



# ARS

## Annual Report Summary

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### **DRI #251 - FOUR CORNERS MINE ADDITION/PHASE 2 MANATEE COUNTY RY 2010-11**

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."

On April 27, 2009, the Developer initiated the Substantial Deviation DRI review process, once again,

through the conduct of a Preapplication Conference by the Tampa Bay Regional Planning Council's Clearinghouse Review Committee. The Applicant was seeking to expand mining operations of the site by 271.8 additional acres and to modify Development Order conditions pertaining to Florida Scrub Jay Management, among other objectives, under a proposal entitled "G&D Farms." While the proposal had recently been declared "sufficient" by TBRPC staff, indicating that the proposal will now proceed to the *Final Report* and ultimate Development Order stages, the Applicant subsequently "rescinded" this pending expansion application, an option granted to all phosphate mining DRIs by the legislature in 2011 under HB 7207.

## **PROJECT STATUS**

***Development this Reporting Year:*** a total of 164 acres were mined (17 within the Jameson Tract and 147 within the Northeast Tract); 393 acres were graded (78 within the Jameson Tract and 315 within the Northeast Tract); grassed/mulched 303 acres (10 within the Jameson Tract and 293 within the Northeast Tract); and planted trees on 7 acres (all within the Northeast Tract).

***Cumulative Development:*** a total of 6,840 acres have been mined to date, of which 3,148 are within the Jameson Tract and 3,692 within the Northeast Tract. In addition, 2,817 have been cumulatively disturbed, 4,073 acres have been grassed/mulched, and tree plantings have occurred on 1,824 acres. In total, 4,049 acres have been "effectively completed" of which 274 have been released by the Manatee County.

***Projected Development:*** the developer anticipates mining 308 acres between the Northeast and Jameson Tracts and sand tail filling portions of LOB(1), LOB(2), SFLMR(3), HPB(2) and HC(3).

## **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 2010-11 Annual Report: *Financial Responsibility* (Exhibit D); *Environmental Monitoring* (Exhibit F); *Annual Dam Inspection Report* (Exhibit G); *Hurricane Procedures and Dam Contingency Plans* (Exhibit H); *2010 Gopher Tortoise Report, Duette Park Release Request, Four Corners NPDES FL0036412 Permit, 2010 Annual Florida Scrub Jay Habitat Management Plan Report, 2010 Florida Scrub Jay Experimental Translocation Report, and Traffic Report* (Exhibit I).
2. *Wildlife and Habitat Management Plans* have been previously approved for the (prior) "170 Acre Addition" and the "Land Exchange Area" in accordance with Conditions F.(3) & 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 I.(2). The results of the monitoring event conducted on June 29, 2011 revealed that the project was generating 1,320 of the approved 2,976 daily trips (44.35%) and 121 of the approved 256 a.m. peak hour trips (47.27%).
4. As identified in Condition EE.(6), mining shall be completed by December 31, 2021.
5. Condition O.(4) 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, Attention: Diana Jagiella, 13830 Circa Crossing Drive, Lithia, FL 33547 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.