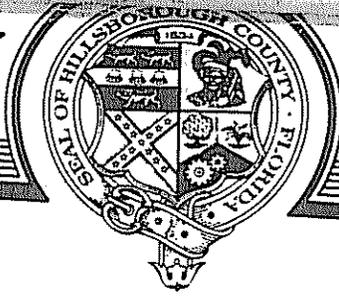


COUNTY



OF HILLSBOROUGH

P.O. BOX 1110 TAMPA, FLORIDA 336

OFFICE OF THE COUNTY ADMINISTRATOR

May 6, 1986

Ms. Sheila Benz
Tampa Bay Regional Plng Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: LONESOME MINE

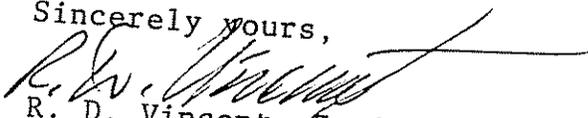
Dear Sheila:

Reference is made to our conversation last week regarding the status of negotiations for transfer of the Lonesome Mine from Brewster Phosphates.

Enclosed is a letter from Rick Davis (Holland & Knight), regarding the proposed transfer. We tentatively plan to place this item on the agenda for Board consideration at the Land Use Meeting scheduled for May 27, 1986. The staff will prepare final recommendations around May 15, 1986. These final recommendations will be based upon such items as data concerning financial responsibility and the Federal Trade Commission report. It is our understanding that IMC would be responsible for the entire Lonesome Mine subject to the Conditions in Development Order and Mining Permit approved in 1974, as amended in 1984.

We will continue to keep you informed regarding this proposed transfer.

Sincerely yours,


R. D. Vincent, Engineer
Dept. of Development Coordination

RDV/ds

cc: R. C. Taylor
J. Miller
R/File

Encl: Ltr dtd 5/5/86

An Affirmative Action - Equal Opportunity Employer

DL
#1

31-73-01

BREWSTER PHOSPHATES

COUNTY OF HILLSBOROUGH

P.O. BOX 1110
TAMPA, FLORIDA 33601

March 22, 1974



RECEIVED

MAR 25 1974

TAMPA BAY REGIONAL
PLANNING COUNCIL

State of Florida
Department of Administration
Division of State Planning
660 Apalachee Parkway
Tallahassee, Florida 32304

Gentlemen:

Enclosed herewith is a copy of a Resolution of the Board of County Commissioners of Hillsborough County, adopted March 21, 1974. This resolution constitutes the Board's Development Order in response to the Application for Development Approval of a Development of Regional Impact submitted by Brewster Phosphates for Lonesome Mine.

This order is being transmitted to you as required by Section 380.07(2), Florida Statutes (1972).

Very truly yours,

WOODIE A. LILES, COUNTY ATTORNEY

By: Steven L. Sparkman
Steven L. Sparkman,
Assistant County Attorney

SLS:dvs

cc: Tampa Bay Regional Planning Council ✓
3151 Third Avenue North - Suite 540
St. Petersburg, Florida 33713

01-73-01

RESOLUTION

Upon motion by Commissioner Castor, seconded by Commissioner Carpenter, the following resolution was unanimously adopted:

WHEREAS, Brewster Phosphates has filed with this Board an Application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department No. 73-1-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has on October 25, 1973 and on March 21, 1974, at the Hillsborough County Courthouse, Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972), and has heard and considered the testimony taken thereat,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 21ST DAY OF MARCH, 1974, AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972), shall control the construction of any so-defined terms appearing in this resolution,

2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Brewster Phosphates (Hillsborough County Building and Zoning Department No. 73-1-DRI),

3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972).

4. That this Development Order shall remain in effect for a period of twenty years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity,

5. That this Development Order shall not encompass any proposed development which constitutes a substantial

deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972).

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Brewster Phosphates (Hillsborough County Building and Zoning Department Petition No. 73-1-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

That the applicant must fully comply with all terms, conditions and requirements of the Hillsborough County Phosphate Mining Ordinance and that prior to issuance of a permit thereunder the Applicant shall submit an adequately documented proposal which satisfies all remaining questions regarding air quality, water usage, reclamation and transportation, *

7. That this Board hereby grants the rezoning requested by the applicant,

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

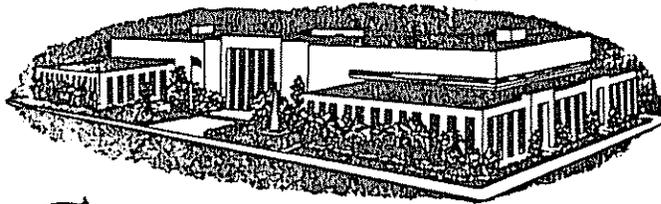
I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 21, 1974, as the same appears of record in Minute Book 2-10 of the Public Records of Hillsborough County, Florida,

WITNESS my hand and official seal this 22nd day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: Alvin H. Howard
Deputy Clerk

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811



272 -
272-6435
Clerk Taylor
MM ✓
WOK

COUNTY OF HILLSBOROUGH
Tampa, Florida 33601



CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

IN RESPONSE REFER TO:

272 5327

February 16, 1981

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida

Re: Resolution - Brewster Phosphates Settling Area D.L.
H.C. Document No. 81-124

Gentlemen:

Enclosed is an executed copy of the subject Resolution which we are returning for your official files.

This Resolution was approved by the Hillsborough County Board of County Commissioners on February 11, 1981.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: James S. Austin
James S. Austin
Administrative Assistant

JSA/lt

Enclosure

*Settling Area
approved - no
revision from DRI #73-1
substantial*

*DRI 73-1 Mining Permit =
74-MINE-2*

RESOLUTION

Upon motion of Commissioner Davin , seconded by Commissioner Bowmer , the following Resolution was adopted by a unanimous vote:

WHEREAS, on March 21, 1974, the Board of County Commissioners approved DRI #73-1 for Brewster Phosphates; and

WHEREAS, on February 8, 1980; December 1, 1980; and January 26, 1981; Brewster Phosphates submitted a request for approval of Settling Area D.L. as set forth in correspondence attached hereto and made a part hereof and marked Composite Exhibit A; and

WHEREAS, such request was a part of several proposed amendments submitted by Brewster in February 1980; and

WHEREAS, the Board of County Commissioners on November 5, 1980, found certain portions of such amendments to be a substantial deviation to Brewster DRI #73-1 (Hillsborough County Document No. 80-1030); and

WHEREAS, the Board of County Commissioners recognized that as part of its findings of November 5, 1980, that Brewster may submit individual requests for amendment pursuant to Florida Statute §380.06 provided such requests were independent from those items within the February 1980 proposed amendments which were determined to be a substantial deviation; and

WHEREAS, based upon staff review and comment, the proposed Settling Area D.L., as described in Exhibit A, subject to the conditions set forth herein, is not a substantial deviation from DRI #73-1 as defined in Florida Statute §380.06 and is a non-substantive item as set forth in Hillsborough County Phosphate Mining Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 11th DAY OF February, 1981:

1. That Settling Area D.L., as set forth in Exhibit A is hereby approved subject to the following conditions:

*for 6-orig in D. of file
DRI #2
Brewster*

(a) Brewster limit the effective area of the settling pond to 380 acres and the total system area to 448 acres as outlined in Drawing MP-L 350, revised 1/20/81.

(b) Brewster must relocate, by January 31, 1985, the recirculation ditch associated with DL to the edge of the toe road or the toe of the dam an average of 300 feet outside the 25-year flood plain of the south Prong of the Alafia River.

(c) Brewster must recontour, by January 31, 1985, a buffer area with an average width of 300 ft. from the outside of the recirculation ditch or the toe road to the 25-year flood-plain of the Alafia River.

(d) Brewster must reclaim by January 31, 1985, at least 520 acres of the Agrico Pit area located in the northwest portion of the Lonesome Tract on the east side of Highway 39. Brewster shall submit plans in accordance with Hillsborough County Mining Ordinance except that no plans shall be approved unless they incorporate the entire 520 acres as part of the drainage basin of the South Prong of the Alafia River.

(e) Brewster shall eliminate Settlement Area "A" previously planned in the northwest portion of the Lonesome Mine Tract.

(f) Brewster understands that Board approval of Settlement Area D.L. shall not constitute any implied or express approval of the proposed 600 acre Settlement Area FL.

2. That due to the foregoing findings, conclusions and conditions, Settling Area D.L. shall not be considered to fall within the operation and requirements of Hillsborough County Document #80-1030.

3. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and Brewster Phosphates.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board in its regular meeting of February 11, 1981, as the same appears of record in Minute Book 77 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 16th day of February, 1981.

APPROVED BY COUNTY ATTORNEY

BY: David M. McChauk

Approved As To Form And

Legal Sufficiency. BOARD OF COUNTY COMMISSIONERS

HILLSBOROUGH COUNTY, FLORIDA

DOCUMENT No. 81-124

JAMES F. TAYLOR, JR. CLERK

By: James S. Austin
Deputy Clerk

THE
BOARD OF COUNTY COMMISSIONERS

JEI TY BOWMER, CHAIRMAN
DISTRICT 5

CHARLES F. BEAN III, VICE-CHAIRMAN
DISTRICT 3

ROBERT E. CURRY, DISTRICT 1
FRANCES M. DAVIN, DISTRICT 4
JAN KAMINIS PLATT, DISTRICT 2

P.O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE (813) 272-5000

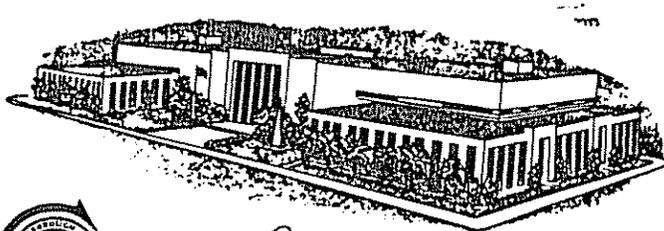


COUNTY OF HILLSBOROUGH
Tampa, Florida 33601



JAMES F. TAYLOR, JR.,
CLERK

WILLIAM C. TATUM
COUNTY ADMINISTRATOR



December 8, 1980

CERTIFIED MAIL

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, Florida 33702

Re: Resolution Finding Brewster Phosphates' Proposed Amendments
to Mining & Reclamation Plan to be Substantial Deviation
H.C. Document No. 80-1030

Gentlemen:

Enclosed is an executed copy of the above referenced Resolution
which we are returning for the official files of Tampa Bay
Regional Planning Council.

This Resolution was approved by the Hillsborough County Board
of County Commissioners on November 26, 1980.

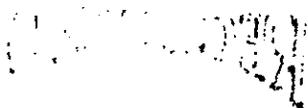
Sincerely,

JAMES F. TAYLOR, JR., CLERK

By: James S. Austin
James S. Austin
Administrative Assistant

JSA/lt

Enclosure



An Affirmative Action - Equal Opportunity Employer

Protection Commission p----

November 5, 1980, it is determined that such increase creates
a reasonable likelihood of additional adverse regional impact;
and,

WHEREAS, the proposed amendments also contain a request
for authorization to transport a dragline across the Alafia
at four (4) points; and,

RESOLUTION

Upon motion by Commissioner Castor, seconded by Commissioner Carpenter, the following resolution was unanimously adopted:

WHEREAS, Brewster Phosphates has filed with this Board an Application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department No. 73-1-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has on October 25, 1973 and on March 21, 1974, at the Hillsborough County Courthouse, Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972), and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 21ST DAY OF MARCH, 1974, AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972), shall control the construction of any so-defined terms appearing in this resolution.
2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Brewster Phosphates (Hillsborough County Building and Zoning Department No. 73-1-DRI).
3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972).
4. That this Development Order shall remain in effect for a period of twenty years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.
5. That this Development Order shall not encompass any proposed development which constitutes a substantial

deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972).

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Brewster Phosphates (Hillsborough County Building and Zoning Department Petition No. 73-1-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

That the applicant must fully comply with all terms, conditions and requirements of the Hillsborough County Phosphate Mining Ordinance and that prior to issuance of a permit thereunder the Applicant shall submit an adequately documented proposal which satisfies all remaining questions regarding air quality, water usage, reclamation and transportation.

7. That this Board hereby grants the rezoning requested by the applicant.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 21, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: Albi M. Hirsch
Deputy Clerk

THIRTEENTH STREET WEST
P. O. Box 1669
DENTON, FLORIDA 33506
(813) 746-7107

LLAND & KNIGHT

110 EAST BROWARD BLVD.
P. O. Box 14005
FORT LAUDERDALE, FLORIDA 33302
(305) 525-1000

92 LAKE WIRE DRIVE
P. O. DRAWER B W
MELAND, FLORIDA 33802
(813) 682-1161

1200 BRICKELL AVENUE
P. O. Box 015441
MIAMI, FLORIDA 33101
(305) 374-8500

255 SOUTH ORANGE AVENUE
P. O. Box 1526
ORLANDO, FLORIDA 32802
(305) 425-8500

2033 WOOD STREET
P. O. DRAWER 49768
SARASOTA, FLORIDA 33578
(813) 365-3321

BARNETT BANK BLDG.
P. O. DRAWER 810
TALLAHASSEE, FLORIDA 32302
(904) 224-7000

10 NORTH FLORIDA AVE.
P. O. Box 1288
TAMPA, FLORIDA 33601
(813) 223-1621

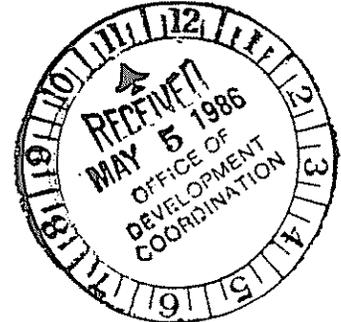
PLEASE REPLY TO: Tampa
May 5, 1986

888 SEVENTEENTH STREET, N. W.
SUITE 400
WASHINGTON, D. C. 20006
(202) 955-5550

CABLE ADDRESS
HND KNIGHT TPA
H&K MIA
TELEX 6-2630-TAMPA
TELEX 62-2233-MIAMI

Hand Delivery

Mr. Robert D. Vincent
Hillsborough County Department
of Development Coordination
Room 207
800 Twiggs Street
Tampa, Florida 33602



Re: Transfer of phosphate mining permit

Dear Mr. Vincent:

Brewster Phosphates and International Minerals and Chemical Corporation (IMC) are currently involved in negotiations concerning the transfer of Brewster's Hillsborough County phosphate holdings to IMC. In order for IMC to continue operations at the site once the transaction is closed, it will be necessary to transfer the existing mining permit. Therefore, pursuant to Section 9, entitled Terms of Permits, paragraph (3) of the Hillsborough County Phosphate Mining Ordinance, Brewster Phosphates (the Permittee) and IMC (the Prospective Transferee) hereby apply for amendment of the original application and permit for purposes of accomplishing the described transfer. Attached as Exhibit A is a letter from IMC requesting said transfer. A similar letter from Brewster Phosphates is forthcoming.

Pursuant to the terms of the Hillsborough County Phosphate Mining Ordinance, IMC has, prior to this date and incident to the annual review of its existing mining operation, submitted certain information relating to proof of financial responsibility. IMC will provide such additional information as is required to ensure that the terms of the Ordinance are satisfied relating to the acquisition of Brewster's operation.

Representatives from both IMC and Brewster Phosphates stand ready to answer any questions that you may have related to the permit transfer. Pursuant to our prior discussions, it is our understanding that this matter will be scheduled for the Board of County Commissioners' meeting on Tuesday, May 27, 1986. Should

01-73-01

you require additional information concerning this application for transfer of the phosphate mining permit, please feel free to contact my office.

Sincerely,

HOLLAND & KNIGHT

Richard E. Davis

Richard E. Davis

RED/lmc

enclosure

cc: Elizabeth Eddy, Esquire
Mr. Jeff Miller
Mr. Vince Ferlita
Mr. Bob Griffin
Mr. James Spear
Burke Kibler, Esquire

COUNTY OF HILLSBOROUGH

P.O. BOX 1110
TAMPA, FLORIDA 33601

March 22, 1974

TAMPA BAY REGIONAL
PLANNING COUNCIL

State of Florida
Department of Administration
Division of State Planning
660 Apalachee Parkway
Tallahassee, Florida 32304

Gentlemen:

Enclosed herewith is a copy of a Resolution of the Board of County Commissioners of Hillsborough County, adopted March 21, 1974. This resolution constitutes the Board's Development Order in response to the Application for Development Approval of a Development of Regional Impact submitted by Brewster Phosphates for Lonesome Mine.

This order is being transmitted to you as required by Section 380.07(2), Florida Statutes (1972).

Very truly yours,

WOODIE A. LILES, COUNTY ATTORNEY

By: Steven L. Sparkman
Steven L. Sparkman,
Assistant County Attorney

SLS:dvs

cc: Tampa Bay Regional Planning Council ✓
3151 Third Avenue North - Suite 540
St. Petersburg, Florida 33713

01-73-01

Upon motion by Commissioner Gaster, seconded by Commissioner Carpenter, the following resolution was unanimously adopted:

WHEREAS, Brewster Phosphates has filed with this Board an Application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department No. 73-1-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has on October 25, 1973 and on March 21, 1974, at the Hillsborough County Courthouse, Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972), and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 21ST DAY OF MARCH, 1974, AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972), shall control the construction of any so-defined terms appearing in this resolution.
2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Brewster Phosphates (Hillsborough County Building and Zoning Department No. 73-1-DRI).
3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972).
4. That this Development Order shall remain in effect for a period of twenty years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.
5. That this Development Order shall not encompass any proposed development which constitutes a substantial

deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972).

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Brewster Phosphates (Hillsborough County Building and Zoning Department Petition No. 73-1-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

That the applicant must fully comply with all terms, conditions and requirements of the Hillsborough County Phosphate Mining Ordinance and that prior to issuance of a permit thereunder the Applicant shall submit an adequately documented proposal which satisfies all remaining questions regarding air quality, water usage, reclamation and transportation. *

7. That this Board hereby grants the rezoning requested by the applicant.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

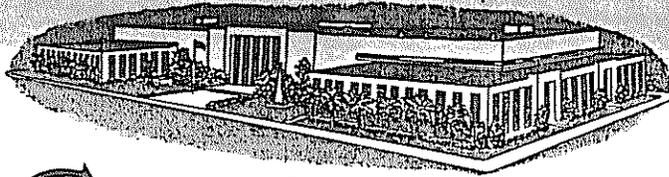
I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 21, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: *Althea M. Firsich*
Deputy Clerk

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811



272-6435
County, Supp
WOL

CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

272 5827



COUNTY OF HILLSBOROUGH
Tampa, Florida 33601



IN RESPONSE REFER TO:

February 16, 1981

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida

Re: Resolution - Brewster Phosphates Settling Area D.L.
H.C. Document No. 81-124

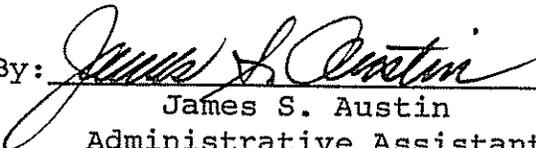
Gentlemen:

Enclosed is an executed copy of the subject Resolution which we are returning for your official files.

This Resolution was approved by the Hillsborough County Board of County Commissioners on February 11, 1981.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: 
James S. Austin
Administrative Assistant

JSA/lt

Enclosure

Settling area approval - no deviation from DRI #73-1. Substantial from DRI #73-1.

2/11/81 DRI 73-1 Mining Permit # 74-MINE-

RESOLUTION

Upon motion of Commissioner Davin , seconded by Commissioner Bowmer , the following Resolution was adopted by a unanimous vote:

WHEREAS, on March 21, 1974, the Board of County Commissioners approved DRI #73-1 for Brewster Phosphates; and

WHEREAS, on February 8, 1980; December 1, 1980; and January 26, 1981; Brewster Phosphates submitted a request for approval of Settling Area D.L. as set forth in correspondence attached hereto and made a part hereof and marked Composite Exhibit A; and

WHEREAS, such request was a part of several proposed amendments submitted by Brewster in February 1980; and

WHEREAS, the Board of County Commissioners on November 5, 1980, found certain portions of such amendments to be a substantial deviation to Brewster DRI #73-1 (Hillsborough County Document No. 80-1030); and

WHEREAS, the Board of County Commissioners recognized that as part of its findings of November 5, 1980, that Brewster may submit individual requests for amendment pursuant to Florida Statute §380.06 provided such requests were independent from those items within the February 1980 proposed amendments which were determined to be a substantial deviation; and

WHEREAS, based upon staff review and comment, the proposed Settling Area D.L., as described in Exhibit A, subject to the conditions set forth herein, is not a substantial deviation from DRI #73-1 as defined in Florida Statute §380.06 and is a non-substantive item as set forth in Hillsborough County Phosphate Mining Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 11th DAY OF February, 1981:

1. That Settling Area D.L., as set forth in Exhibit A is hereby approved subject to the following conditions:

file - orig in D. O'file
DRI #73-1
Brewster

(a) Brewster limit the effective area of the settling pond to 380 acres and the total system area to 448 acres as outlined in Drawing MP-L 350, revised 1/20/81.

(b) Brewster must relocate, by January 31, 1985, the recirculation ditch associated with DL to the edge of the toe road or the toe of the dam an average of 300 feet outside the 25-year flood plain of the south Prong of the Alafia River.

(c) Brewster must recontour, by January 31, 1985, a buffer area with an average width of 300 ft. from the outside of the recirculation ditch or the toe road to the 25-year flood-plain of the Alafia River.

(d) Brewster must reclaim by January 31, 1985, at least 520 acres of the Agrico Pit area located in the northwest portion of the Lonesome Tract on the east side of Highway 39. Brewster shall submit plans in accordance with Hillsborough County Mining Ordinance except that no plans shall be approved unless they incorporate the entire 520 acres as part of the drainage basin of the South Prong of the Alafia River.

(e) Brewster shall eliminate Settlement Area "A" previously planned in the northwest portion of the Lonesome Mine Tract.

(f) Brewster understands that Board approval of Settlement Area D.L. shall not constitute any implied or express approval of the proposed 600 acre Settlement Area FL.

2. That due to the foregoing findings, conclusions and conditions, Settling Area D.L. shall not be considered to fall within the operation and requirements of Hillsborough County Document #80-1030.

3. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and Brewster Phosphates.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board in its regular meeting of February 11, 1981, as the same appears of record in Minute Book 77 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 16th day of February, 1981.

APPROVED BY COUNTY ATTORNEY

BY David M. McChauk

Approved As To Form And

Legal Sufficiency. BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA

DOCUMENT No. 81-124

JAMES F. TAYLOR, JR. CLERK

By: James S. Austin
Deputy Clerk

THE
BOARD OF COUNTY COMMISSIONERS

JERRY BOWMER, CHAIRMAN
DISTRICT 5

CHARLES F. BEAN III, VICE-CHAIRMAN
DISTRICT 3

ROBERT E. CURRY, DISTRICT 1
FRANCES M. DAVIN, DISTRICT 4
JAN KAMINIS PLATT, DISTRICT 2

P.O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE (813) 272-5000



COUNTY of HILLSBOROUGH
Tampa, Florida 33601



SDW
WJE
JAMES F. TAYLOR, JR.
CLERK

WILLIAM C. TATUM
COUNTY ADMINISTRATOR

CERTIFIED MAIL

December 8, 1980

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, Florida 33702

Re: Resolution Finding Brewster Phosphates' Proposed Amendments
to Mining & Reclamation Plan to be Substantial Deviation
H.C. Document No. 80-1030

Gentlemen:

Enclosed is an executed copy of the above referenced Resolution
which we are returning for the official files of Tampa Bay
Regional Planning Council.

This Resolution was approved by the Hillsborough County Board
of County Commissioners on November 26, 1980.

Sincerely,

JAMES F. TAYLOR, JR., CLERK

By: *James S. Austin*

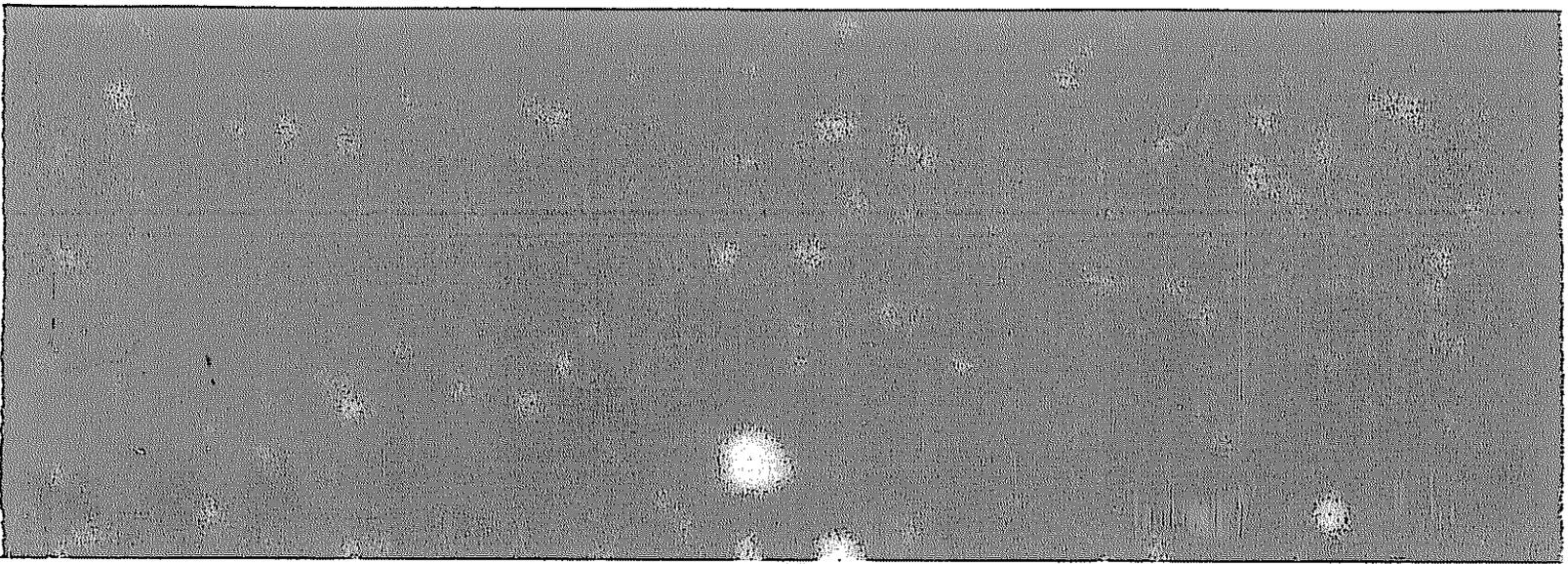
James S. Austin
Administrative Assistant

JSA/lt

Enclosure

PRT
#1
Brewster

An Affirmative Action - Equal Opportunity Employer



RESOLUTION

Upon motion by Commissioner Davin , seconded by Commissioner Kotvas , the following Resolution was adopted by a unanimous vote:

WHEREAS, on March 21, 1974, the Board of County Commissioners issued Development Order No. 73-1 for Brewster Phosphates Development of Regional Impact; and,

WHEREAS, on August 15, 1974, Mining Permit No. 74-MINE-2 was granted to Brewster Phosphates which incorporated the Lonesome Mine Mining and Reclamation Plan; and,

WHEREAS, on February 5, 1980, Brewster Phosphates proposed certain amendments to the Mining and Reclamation Plan as is set forth in letter and attachments thereto dated February 14, 1980, attached hereto and made a part hereof by reference and marked "Exhibit A"; and,

WHEREAS, Brewster Phosphates has by correspondence dated September 22, 1980, submitted addenda to its request for amendments of February 14, 1980, as attached hereto and made a part hereof by reference and marked "Exhibit B"; and,

WHEREAS, the proposed amendments contain the request to increase the amount of acreage to be devoted to settling areas serving Lonesome Mine; and,

WHEREAS, said proposal, when considered cumulatively with a settling area located in Polk County which serves Lonesome Mine, constitutes an increase in settling area approximately 50% greater than that previously approved for Lonesome Mine by Hillsborough County; and,

WHEREAS, based upon analysis and recommendations of the Hillsborough County Administration and the Environmental Protection Commission presented at public hearing on November 5, 1980, it is determined that such increase creates a reasonable likelihood of additional adverse regional impact; and,

WHEREAS, the proposed amendments also contain a request for authorization to transport a dragline across the Alafia at four (4) points; and,

WHEREAS, based upon analysis and recommendations of the Hillsborough County Administration and the Environmental Protection Commission presented at public hearing on November 5, 1980, it is determined that such crossings create a reasonable likelihood of additional adverse regional impact; and

WHEREAS, based upon these findings, such amendments are concluded to be a substantial deviation from the Brewster Phosphates Development of Regional Impact pursuant to the provisions of Florida Statute §380.06(17).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 26th DAY OF November, 1980:

1. That by virtue of these findings and conclusions and the operation of Florida Statute §380.06(17), the Brewster Phosphates Development of Regional Impact shall be subject to further review pursuant to Florida Statute §380.06.

2. Nothing herein shall be construed to preclude Brewster Phosphates from operating within the terms and conditions of Development Order No. 73-1 and Mining Permit No. 74-MINE-2.

3. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and Brewster Phosphates.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board in its regular meeting of November 26, 1980, as the same appears of record in Minute Book 76 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 4th day of Dec., 1980.

JAMES F. TAYLOR, JR., CLERK

By: James S. Austin
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA
DOCUMENT No. 80-1030

RESOLUTION

Upon motion by Commissioner Castor, seconded by Commissioner Carpenter, the following resolution was unanimously adopted:

WHEREAS, Brewster Phosphates has filed with this Board an Application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department No. 73-1-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that it should be approved subject to the applicant's compliance with the Hillsborough County Phosphate Mining Ordinance; and,

WHEREAS, this Board has on October 25, 1973 and on March 21, 1974, at the Hillsborough County Courthouse, Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972), and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 21ST DAY OF MARCH, 1974, AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972), shall control the construction of any so-defined terms appearing in this resolution.
2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Brewster Phosphates (Hillsborough County Building and Zoning Department No. 73-1-DRI).
3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972).
4. That this Development Order shall remain in effect for a period of twenty years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.
5. That this Development Order shall not encompass any proposed development which constitutes a substantial

deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972).

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Brewster Phosphates (Hillsborough County Building and Zoning Department Petition No. 73-1-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

That the applicant must fully comply with all terms, conditions and requirements of the Hillsborough County Phosphate Mining Ordinance and that prior to issuance of a permit thereunder the Applicant shall submit an adequately documented proposal which satisfies all remaining questions regarding air quality, water usage, reclamation and transportation.

7. That this Board hereby grants the rezoning requested by the applicant.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 21, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: Albi M. Hirsch
Deputy Clerk