



ARS

Annual Report Summary

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DRI #273 - WINGATE CREEK MINE S/D MANATEE COUNTY RY 2012-13

On January 28, 1975, the Manatee County Board of County Commissioners granted a Development Order to Beker Phosphate for the mining of 6,065 of the project's 10,971 acres. The project was formerly known as Beker Phosphate/DRI #42.

The Development Order for DRI #42 was amended once, on February 5, 1987 (Resolution R-87-26). The primary purpose of the Amendment was to recognize a sizable land sale to Manatee County and others, resulting in a corresponding reduction in project acreage.

On October 18, 1988, the Manatee County Board of County Commissioners approved Resolution R-88-236 as a Substantial Deviation Development Order (SDDO). The project was reassigned DRI #95 and renamed Wingate Creek Mine. A chief objective of the SDDO was to settle litigation and allow the transport of phosphate rock from the facility to Port Manatee.

The previous SDDO has been amended nine times, most recently on May 1, 2008 (Ordinance No. 08-21). The numerous revisions included: changes in project ownership (from Beker Phosphate to Nu-Gulf Industries to Cargill Fertilizer and ultimately to Mosaic Fertilizer); removal of previously mined project acreage resulting; changes to the assigned haul routes for product transport; and extending the mining life, Development Order expiration and reclamation completion dates. As of the last Amendment affecting that SDDO, 1,252 of the Mine's 3,028 acres were approved for mining, most of which had already occurred.

The project has been granted further Substantial Deviation Development Order (SDDO) approval (i.e. Ordinance No. 13-01) by the Manatee County Board of County Commissioners on February 19, 2013. The latest SDDO authorized Mosaic Fertilizer LLC to expand mining operations at the existing Wingate Creek Mine in east central Manatee County. With partial frontage along the northern side of S.R. 64, the current 3,028-acre Mine site boundaries are situated approximately three miles west of Hardee County and nearly 10 miles south of Hillsborough County. Part of the Mine site's eastern boundary is shared with Mosaic's withdrawn Wingate Extension DRI.

The following constitutes the primary revisions associated with the latest SDDO:

- authorized the processing of phosphate ore from the adjacent mining area (formerly recognized as the "Wingate Extension DRI") at the existing Wingate Creek Plant;
- allowed the exchange of sand tailings and overburden with the formerly-proposed Wingate Extension (#272) and SE Tract DRIs (#235);
- modified the waste disposal plan to allow mining of Wingate Creek Mine's initial clay settling area and to allow the use of conventional clay settling. The current clay settling composite materials will be transported to the SE Tract DRI mine sites;

- extended the life of the Wingate Creek Mine for mining and trucking until July 2023 with reclamation continuing until December 2027 (nine year extension);
- authorized the mining of 557 acres of land previously approved for disturbance only (no mining) or no disturbance at all within the Wingate Creek Mine (see *Map 3*/Page 8 of this Report);
- approved the mining of 15 acres of land previously designated as preservation due primarily to acquisition of adjacent parcels;
- established Post-Reclamation Habitat;
- revised mining and reclamation plans to allow activities described above to be accomplished; and
- added Mosaic’s New Wales phosphate plant was added as a potential trucking destination.

The following table reflects the extent and location of impact (in acres) by Section/Township/Range:

SECTION	TOWN-SHIP	RANGE	TO BE MINED (Acres)	TO BE DISTURBED (Acres)	NOT TO BE DISTURBED (Acres)	TOTAL (Acres)
19	34S	22E	0.0	0.2	4.5	4.7
20			128.1	98.1	52.3	278.5
21			257.4	17.5	15.3	290.2
28			563.9	35.1	41.3	640.3
29			421.8	186.5	46.1	654.4
30			22.2	68.7	28.8	119.7
31			204.6	217.5	168.4	590.5
1	35S	21E	0.0	0.0	2.5	2.5
6		22E	210.8	159.0	77.4	447.2
TOTAL →			~1,809	~783	~437	~3,028

PROJECT STATUS

Development this Reporting Year: approximately 66 acres were mined. It was also recognized that no grading/contouring occurred, no grassing and/or mulching was initiated and no trees were planted during RY 2012-13. Approximately 1.789 million pounds of product was shipped during 2012-13.

Cumulative Development: a total of 1,045 acres have been mined and 1,532 acres have been disturbed but not mined. The acreage of graded/contoured land remains at 962 acres, the grassed/mulched acreage remains at 927 acres grassed and mulched and 98 acres have received tree plantings. In total, FDEP has released 272 acres.

Projected Development: the Developer anticipates mining an estimated 65 acres during 2013-14.

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. Condition 4.B.(12) requires the developer to rebuild the southern 6.3-mile segment of Duette Road used as part of the permanent haul route upon completion of mining activities.
3. The designated haul route to Mulberry includes a Duette Road bridge spanning the eastern fork of the Manatee River (i.e. Bridge #134030). In accordance with Condition 4.B.(13), this bridge is to be inspected biannually by a Structural Engineer for integrity. If deficiencies are detected, haul operations across the bridge shall immediately cease until corrected. Included on a CD with the RY 2012-13 Annual Report was a correspondence dated April 13, 2012 from Freda Ridgway (Mosaic Utility Specialist) stating that “*the bridge is performing in a satisfactory manner with no evidence of structural deficiencies or deterioration as a result of the passage of over-weight vehicles.*” Mosaic’s premise was based on an engineering survey of the Duette Bridge conducted by Mr. Arnoldo Artiles (Kimley-Horn & Associates) on March 28, 2012. The results and findings of the survey were published in a document entitled the Duette Road Bridge Assessment Report. The Report did contain pictures to illustrate the current status of the bridge.
4. 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)]
5. Mosaic has affirmed the installation of two new monitoring wells in proximity of the Winding Creek Subdivision and initiation of monitoring. [Conditions 4.C.(11)-(12)]
6. Mosaic has “noted” their obligation to “consult” with the Charlotte Harbor National Estuary Program (CHNEP) to ensure consistency with their policies to the maximum extent. [Condition 4.C.(21)]
7. Mosaic has acknowledged that “*wildlife on site is being managed in accordance with the requirements of FWC and the USFWS,*” consistent with Condition #6 [Page 16 of Ord. No. 13-01]

DEVELOPER OF RECORD

Mosaic Fertilizer LLC, Fishhawk Office, 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.