



Tampa Bay Regional Planning Council

ARS

Annual Report Summary

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DRI #42/#95 - WINGATE CREEK MINE MANATEE COUNTY RY 2002-03

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), the new owner of the project, 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 six times, the latest occurring on July 27, 1999 (Resolution No. 99-89). The amendments have cumulatively: modified the haul routes and destinations of cargo; extended the effective period for phosphate mining operations and the period for the use of haul route (to July 31, 2004); identified that mining reclamation must be completed by December 31, 2008; and modified the trigger point for completion of road improvements to a date certain (July 31, 1999). The Development Order expires on July 31, 2004. The anniversary date for the Annual Report is March 31st.

PROJECT STATUS

As stated above, the development has been approved for the mining of 6,065 acres. Economic conditions of the phosphate industry dictate the status of mine operations at the Wingate Creek Mine.

Development this Reporting Year: Poor economic conditions resulted in the temporary shutdown of the mine since December 27, 1999. No lands have been mined or disturbed since this time. In addition, no product tons or pebble reject tons were shipped during the year. However, 11 acres have been contoured within the NGI-WC-2(C) and two acres within NGI-WC-3(A) sites.

Cumulative Development: as previously identified, a total of 686 acres have been mined. An additional 1,402 acres have been disturbed. A total of 285 of the mined acres have been contoured, of which 242 acres have been revegetated. Of the mined and disturbed areas, 591 acres have been contoured, of which 498 were revegetated.

Projected Development: it is impossible to predict market conditions for the coming year. The developer has identified that "it is unlikely that NGI will resume mining operations at Wingate Creek during 2003." However, if the current state of the economy were to improve, mining will occur in Section 28, Township 34 South, Range 22 East. The developer has acknowledged that 100,000 tons of phosphate rock remain in storage piles located at the Mine. This rock was mined and went through the beneficiation process in 1999 and anticipates shipping this product in 2003.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Wingate Land Corporation acquired the 4,500-acres located immediately adjacent to the eastern boundary of the DRI from Texaco, Inc. in May of 1998. The developer acknowledged their understanding of the process and would submit a Notice of Proposed Change to incorporate this parcel into the DRI prior to any disturbance and/or mining activity on this particular parcel.
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 the approved 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

Nu-Gulf Industries, Inc., 38651 S.R. 64 East, Myakka City, FL 34251 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.