



ARS

Annual Report Summary

4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782
Phone (727) 570-5151 / FAX (727) 570-5118
www.tbrpc.org

**DRI #95 - WINGATE CREEK MINE
MANATEE COUNTY
RY 2008-09**

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 has 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 eight times, most recently on May 1, 2008 (Ordinance No. 08-21). The amendments have cumulatively: modified the haul routes and destinations of cargo; cumulatively extended the effective period for phosphate mining operations (to July 31, 2014), the Development Order expiration date (to July 31, 2014) and the date by which mining reclamation must be completed (to December 31, 2018); deleted an 80.75-acre parcel; formally recognized the name of the new project owner - Mosaic Fertilizer, LLC; updated Master Mining Plan/Post Reclamation Plan to agree with FDEP Conceptual Plan Modification NGI-WC-CPD approval; authorized a 19-acre increase in the mine's disturbance limits (Sections 21 & 28); reduced the remaining acreage to be mined by 99 acres (to 1,253); authorized exchange of Wingate sand tailings and overburden with Southeast Tract (DRI #235); allow beneficiation/processing of SE Tract phosphate ore at the Wingate Plant; modified the waste disposal plan to eliminate the sand clay mix reclamation method and allow the use of conventional clay settling (FM-1 & 2) at the SE Tract for clay storage; approved Four Corners (DRI #251) as a trucking destination from Wingate; and approved the Wingate Corridor/linkage of the SE Tract (DRI #235) and the Wingate Creek Mine.

PROJECT STATUS

Development this Reporting Year: approximately 55 acres were mined, 178 acres were disturbed and 13 acres have been graded/contoured.

Cumulative Development: a total of 842 acres have been mined, 1,662 acres have been disturbed but not mined, 778 acres have been graded/contoured, 814 acres grassed and mulched and 73 acres have received tree plantings. FDEP has released 272 acres.

Projected Development: the developer anticipates producing 1.002 million tons of wetrock during RY 2009-10.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. In accordance with Condition 4.B.(1), the developer can truck a maximum of 2 million tons of product per year via designated haul routes.
2. The developer has previously indicated completion of the required “90 degree turn of Duette Road” in accordance with Condition 4.B.(11).
3. Condition 4.B.(12) requires the developer to rebuild the 6.3 mile segment of Duette Road used as part of the permanent haul route upon completion of mining activities.
4. 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. In accordance with Condition 4.B.(13), if deficiencies are detected, haul operations across the bridge shall be immediately discontinued until deficiencies have been corrected. A copy of Mr. Murray McDonough’s (Senior Structural Engineer/URS Corporation) December 16, 2008 correspondence was provided indicating that such evaluation was conducted on December 12, 2008 by URS staff. Mr. Murray concluded that “*the bridge structure continues to perform in a satisfactory manner...*” and “*shows no evidence of structural deficiencies or deterioration that would be a consequence of the passage of over-weight vehicles.*”
5. The two floating dredges used in the mining and reclamation process shall be dismantled and removed from the Wingate Creek Mine at the completion of mining and reclamation activities. [Condition 4.C.(7)]

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.