



ARS

Annual Report Summary

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DRI #251 - FOUR CORNERS MINE ADDITION/PHASE 2 MANATEE COUNTY RY 2008-09

On September 5, 1991, the Manatee County Board of County Commissioners granted a Development Order (Ordinance No. 91-62), a Substantial Deviation to only the Manatee County portion of DRI #52, to IMC Fertilizer, Inc. (now Mosaic Fertilizer, LLC). DRI #52 authorized the mining of more than 18,500 acres, of which 9,952 acres are located within two tracts of northeast Manatee County (4,906 in the Jameson Tract and 5,052 acres in the Northeast Manatee Tract) and the remaining 8,727 acres located in southeastern Hillsborough County. The Four Corners Mine Substantial Deviation includes: revision of the mining and reclamation plan for the existing Jameson Tract; extension of Jameson Tract mining period to November 30, 2006 and reclamation period to 2010; and the addition of 211 acres for mining in the Jameson Tract which were not previously approved for mining.

The Development Order had been amended three times, the latest occurring on September 26, 1996 (Ordinance 96-43). The amendments had cumulatively: resolved an appeal by the developer and TBRPC; reduced the aforementioned 211 acres to 170 acres; added water quality monitoring/reporting requirements; required the establishment of a Wildlife and Habitat Management Plan for the land addition; approved a specific truck haul route from Four Corners Mine to Piney Point/Port Manatee; required submittal of the approved Spill Notification, Containment and Contingency Plan for F-3 to TBRPC; and approved the two month and 28 day extension of the effective period for Ordinance 95-41 (to December 31, 1996) to effectuate the aforementioned land exchange and obtain the proper rezoning classification.

On November 21, 2002, the Manatee County Board of County Commissioners approved a Substantial Deviation Development Order (Ordinance No. 02-58) for the project. The Ordinance supercedes and replaces all former Development Order authorizations for the project. The proposal essentially added provisions to mine an additional 1,111 acres. In total, the project allows for the mining of 10,450 acres of the overall 11,157 project acres.

The SDDO has been amended twice, most recently on August 7, 2008 (Ordinance No. 05-42), to authorize the following modifications to the Development Order: change the name of the developer to "Mosaic Fertilizer, LLC"; modify Condition U.12. regarding the origin and destination of overburden and sand tailings; add 305 acre (FFD Land Company) and 299 acre (Lambe) parcels; remove 44 acres from the project that was exchanged with FFD Land Company; reduced the size of the F-9 Clay settling area; updated the Four Corners transportation analysis to include the Hillsborough County Mine Consolidation S/D (DRI #263); and amended the Reclamation Plans to reflect these changes, as appropriate. Also reflective of the latest Amendment, mining shall be completed by December 31, 2021 and the Development Order shall expire on December 31, 2032 or "until all reclamation has been completed and accepted by Manatee County, whichever occurs first." The anniversary date for the Annual Report is July 31st.

PROJECT STATUS

Development this Reporting Year: 84 acres were mined and 202 acres were disturbed but not mined within

the Jameson Tract; 170 acres were mined and 288 acres were mined but not disturbed within the Northeast Tract; 518 acres were graded and 635 acres were grassed/mulched, both within the Northeast Tract.

Cumulative Development: a total of 6,381 acres have been mined to date, of which 3,029 are within the Jameson Tract and 3,352 within the Northeast Tract.

Projected Development: the developer anticipates mining 417 acres between the Northeast, Lipman, Lambe and Jameson Tracts.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Developer has identified that all required monitoring programs continue to be instituted with results provided to the appropriate agencies. The following have been provided on a CD attached to the RY 2008-09 Annual Report: *Environmental Monitoring* (Exhibit F); *Annual Dam Inspection Report* (Exhibit G); *2008-09 Hurricane Procedures* (Exhibit H); *Complete Traffic Report, Archaeological Testing results, 2008 Annual Florida Scrub Jay Habitat Management Plan Report, 2008 Florida Scrub Jay Experimental Translocation Project and 2008 Gopher Tortoise Report* (Exhibit I); and *Notice of Adoption of Lambe Addition/Ordinance No. 08-32* (Exhibit J).
2. *Wildlife and Habitat Management Plans* have been approved for the (prior) “170 Acre Addition” and the “Land Exchange Area” in accordance with Conditions 6.F.(3) & 6.F.(5).
3. The developer has provided the a.m. peak-hour and average daily traffic counts at the project entrance in order to verify that the projected number of external trips for the project has not been exceeded, as stipulated in Condition 6.I.(2). The results of the monitoring event conducted on June 17, 2009 revealed that the project is currently generating 1,021 of the approved 2,976 daily trips (34.31%) and 123 of the approved 256 a.m. peak hour trips (48.05%).
4. As identified in Condition 4.EE.(6), mining shall be completed by December 31, 2021.
5. Previous Condition 6.U.(19) required the Developer to grant three parcels, totaling 700 acres, to the Florida Department of Environmental Protection for perpetual conservation easements. The developer asserts that a 200-acre parcel (Wellfield Tract) and a 135-acre parcel (West Tract Preserve) were signed and accepted by FDEP in May 2004. The remaining 365-acre parcel will be provided to FDEP upon completion and release of reclamation.

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.