1999; and formally recognized the name of the new project owner: Cargill Fertilizer, LLC, Attention: Mr. Thomas E. Myers III, Fort Meade Mine, 3900 Peeples Road, Ft. Meade, FL 33841.

PROJECT STATUS

Development this Reporting Year: production resumed on November 5, 2004.

Cumulative Development: as previously identified, a total of 693.1 acres have been mined. An additional 1,402 acres have been disturbed. A total of 310 of the mined acres have been contoured, of which 242 acres have been revegetated. Of the mined and disturbed areas, 626 acres have been contoured, of which 498 were revegetated.

Projected Development: the developer has indicated that mining operations are expected to resume in the second half of 2004 "assuming that the acquisition and appropriate permit transfers, approvals and needed maintenance is completed." The mining is expected to occur in Section 28, Township 34 South, Range 22 East.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The previous developer (Wingate Land Corporation), which had acquired 4,500± acres located immediately adjacent to the eastern boundary of the project in May of 1998, had acknowledged their familiarity with the DRI process and the potential future requirement to submit a Notice of Proposed Change if this parcel were to be incorporated into the

development plan for the project. It is unclear if Cargill Fertilizer obtained this additional site.

2. The annual report indicated that NGI has ceased air quality monitoring. The Development Order condition requiring the monitoring allows it to be altered if Manatee County concurs. The developer previously provided documentation for the temporary postponement of air quality monitoring granted by the Manatee County Public Health Unit, in a letter dated January 31, 1990, which stated “until further notice or the continuance of mining operations” at the discretion of Manatee County. A more recent correspondence received from the County, dated July 25, 1995, confirmed the continued cessation of air quality monitoring until “such time that they added new operations that could create air pollution problems.”
3. In accordance with Condition 4.A.(1), the developer can truck a maximum of 2 million tons of product per year via designated haul routes.
4. The developer has completed all transportation improvements prior to July 31, 1999, as required by Condition 4.A.(16) (*Resolution No. 98-99*).
5. The bridge across the Eastern Fork of the Manatee River, associated with the designated haul route to Mulberry, shall be inspected biannually by a Structural Engineer to determine if deficiencies exist. If deficiencies are detected, haul operations across the bridge shall be immediately discontinued until deficiencies have been corrected. [Condition 4.A.(21)]

The project appears to be in compliance with all other conditions at this time.

DEVELOPER OF RECORD

Mosaic Fertilizer LLC, Post Office Box 2000, Mulberry, FL 33860 is the firm responsible for adhering to the conditions of the Development Order.

DEVELOPMENT ORDER COMPLIANCE

The project appears to be proceeding in a manner consistent with the Development Order. Manatee County is responsible for ensuring compliance with the terms and conditions of the Development Order.